



LEKWA TEEMANE LOCAL MUNICIPALITY

DELEGATION
OF
POWERS AND FUNCTIONS

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1. INTRODUCTION

- 1.1. The Constitution of the Republic of South Africa states that the legislative and executive authority of the municipality is vested in the municipal council. The municipality has the function and powers assigned to it in terms of section 156 and 229 of the Constitution of the Republic of South Africa, 1996 ("**Constitution**"). In terms of section 53 of the Local Government: Municipal Systems Act, 32 2000 ("**MSA**") it is stated that the municipality must define specific roles and areas of responsibilities for each political structure or political office bearer of the Municipality and that of the Municipal Manager.
- 1.2. The respective roles and areas of responsibilities may include the delegation of power and duties in terms of section 59(1) of the MSA the Municipality must develop a system of delegation that will maximise administration and operational efficiency and will provide for adequate checks and balances.

The delegations framework also provides for delegation in terms of other legislation and makes provision for the exclusion of power as mentioned in section 160(2) of the Constitution and provides for the delegations restrictions to the Mayor or Executive Committee, whichever is adopted by the Municipality. After the delegation framework has been accepted by the Municipality Council, section 59 of the Municipal Systems Act also obligates the municipality to review the delegation framework when a new council is elected, and also allows the municipal council withdraw any delegation or instruction.

2. PURPOSE AND OBJECTIVES

The object and purpose of delegation is to:

- a) to ensure maximum administrative and operational efficiency;
- b) to provide for adequate checks and balances;
- c) to delegate decision-making to the most effective level within the administration;
- d) to involve employees in management decisions as far as practicable;
- e) to promote a sense of collective responsibility for performance;
- f) to assign clear duties for the management and co-ordination of administrative units, systems and mechanisms;

3. POLICY GUIDELINES FOR DELEGATIONS

3.1 General Guidelines and Conditions

1. No delegation must conflict with the Constitution of the Republic of South Africa or any other legislation when exercised.
2. Any delegation made does not divest the Council of the responsibility concerning the exercise of the power or the performance of the duty.
3. Any delegation to an official can also be exercised by the person who acts in the capacity to which delegation is made.
4. When funds are not available, expenditure may not be incurred when exercising delegated powers.
5. Any decision, refusal of an application or condition made when exercising delegated powers, is subject to appeal in writing within 21 days of notification thereof to the appeal authority (see s62 MSA) which is, in respect of a decision made by:
 - (i) a staff member other than the Municipal Manager – the Municipal

Manager

- (ii) the Municipal Manager – the Mayor
- (iii) the Mayor – the Council or a committee appointed by the Council for this purpose

6. The Council may order the Mayor, Municipal Manager or a Portfolio Committee at any time to refer a specific matter that has been delegated to the Mayor, Municipal Manager or such committee in terms of delegated powers, to it for disposal in terms of section 61 of the Local Government: Municipal Systems Act.
7. Any matter in respect of which no final decision can be taken by a Portfolio Committee, is submitted to the Council for disposal.
8. Council disposes of any matter in respect of which the Mayor, the Municipal Manager or Portfolio Committee is of the opinion that the nature of such matter necessitates a resolution by the Council.
9. Any delegation, except those mentioned in section 160(2) of the Constitution, sections 59(1)(a) and 60(1) & (2) of the Local Government: Municipal Systems Act No. 32 of 2000 or specifically reserved by the Council, may be sub-delegated by the delegatee.

Departmental Managers may sub-delegate any of their delegated powers or functions to any official in their Departments: Provided that the Municipal Manager approves such sub-delegation beforehand.

10. In terms of section 59(2)(f) of the Local Government: Municipal Systems Act, this set of Delegation of Powers is subject to review when a new Council is elected.
11. When a service is rendered for another Department in the execution of a Delegation, the cost of such service should be borne by such other Department.
12. Powers assigned by any legislation to the Mayor, Municipal Manager, an Official, Political Structure or Political Office Bearer may be delegated by the assignee in writing, unless indicated otherwise.
13. In terms of section 59(1)(c) of the Local Government: Municipal Systems Act, No 32 of 2000, the Council reserves the right to review or withdraw at any time any power or function delegated.
14. Any Council power or function not mentioned or delegated in terms of this

document, must be taken as "Reserved by Council"

3.2 Financial Guidelines and Procedures

3.2.1 The Accounting Officer:

- 3.2.1.1 Must develop an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the municipality's financial administration;
- 3.2.1.2 May, in accordance with that system, delegate to a member of the municipality's top management referred to in section 77 of the Municipal Finance Management Act or any other official of the municipality-
- 3.2.1.2.1 Any of the powers or duties assigned to an accounting officer in terms of this Act; or
- 3.2.1.2.2 Any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA;
- 3.2.1.3 Must regularly review delegations issued in terms of paragraph (b) and, if necessary, amend or withdraw any of those delegations;
- 3.2.1.4 The accounting officer may not delegate to any political structure or political officer-bearer of the municipality any of the powers or duties assigned to accounting officers in terms of the MFMA.
- 3.2.1.5 Any delegation:
 - 3.2.1.5.1 Must be in writing;
 - 3.2.1.5.2 Is subject to such limitations and conditions as the accounting officer may impose in a specific case;
 - 3.2.1.5.3 May either be to a specific individual or to the holder of a specific post in the municipality;
 - 3.2.1.5.4 May, in the case of a delegation to a member of the municipality's top management in terms of subsection (6.1.1) (b), authorise that member to sub-delegate the delegated power or duty to an official or the holder of a specific post in that member's area of responsibility; and
 - 3.2.1.5.5 Does not divest the accounting officer of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty.

3.3 Municipal Manager as Implementing Authority

The Municipal Manager must:

- 3.3.1 Implement and enforce the Municipality's credit control and debt collection policy and any by-laws enacted in terms of the Municipal Systems Act;
- 3.3.2 In accordance with the credit control and debt collection policy and any such by-laws established for effective administrative mechanisms, processes and procedures to collect money that is due and payable to the Municipality; and
- 3.3.3 Report the prescribed particulars monthly to a meeting of the supervising authority.

3.4 Granting Credit

- 3.4.1 The granting of credit will be authorised by the Chief Financial Officer.
- 3.4.2 Credit shall be granted to new and existing debtors.
- 3.4.3 When credit is granted to existing debtors, the following will be taken into account before granting credit, the debtor's:
 - a) Current balance;
 - b) Payment history; and
 - c) Current credit limit.
- 3.4.4 The following must be done when granting credit to new debtors:
 - a) Confirm credit worthiness and history with the credit bureau; and
 - b) Confirm credit history with other organisations where they obtained credit before.
- 3.4.5 The Chief Financial Officer shall be responsible for determining the new debtor's credit limit.

3.5 Recording Transactions

- 3.5.1 When issuing an invoice to a debtor, it must be ensured that the following information is captured on the invoice:

- a) Details of the service provided;
- b) The date of delivering the service;
- c) The total cost of the service provided;
- d) Payment terms as discussed with the Chief Financial Officer;
- e) The invoice number;
- f) The Chief Financial Officer's signature to serve as proof that the invoice is valid; and
- g) Bank details of the Municipality for payments from the debtor.

3.5.2 Original invoices will be given to debtors.

3.5.3 A duplicate of each invoice issued will be sent to the Accountant: Debtors to update/create the relevant debtor account.

3.6 Collecting Payments

3.6.1 Three methods of payments shall be used regarding debtors:

- a) Electronic funds transfer (EFT);
- b) **Cheques**; and
- c) Cash.

3.6.2 The method of payment for a specific debtor shall be disclosed on the individual invoice for a debtor,

3.6.3 When debtors pay accounts via EFT the proof of payment will be faxed or e-mailed through to the Municipality.

3.6.4 Upon taking the proof of payment into receipt, the Senior Accountant shall update the relevant account of the debtor with the amount paid.

3.6.5 When debtors pay with cheques, the following procedure will be followed:

- a) Two employees will take the cheque into receipt;
- b) As proof of receipt, the employees shall sign the cheque register;

- c) Monthly bank reconciliations shall be performed on all cheques received are valid; and
- d) As soon as the cheque is deposited, the Senior Accountant shall update the relevant account of the debtor with the amount paid.

3.6.6 When signing the cheque register, the following information must be captured on the register:

- a) The cheque number;
- b) Date of receipt of the cheque;
- c) Signatures of both employees;
- d) Name of the debtor; and
- e) The amount of the cheque.

3.6.7 Monthly reconciliations in the cheque register shall be performed, to ensure all cheques recorded were received.

3.7 Monthly Statements

3.7.1 Monthly statements shall be sent to all debtors to keep them informed about the debt and the amount that is owed.

3.7.2 Statements shall be e-mailed as well as mailed, thus to ensure the debtor receives the statement.

3.7.3 The following information must be recorded on the debtor statement:

- a) Name and address of the debtor;
- b) Debtor number;
- c) The date of the statement;
- d) The amount outstanding;
- e) Payment terms;
- f) Amount due for the applicable month;
- g) Signature of the Chief Financial Officer;
- h) Statement number; and
- i) Details of the amount owed.

3.7.4 If the above mentioned information is not recorded on the statement, it must not be sent to the applicable debtor.

3.7.5 Debtors shall have 14 days to pay the due amount.

3.7.6 If the amount is not paid within 14 days, the debtor account shall be classified as in arrears.

3.8 Bad Debts

3.8.1 Interest on arrears

Interest must be charged on debts to the Municipality at the prime interest rate determined by the Minister of Finance in terms of section 80 of the Public Finance Management Act of 1999.

3.8.2 Writing off of bad debts

3.8.2.1 The Chief Financial Officer, subject to approval of the Accounting Officer, may only write off debts owed to the Municipality if he or she is satisfied that:

- a) All reasonable steps have been taken to recover the debt and the debt is irrecoverable; or,
- b) He or she is convinced that:
- c) Recovery of the debt would be uneconomical; and
- d) It would be to the advantage of the Municipality to effect a settlement of its claim or to waive the claim.

3.7.6.2 All debts written off must be disclosed in the annual financial statements.

3.7.6.3 The approval of the Chief Financial Officer for the write-off of any debt does not mean that actions to recover the money will be terminated, however, further actions will be instituted depending on the costs involved and if debt is recovered it will be recorded in the financial records of Council as recovered.

3.8.3 Legal costs

All legal costs, including attorney-and-own-client costs incurred in the recovery of amounts in arrears shall be levied against the arrears account of the debtor.

3.8.4 Cost to remind debtors of arrears

For any action taken in demanding payment from the debtor or reminding the debtor, by means of telephone, fax, email, letter or otherwise, that his/her payments are due, a penalty fee may be levied against the account of the debtor in terms of the municipality's tariff provisions.

3.8.5 Arrangements to pay outstanding and due amounts in consecutive installments:

A debtor may enter into a written agreement with the Municipality to repay any outstanding and due amount to the Municipality under the following conditions:

- a) The outstanding balance, costs and any interest thereon shall be paid in regular and consecutive monthly installments;
- b) The current monthly amount must be paid in full; and
- c) The written agreement has to be signed on behalf of the Municipality by the Chief Financial Officer.

3.8.6 In order to determine monthly installments, a comprehensive statement of assets and liabilities of the debtor must be compiled by a treasury official. To ensure the continuous payment of such arrangement the amount determined must be affordable to the debtor, taking into account that payment of the monthly payments due is a prerequisite for concluding an arrangement. The main aim of an agreement will be to promote full payment of the current amount outstanding and to address the arrears on a consistent basis.

3.8.7 Sequence of payments

When a debtor pays his/her account and that account is in arrear, the money paid will be allocated as follows:

- a) Interest on arrear account;
- b) Amount that is in arrear; and
- c) Current outstanding amount broken down as follows:
 - Tax;
 - Refuse removal;
 - Water and Sewage; and
 - Electricity.

3.8.8 Agents, Attorneys and Other Collection Agents

- 3.8.8.1 All external agents acting on behalf of the Municipality are to be named, together with their details and contact information. Likewise, all agents are to be supplied with a copy of the credit control measures.
 - 3.8.8.2 Clear instructions must be given to agents to explain all arrangements for the customer's benefit. Under no circumstances may agents negotiate terms, extend payment periods or accept cash on behalf of the municipality.
 - 3.8.8.3 The costs to the Municipality and to the debtor must be detailed for each stage of the credit control measures and for all possible actions. The liability for the costs of legal action and other credit control actions must, as far as is legally possible, be for the account of the debtor.
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4. POWERS ASSIGNED TO MUNICIPAL COUNCIL

4.1 The Constitution of the Republic of South Africa, 1996 (“CONS”)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
C1	Assigned by Legislation	s160(2)(a)	CONS	Passing of By-laws	May not Delegate
C2	Assigned by Legislation	s1 60(2)(b)	CONS	Approval of Budgets	May not Delegate
C3	Assigned by Legislation	s160(2)(c)	CONS	Imposition of rates and other taxes, levies and duties	May not Delegate
C4	Assigned by Legislation	s160(2)(d)	CONS	Raising of loans	May not Delegate

4.2 Local Government: Municipal Systems Act, 2000 (Act No.32 Of 2000) (“MSA”)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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C5	Assigned by Legislation	s4(1)(a)	MSA	Right to govern local government affairs of local community	May not delegate
C6	Assigned by Legislation	s4(2)(a) to (j)	MSA	Duties to be exercised within the Municipality's financial and administrative capacity, excluding the legislative authority referred to in section 4(2)(a)	May not delegate
C7	Assigned by Legislation	s4(3)	MSA	Exercising of Bill of Rights	May not delegate
C8	Assigned by Legislation	s11 (3)(a)	MSA	Adoption of policy framework and setting of delivery targets	May not delegate
C9	Assigned by Legislation	s11(3)(b)	MSA	Promoting and undertaking development	May not delegate
C10	Assigned by Legislation	s11 (3)(m)	MSA	Passing of by-laws	May not Delegate
C11	Assigned by Legislation	s25(1)(a) to (e)	MSA	Adoption of IDP	May not Delegate
C12	Assigned by Legislation	s34(b)	MSA	Amendment of IDP	May not Delegate
C13	Assigned by Legislation	s46	MSA	Adoption of Annual Performance Report	May not Delegate
C14	Assigned by Legislation	s53	MSA	Defining specific roles and areas of responsibilities of political structures, office bearers and the Municipal Manager	May not Delegate
C15	Assigned by Legislation	s53	MSA	Determine roles and areas of responsibilities for political structures, office bearers and Municipal Manager	May not delegate

C16	Assigned by Legislation	s53(3)	MSA	Defining role profiles for interaction between Councillors and the Municipal Manager	May not delegate
C17		s54	MSA	Appointment of Municipal Manager or Acting Municipal Manager	May not delegate
C18	Assigned by Legislation	s56	MSA	Appointment of Section 56 Managers or Acting Managers, in consultation with Municipal Manager	May not delegate
C19	Assigned by legislation	s57	MSA	Employment contracts of Senior Managers Performance agreement of Municipal Manager Performance agreement of s56 Managers	Delegated to Mayor obo Council Delegated to Mayor Delegated to Municipal Manager
C20	Assigned by Legislation	s59(1)	MSA	Adoption of a system of delegations (including checks and balances but excluding powers specifically reserved for Council)	May not delegate
C21	Assigned by Legislation	s59(3)(a)	MSA	Review of decisions taken under delegated powers if requested to do so	May not delegate
C22	Assigned by Legislation	s59(3)(b)	MSA	Review of decisions made as a result of a delegation: to a political structure, political office bearer, Councillor or Municipal Manager	May not delegate
C23	Assigned by Legislation	s 60 (1)	MSA	-Expropriation of immovable property -Remuneration and benefits of Municipal Manager and Section 56 Managers	May not delegate

C24	Assigned by Legislation	s65	MSA	Review of delegations when requested in terms of s59(2)(f)	May not delegate
C25	Assigned by Legislation	s74-75	MSA	Adoption of Tariff Policy and associated By-laws	May not Delegate
C26	Assigned by Legislation	s76(b)	MSA	Entering into Service Delivery Agreement with external bodies	May not Delegate
C27	Assigned by Legislation	s96, 97, 98	MSA	Adoption of Debt Collection and Credit Control Policy and associated By-laws	May not delegate

4.3 Local Government: Municipal Structures, 1998 (Act no. 117 of 1998) (“MS”)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
C28	Assigned by Legislation	s82(1) and (2)	MS	Appointment of Municipal Manager	May not Delegate

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

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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C29	Assigned by Legislation	s13(2)	MFMA	Establishing an effective cash management and investment policy (read with s60(2) of the Municipal Systems Act)	May not delegate
C30	Assigned by Legislation	s16(1)	MFMA	Approval of annual budgets in conjunction with s1 60(2) of the Constitution	May not Delegate
C31	Assigned by Legislation	s16(3)	MFMA	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget (A separate appropriation must be made for each of financial year)	May not delegate
C32	Assigned by Legislation	s23(4)	MFMA	Adopting of guidelines issued by National Treasury on the manner which the municipality should process the annual budgets including formation of a committee of the Council to consider the budget and to hold public hearings.	May not delegate
C33	Assigned by Legislation	s24(1)&(2)(c)	MFMA	Deciding the reasonable steps to settle a dispute of a financial nature between the Municipality and another organ of state out of court. (Subject to section 52 MFMA) government's monitoring of the Municipality	May not delegate
C34	Assigned by	s34(3)(a)	MFMA	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year	May not delegate

	Legislation			adjustments budget	
C35	Assigned by Legislation	s28(1)	MFMA	Shifting of funds between multi year appropriations	May not delegate
C36	Assigned by Legislation	s31	MFMA	Revise an approved budget by way of an and adopt resolutions on such issues related to the budget	May not delegate
C37	Assigned by Legislation	s32(7)	MFMA	Consider and approve the annual budget	May not delegate
C38	Assigned by Legislation	s33(1)	MFMA	To take all reasonable steps to ensure that all cases that constitute criminal offences and theft or fraud are reported to the South African Police Services if the charge is against the Accounting Officer or if the Accounting Officer fails to report the cases to the SAPS.	May not delegate
C39	Assigned by Legislation	s38(2)	MFMA	To consider a notice received from the National To determine the case that will be presented to a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	May not delegate
C40	Assigned by Legislation	s39(3)	MFMA	To state its case before a committee as provided for in this section	May not delegate
C41	Assigned by Legislation	s44(2)(A)	MFMA	To consider a notification of the provincial government of any emerging or impending financial problems in the Municipality	May not delegate
C42	Assigned by	s44(2)(b)	MFMA	Reporting a dispute of a financial nature between the Municipality	May not delegate

	Legislation			and another organ of state to the National Treasury(Subject to section 52 MFMA)	
C43	Assigned by Legislation	s44(1)	MFMA	Deciding whether to request the National Treasury to mediate or to appoint a mediator to mediate a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury) (Subject to section 52 MFMA	May not delegate
C44	Assigned by Legislation	s45(2)(b)	MFMA	Approving any short term debt agreement (Mayor must sign the resolution)	May not delegate

C45	Assigned by Legislation	s46(1)	MFMA	Deciding whether to incur a long term debt	May not delegate
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C46	Assigned by Legislation	s46(2)(a)	MFMA	Approving any long term debt agreement (Mayor must sign the resolution)	May not delegate
C47	Assigned by Legislation	s48(1)	MFMA	Deciding whether to provide security for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	May not delegate
C48	Assigned by Legislation	s50	MFMA	Deciding to issue a guarantee for any commitment or debt of any organ of state, person or municipal entity under the sole or shared control of the Municipality	May not delegate
C49	Assigned by Legislation	s84(1)(a)	MFMA	To determine precisely the function or service that a municipal entity would perform on behalf of the Municipality when considering the establishment of, or participation in, a municipal entity To consider the comments or representations received from the local community, organized labour and other interested persons in respect of the Municipality's intention to establish and/or participate in a municipal entity	May not delegate
C50	Assigned by Legislation	s84(2)(b)(ii)	MFMA	To consider the views and recommendations of the National Treasury and the provincial treasury, the national and provincial	May not delegate

				departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	
C51	Assigned by Legislation	s84(2)(b) (iii) s87(2)	MFMA MFMA	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality	May not delegate
C52	Assigned by Legislation	s87(2)	MFMA	To consider the proposed budget of a municipal entity of which the Municipality is the parent municipality and assessing the entity's priorities and objectives	May not delegate
C53	Assigned by Legislation	s87(5)(c)	MFMA	To determine the limits, including any limits on tariffs, revenue, expenditure and borrowing, on the budget of a municipal entity of which the Municipality is the parent municipality	May not delegate
C54	Assigned by Legislation	s89(a)	MFMA	To determine the upper limits of the salary, allowances and other benefits of the chief executive officer and senior managers of a municipal entity of which the Municipality is the parent municipality	May not delegate
C55	Assigned by Legislation	s90(2)	MFMA	To consider an application from a municipal entity of which the Municipality is the parent municipality, to transfer ownership or otherwise dispose of a capital asset other than an asset needed to provide the minimum level of basic municipal services	May not delegate

				(Council must in a meeting open to the public, decide whether an asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset)	
C56	Assigned by Legislation	s109	MFMA	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems and the board of directors of the entity fails to act effectively – (a) impose a financial recovery plan, which meets the criteria set out in section 142 of the MFMA; or (b) liquidate and disestablish the entity	May not delegate
C57	Assigned by Legislation	s111	MFMA	Adoption of Supply Chain Management Policy	May Not Delegate
C58	Assigned by Legislation	s120(1)	MFMA	Deciding to enter into a public-private partnership agreement	May not delegate
C59	Assigned by Legislation	s120(1)(b)	MFMA	To determine whether a proposed public-private partnership agreement will be affordable for the Municipality	May not delegate
C60	Assigned by Legislation	s120(4)	MFMA	Deciding to conduct a feasibility study before a public private partnership is concluded	May not delegate
C61	Assigned by Legislation	s120(5)	MFMA	To determine whether to apply for the national government's assistance in carrying out and assessing a feasibility study	May not delegate

				regarding a proposed public-private partnership	
C62	Assigned by Legislation	s129(1)	MFMA	To consider the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control	May not delegate
C63	Assigned by Legislation	s129(1)	MFMA	Adopting an oversight report containing the Council's comments on the annual report(s)	May not delegate
C64	Assigned by Legislation	s129(5)	MFMA	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report	May not delegate
C65	Assigned by Legislation	s133(1)(c)(i)	MFMA	To receive the report of the Speaker regarding the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council.	May not delegate
C66	Assigned by Legislation	s133(1)(c)(iii)	MFMA	Deciding whether disciplinary steps should be taken against the Municipal Manager or other persons responsible for the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Mayor's	May not delegate

				failure to table the annual report of the Municipality or a municipal entity in the Council	
C67	Assigned by Legislation	s153(1)(a)	MFMA	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	May not delegate
C68	Assigned by Legislation	s153(1)(b)	MFMA	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	May not delegate
C69	Assigned by Legislation	s165(1)	MFMA	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	May not delegate
C70	Assigned by Legislation	s1 66(1) and (6)	MFMA	Deciding whether to establish an internal audit unit or to outsource the internal audit function	May not delegate
C71	Assigned by Legislation	s1 66(2)	MFMA	Deciding whether to establish an internal audit committee for the municipality	May not delegate
C72	Assigned by Legislation	s166(4)	MFMA	To receive reports of the audit committee	May not delegate
C73	Assigned by Legislation	s166(4)	MFMA	To determine the nature of the appropriate experience that persons should possess to be considered for appointment as a	May not delegate

				member of the audit committee	
C74	Assigned by Legislation	s1 66(5)	MFMA	To determine the number of members of the audit committee	May not delegate
C75	Assigned by Legislation	s1 68(3)	MFMA	To consider any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA (In consultation with the Municipal Manager)	May not delegate
C76	Assigned by Legislation	s171 (4)(a)	MFMA	Deciding whether an allegation of financial misconduct against the Municipal Manager is frivolous, vexatious, speculative or obviously unfounded	May not delegate
C77	Assigned by Legislation	s171(4)(a)	MFMA	Investigating any allegations of financial misconduct against the Municipal Manager unless those allegations are frivolous, vexatious, speculative or obviously unfounded	May not delegate
C78	Assigned by Legislation	s174(4)(b)	MFMA	Deciding whether an investigation of an allegation of financial misconduct against the Municipal Manager revealed anything that warrants the institution of disciplinary proceedings	May not delegate

4.5 Disaster Management Act, 2002 (Act No. 57 of 2002)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
C79	Assigned by Legislation	s55(1)	DMA	Declare a local state of disaster if circumstances warrant it and municipality is designated as a primarily responsible municipality by the district municipality	May not delegate
C80	Assigned by Legislation	S55(2)	DMA	Making of by-laws and directives in respect of dealing with the local disaster.	May not delegate

5. ASSIGNED/DELEGATED TO: EXECUTIVE COMMITTEE

5.1 Local Government: Municipal Systems Act 2000 (Act No. 32 of 2000)

Please Note: All decisions taken by the Mayor, except for assigned authority, must be in consultation with EXCO, unless the Mayor was specifically delegated the authority to take such decision.

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
EX1	Assigned by Legislation	s30(a)	MSA	Management of Drafting of IDP	May not delegate
EX2	Assigned by Legislation	s30(b)	MSA	Delegate responsibilities to manage the drafting of IDP to the Municipal Manager	May not delegate
EX3	Assigned by Legislation	s39(c)	MSA	Submit a draft Performance Management System to Council for adoption.	May not delegate
EX4	Assigned by Legislation	s39(a)	MSA	Manage the development of the Municipality's Performance Management System	May not delegate
EX5	Assigned by Legislation	s39(b)	MSA	Delegate responsibilities to manage the development of PMS to the Municipal Manager	May not delegate
EX6	Assigned by Legislation	s44	MSA	Determination of KPI's and performance targets	May not delegate

EX7	Assigned by Legislation	s57(2)(b)	MSA	Sign an employment contract with the municipal manager on behalf of Council	Delegate to Mayor
EX8	Assigned by	s62(4)(b)	MSA	Appeals against a decision of the Municipal Manager	May not delegate
EX9	Assigned by Legislation	s93D(2)(b)	MSA	Call or convene any meeting of shareholders or general meeting of the board of directors of the municipal entity and the representatives of the parent municipality in order for the board of directors to account for their actions.	May not delegate
EX10	Assigned by Legislation	s99(c)	MSA	Report back to Council at regular intervals as the Council may determine.	May not delegate
EX11	Assigned by Legislation	s99(a)	MSA	Exercise supervisory authority, oversight and monitoring of the: -implement and enforce credit control & debt collection policy and a by-law adopted in terms of section 98 to give effect to credit control and debt collection policy. -performance of the Municipal Manager in implementing credit control and debt collection policy.	May not delegate
EX12	Assigned by Legislation	s99(b)	MSA	Evaluate/review credit control and debt collection policy or by-law to improve efficiency of the credit control and debt collection mechanisms, processes and procedures.	May not delegate

EX13	Council	s23	MSA	Undertake developmentally oriented planning	May not delegate
EX14	Council	s34(a)	MSA	Review of the IDP and assessment of performance and changing circumstances	May not delegate
EX15	Council	s38(a) to (c)	MSA	Establishment of the PMS	May not delegate
EX16	Council	s40	MSA	Monitoring of the PMS and report to Council on a quarterly basis	May not delegate
EX17	Council	s45	MSA	To request Performance Audits and report to Council on the outcome	May not delegate
EX18	Council	s46(1)	MSA	Submission of Annual Performance Report for approval by Council	May not delegate
EX19	Council	s73	MSA	General duty to give effect to basic needs of the community, promote development and ensure access to basic municipal services	May not delegate

5.2 Local Government: Municipal Structures Act 1998, (Act No.117 of 1998)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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EX20	Assigned by legislation	S44(1)(a)	MSrA	Receive reports from all other Committees of Council	May not delegate
EX21	Assigned by Legislation	S44(2)	MSrA	• Identify the needs of the Municipality. • Review and evaluate those needs of the Municipality in order of priority. • Recommend to Council strategies, services and programmes to address priority needs through IDP and estimates of revenue and expenditure. • Recommend and determine the best way, including partnerships or other approaches, to deliver those strategies, programmes, and services to the maximum benefit of the community. • the implementation of the municipality's by-laws.	May not delegate
EX22	Assigned by Legislation	S44(3)	MSrA	Identify and develop criteria to evaluate progress in the implementation of strategies, programmes and services, including key performance indicators.	May not delegate
EX23	Assigned by Legislation	S44	MSrA	Evaluate progress against key performance indicators.	May not delegate

EX24	Assigned by Legislation	S44(3)(c)	MSrA	Review performance of municipality to improve: - the economy, efficiency and effectiveness of the Municipality, - efficiency of the credit control, revenue & debt collection services, - the implementation of the by-laws of the Municipality.	May not delegate
EX25	Assigned by Legislation	S44	MSrA	Oversee the provision of services to local communities in a sustainable manner.	May not delegate
EX26	Assigned by Legislation	S44	MSrA	Perform duties and exercise powers delegated by Council in terms of section 59 of the Municipal Systems Act	May not delegate
EX27	Assigned by Legislation	S44	MSrA	Report annually on the involvement of communities and community organizations in the affairs of the municipality.	May not delegate
EX28	Assigned by Legislation	S44	MSrA	Ensure that regard is given to public views and report on the effect of consultation on the decisions of the Council.	May not delegate
EX29	Assigned by Legislation	S44	MSrA	Report to Council on all decisions taken by EXCO	May not delegate

5.3 Local Government: Municipal Finance Management, 2000 (Act No.56 of 2000)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
EX30	Assigned by Legislation	s21(1)(a)	MFMA	Tabling of annual financial budget to Council (The annual budget must be tabled at least 90 days before 1 July each year)	May not delegate
EX31	Assigned by Legislation	S21(1)(b)(iii)	MFMA	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's integrated development plan and budget-related policies	May not delegate
EX32	Assigned by Legislation	s21(1)(b)	MFMA	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the Municipality's budget- related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes forming part of the processes (At least 10 months before 1 July each year)	May not delegate

Commented [TM1]: Can be delegated to the mayor?

EX33	Assigned by Legislation	s21 (2)(b)	MFMA	To take reasonable steps to ensure the review of the Municipality's Integrated Development Plan	May not delegate
EX34	Assigned by Legislation	s21 (2)(d)	MFMA	To determine the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	May not delegate
EX35	Assigned by Legislation	s23(2)(a)	MFMA	To determine the manner and timing of consultation of the local municipalities within the municipal area, the provincial treasury and such other organs of state as may be prescribed with regard to the Municipality's annual budget	May not delegate
EX36	Assigned by Legislation	s25(3)	MFMA	To respond to any submissions received in connection with the budget from communities and organs of state	May not delegate
EX37	Assigned by Legislation	s27(1)	MFMA	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year (Immediately report the matter to the MEC responsible for local government)	May not delegate

EX38	Assigned by Legislation	s27(1)	MFMA	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes	May not delegate
EX39	Assigned by Legislation	s27(2)	MFMA	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	May not delegate
EX40	Assigned by Legislation	s27(3)	MFMA	Informing the Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such noncompliance	May not delegate
EX41	Assigned by Legislation	s28(4)	MFMA	Tabling an adjustments budget in the Council	May not delegate
EX42	Assigned by Legislation	s29(1)	MFMA	Authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	May not delegate

EX43	Assigned by Legislation	s29(2)(c)	MFMA	Reporting to the Council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances (Such report must be made to the Council at the first Council meeting next ensuing after the authorisation was given)	May not delegate
EX44	Assigned by Legislation	s52(c)	MFMA	Take reasonable steps to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	May not delegate
EX45	Assigned by Legislation	s52(a)	MFMA	To provide general political guidance over the fiscal and financial affairs of the Municipality	May not delegate
EX46	Assigned by Legislation	s52(b)	MFMA	Monitoring and oversight mechanisms to be applied to the exercise by the Municipal Manager and the Chief Financial Officer of their powers, functions and duties in terms of the MFMA	May not delegate
EX47	Assigned by Legislation	s52(d)	MFMA	To submit to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality	May not delegate
EX48	Assigned by Legislation	s53(1)(c)(i)	MFMA	Take reasonable steps to ensure that the Municipality approves its annual budget before the start of the budget year	May not delegate

EX49	Assigned by Legislation	s53(1)(c)(ii)	MFMA	To take reasonable steps to ensure he/she approves the Municipality's service delivery and budget implementation plan. (The Mayor must approve the annual service delivery and budget implementation plan within 28 days after the approval of the budget)	May not delegate
EX50	Assigned by Legislation	s53(1)(c)(iii)	MFMA	To take reasonable steps to ensure that the annual performance agreements for the Municipal Manager and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan and are concluded in accordance with section 57(2) of the Municipal Systems Act (In terms of section 57(2)(a) of the Municipal Systems Act the annual performance agreements must be concluded on or before 30 July of each year)	May not delegate
EX51	Assigned by Legislation	s53(1)(a)	MFMA	To provide political guidance over the budget process and the priorities that must guide the preparation of a budget	May not delegate
EX52	Assigned by Legislation	s53(1)(b)	MFMA	To co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	May not delegate

EX53	Assigned by Legislation	s53(1)(b)	MFMA	To determine how the integrated development plan is to be taken into account or revised for the purposes of the budget	May not delegate
EX54	Assigned by Legislation	s53(2)	MFMA	Reporting to the Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery and budget implementation plan or the signing of the annual performance agreements	May not delegate
EX55	Assigned by Legislation	s53(3)(a)	MFMA	To ensure that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan	May not delegate
EX56	Assigned by Legislation	s53(3)(b)	MFMA	To ensure that the performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the Municipality's service delivery and budget implementation plan	May not delegate

EX57	Assigned by Legislation	s53(3)(b)	MFMA	Submission of the annual performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, to the Council and the MEC responsible for local government	May not delegate
EX58	Assigned by Legislation	s54(1)(c)	MFMA	To determine the process of formulating revisions to the service delivery and budget implementation plan	May not delegate
EX59	Assigned by Legislation	s54(1)(c)	MFMA	To determine whether it is necessary to make any revisions to the service delivery and budget implementation plan (Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following approval of an adjustments budget)	May not delegate

EX60	Assigned by Legislation	s54(1)(a)	MFMA	Consideration of the monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report (The statement a statement regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of each month assessment report must be submitted not later than 25 January of each year The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year)	May not delegate
EX61	Assigned by Legislation	s54(1)(b)	MFMA	To check whether the Municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan	May not delegate

EX62	Assigned by Legislation	s54(1)(d)		To issue appropriate instructions to the Municipal Manager to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget (If the Municipality faces any serious financial problems, the Mayor must promptly respond to and projected in the Municipality's approved budget, the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems) initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the municipality's approved budget.	May not delegate
EX63	Assigned by Legislation	s54(1)	MFMA	To identify if the Municipality faces any financial problems including any emerging or impending financial problems.	May not delegate
EX64	Assigned by Legislation	s54(3)	MFMA	Making public any revisions of the service delivery and budget implementation plan	May not delegate

EX65	Assigned by Legislation	s55	MFMA	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	May not delegate
EX66	Assigned by Legislation	s56	MFMA	To provide guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	May not delegate
EX67	Assigned by Legislation	s59(1)(a)	MFMA	To delegate the powers and duties assigned to the Mayor in terms of the MFMA to another member of the Mayoral Committee	May not delegate
EX68	Assigned by Legislation	s59(2)(b)	MFMA	To impose any limitation or condition to any delegation by the Mayor	May not delegate
EX69	Assigned by Legislation	s59(3)	MFMA	To confirm, vary or revoke any decision taken in consequence of a delegation by the Mayor (No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision)	May not delegate
EX70	Assigned by Legislation	s87(3)	MFMA	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council(Together with the Municipality's budget for the relevant financial year)	May not delegate

EX71	Assigned by Legislation	s87(6)	MFMA	To consider an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity	May not delegate
EX72	Assigned by Legislation	s87(9)	MFMA	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting	May not delegate
EX73	Assigned by Legislation	s1 02(1)	MFMA	To receive a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	May not delegate
EX74	Assigned by Legislation	s1 27(2)	MFMA	Tabling in the Council the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	May not delegate
EX75	Assigned by Legislation	s127(3)(a)	MFMA	To submit to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	May not delegate
EX76	Assigned by Legislation	s1 31 (1)	MFMA	Ensuring that the Municipality addresses all the issues raised in an audit report	May not delegate

EX77	Assigned by Legislation	s1 33(1)(a)	MFMA	Consequences of non-compliance with certain provisions of the Act - Mayor to table written explanation	May not delegate
EX78	Assigned by Legislation	s133(1)(a)	MFMA	Tabling in the Council a written explanation setting out the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	May not delegate
EX79	Assigned by Legislation	s136(1)(a)	MFMA	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	May not delegate
EX80	Assigned by Legislation	s137(1)(d)	MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	May not delegate

EX81	Assigned by Legislation	s139(1)(b)	MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	May not delegate
EX82	Council	s32(7)	MFMA	Reporting alleged irregular expenditure incurred by the Municipal Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the Municipal Manager to the SAPS	May not delegate
EX83	Council	s37(1)(a)	MFMA	To determine the steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	May not delegate

5.4 Local Government: Disaster Management, 2002 (Act No. 57 of 2002) ("DMA")

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
EX96	Assigned by Legislation	s51(1)(b)	DMA	May designate senior representatives of each department to assist disaster management advisory forum	May not delegate

EX97	Assigned by Legislation	s51(1)(d)	DMA	May designate representatives of role-players in the municipality which includes organized business, organized labour, community-based organizations, traditional leaders, insurance industry, agricultural sector, religious and welfare organizations, medical and hospital organizations, higher education authorities, other relevant NGO's when requested to do so by district municipality	May not delegate
EX98	Assigned by Legislation	s51(1)(e)	DMA	May designate experts in disaster management to advise forum if requested to do so by the district municipality	May not delegate
EX99	Assigned by Legislation	s52(2)(b)	DMA	To take steps to secure compliance of the municipal entity to submit a copy of its Disaster Management Plan to the Municipal Disaster Management Center and to report the failure to the Council, if the entity has failed to do so.	May not delegate
EX100	Council	s53(1)(C)	DMA	Regularly review or amend disaster plan when circumstances require it	May not delegate

5.5 Local Government Ordinance of Transvaal, Ordinance No. 17 of 1939

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
EX101	Council	s6(1)	LGO	To consider feedback reports from Officials in the Department of Budget and Treasury Office after the attendance of congresses etc.	May not delegate
EX102	Council	s6(1)	LGO	To consider progress reports regarding insurance claims	May not delegate
EX103	Council	s6(1)	LGO	The consideration of quarterly progress reports of the Department of Budget and Treasury Office	May not delegate

5.6 Local Government: General Delegations

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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EX104	Council	GEN		In cases of extreme urgency or emergency, where any legislation, Act, Ordinance or by-law not specifically mentioned in this set of delegations, read with Section 8(2) of the Municipal Systems Act, No. 32 of 2000, empowers a municipality to take any steps necessary to avert or lessen the detrimental impact of such urgency or emergency (eg. a local disaster), the Council delegates such powers to the Mayor in consultation with EXCO in terms of section 59 of the Municipal Systems Act, so that he/she may act swiftly and prudently and report the actions taken and costs involved to the next meeting of the Council for information and/or condonation, if necessary.	
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6. DELEGATIONS TO THE FINANCE PORTFOLIO COMMITTEE

6.1 Municipal Finance Management Act, 2003 (Act No. 53 of 2003)

Section in Act	Particulars	Delegation number	Delegating authority (Delegator)	Delegated body (Delegatee)	Conditions
MFMA s11(3)()	Advice Council on the imposition and recovering rates, taxes, levies, duties, service fees and such charges on fees including setting and implementing tariff, rates and tax and debt collection policies	FPC 1	Council	Finance Portfolio Committee	Supported by the CFO
MFMA s11(3)(a)	Developing and recommending Financial policies, plans, strategies and programmes including setting of targets for delivery	FPC 2	Council	Finance Portfolio Committee	Supported by the CFO
MFMA	Support EXCO and the Mayor on all finance related matters to monitor all MFMA compliances, reporting, monitoring and evaluation and determine and advice on ongoing corrective measures	FPC3	Council	Finance Portfolio Committee	Supported by the CFO
MFMA s32(2)	Establish the fact and recommend the necessary action to Council in respect of suspected or reported unauthorized, irregular or fruitless and wasteful expenditure	FPC 4	Council	Finance Portfolio Committee	Supported by the CFO

Section in Act	Particulars	Delegation number	Delegating authority (Delegator)	Delegated body (Delegatee)	Conditions
MFMA s32(2)	Investigate and recommend necessary action to Council in respect of suspected or reported unauthorized, irregular or fruitless and wasteful expenditure	FPC 5	Council	Finance Portfolio Committee	Supported by the CFO
MFMA S84(2)(b)(i)	To consider an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	FPC 6	Council	Finance Portfolio Committee	Supported by the CFO
MFMA s120(1)(a)	To determine and advise the Executive Committee whether a proposed public-private partnership agreement will provide value for money to the municipality	FPC 7	Council	Finance Portfolio Committee	Supported by the CFO
MFMA 133(1)(c)(ii)	To determine the appropriate steps to be taken to ensure that the financial statements are submitted to the Auditor-General or that the annual report, including the financial statements, is tabled in the Council, as the case may be	FPC 8	Council	Finance Portfolio Committee	Supported by the CFO
Local Government Ordinance s6(1)	To consider feedback reports from Officials in the Department of Budget and Treasury Office after the attendance of congresses etc	FPC 9	Council	Finance Portfolio Committee	Supported by the CFO

Section in Act	Particulars	Delegation number	Delegating authority (Delegator)	Delegated body (Delegatee)	Conditions
LGO s6(1)	To consider progress reports regarding insurance claims	FPC 10	Council	Finance Portfolio Committee	Supported by the CFO
LGO s6(1) and Sec 52 of the MFMA	The consideration of quarterly progress of the Department of Budget and Treasury Office	FPC 11	Council	Finance Portfolio Committee	Supported by the CFO
General	To attend presentations regarding matters related to the Department of Budget and Treasury Office by outside bodies who wish to make such presentations to the Municipality and to consider further action to be taken	FPC 12	Council	Finance Portfolio Committee	Supported by the CFO
General	Developing/amending and recommending policies, plans, strategies, by-laws and programmes relating to the Department of Budget and Treasury Office including setting of targets for delivery	FPC 13	Council	Finance Portfolio Committee	Supported by the CFO

7. DELEGATIONS TO THE MAYOR/SPEAKER

Please Note: The Mayor of the Municipality is also called the Speaker of Council as provided for in section 36(5) of the Structures Act. The Two words are therefore interchangeable as indicated by the context of the relevant legislation and delegation.

7.1 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (As Speaker)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
M1	Assigned by Legislation	sch1	MSA	To enforce compliance with the Code of Conduct for Councillors	May not be delegated
M2	Council	s16, 17, 18	MSA	Develop a culture of community participation in connection with ward committees	May not be sub-delegated
M3	Council	s42	MSA	Involvement of the community in PMS in consultation with the Ward Councillors	May not be sub-delegated
M4	Council	s42	MSA	Involvement of the community in PMS via ward committees	May not be sub-delegated
M5	Council	s51 (e)(ii)	MSA	Interface between political-administrative – community via ward committees	May not be sub-delegated

M6	Council	s95(c)	MSA	Inform communities/users of the cost of service provision and utilization thereof	May not be sub-delegated
M7	Council	s95(c)	MSA	Keep communities informed about customer care and management via ward committees	May not be sub-delegated

7.2 Local Government: Municipal Systems Act (As Speaker)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
M8	Assigned by Legislation	s29(1) s29(3)	MSrA MSrA	Meeting of the Municipal Council: -Decides the time and venue of the meeting of Council. -Call a Council meeting when the majority of the councillors request in writing to convene such meeting of Council. Convene a Council meeting to deal with, amongst others, the consequences of change of the composition of a Municipal Council due to the provisions of items 2, 3 or 7 of Schedule 6B of the Constitution of RSA (floor crossing, loss of membership of Council, subdivisions and/or mergers of parties).	May not delegate

M9	Assigned by Legislation	s37	MSrA	Functions of the Speaker of the Municipal Council: -Presides over meetings of Council. -Performs duties and exercises powers delegated to the Speaker by Council in terms of section 59 of the Municipal Structures Act 32 Of 2000. -Ensure that the Council meets at least quarterly. -Maintain order during meetings. -Ensures that Council meetings are conducted in accordance with the rules and orders of the Council. -Ensure compliance in the Council and Council committees with the Code of Conduct for councilors.	May not delegate
M9	Council	s19(3)	MSrA	Develop mechanisms to consult with ward committees	May not delegate
M10	Council	s19(2)(c)	MSrA	Reviewing involvement of communities in conjunction with the ward councilors, ward committees and Mayor	May not delegate
M11	Council	s19(2)(a)	MSrA	Reviewing needs of communities in conjunction with the ward councilors and ward committees	May not delegate
M12	Council	s73	MSrA	The establishment of Ward Committees and making rules thereto	May not delegate

7.3 Local Government: Municipal Structures Act (As Speaker)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
M13	Council	s75	MSrA	Determination of term of office of members of Ward Committees	May not delegate
M14	Council	s78	MSrA	Dissolution of Ward Committees	May not delegate
M15	Council	s81 (5)(b)	MSrA	Determination of criteria to calculate and pay out of pocket expenses to Traditional Leaders to attend Council meetings	May not delegate

7.4 Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (AS SPEAKER)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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M16	Assigned by Legislation	s103	MFMA	To receive a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a councillor outside that councillor's assigned duties, in the financial affairs of the municipal entity; or the responsibilities of the board of directors of the municipal entity	May not delegate
M17	Assigned by Legislation	s130(1)(a)	MFMA	To determine the reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Council	May not delegate
M18	Assigned by Legislation	s133(1)(b)	MFMA	To submit information received from the Auditor-General regarding the failure to submit annual financial statements to the Council	May not delegate
M19	Assigned by Legislation	s133(1)(b)	MFMA	To receive information from the Auditor-General regarding the failure to submit annual financial statements	May not delegate

M20	Council	s1 30(1)	MFMA	Public access to Council meetings where the annual financial report is discussed	May not delegate
M21	Council	s133(1)(c)(i)	MFMA	Investigate the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor- General or the Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	May not delegate

7.5 Local Government Proclamation No. 17 of 1995

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
M22	Council	s3(3)	PROC	Council may, in consultation with the Municipal Manager, delegate Councillors to attend congresses, workshops, meetings etc. in instances where the invitation to such congress etc. was received too late for submission to the Council	

8. DELEGATIONS TO THE SINGLE WHIP

8.1 Local Government Municipal Systems Act, 2000 (Act No.32 of 2000)

Del No	Delegator	Applicable Section	Act	Particulars	Sub-Delegation
SW1	Council	s51(e) (i)	MSA	Interface between political structures, political office bearers and administration, including the establishment of a multi-party forum	May not delegate
SW2	Council	s51 (f)	MSA	Organise its political structures, political office bearers and administration in a flexible way in order to respond to changing priorities and circumstances	May not delegate

8.2 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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SW3	Council	s79(1) and (2)	MSrA	To make recommendations to Council on the establishment and functions of Section 79 and other Committees of Council	May not delegate
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9. ASSIGNED AND DELEGATED POWERS TO THE MUNICIPAL MANAGER

9.1 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM1	Assigned by Legislation	s55(1)(q)	MSA	Performance of any other function assigned by the Municipal Council	May not delegate

MM2	Assigned by Legislation	s55(2)(a) to (c)	MSA	As Accounting Officer of the Municipality, is responsible and accountable for: (A) All income and expenditure of municipality (B) All assets and discharge of all liabilities of municipality (C) Proper and diligent compliance with Municipal Finance Act	May not delegate
MM3	Assigned by Legislation	s62(1) and (2)	MSA	Prompt submission of appeals to appropriate appeal authority mentioned in subsection 4	May not delegate
MM4	Assigned by Legislation	s62(4)(a)	MSA	Appeals authority on decisions made by other staff members, including as a result of the exercise of delegated powers.	May not delegate
MM5	Assigned by Legislation	s65(1)	MSA	Review of the system of delegations in terms of s59(2)(f) and prepare a report and recommendations of changes to Council through the Mayor	May not delegate
MM6	Assigned by Legislation	s66	MSA	Drafting of a Policy framework for Staff Establishment and submission of such framework to Council for approval	May not delegate

MM7	Assigned by Legislation	s66(1)	MSA	Within a policy framework determined by Council and subject to the applicable legislation: -approve staff establishments of the Municipality. - provide a job description for any post on the staff establishment, -attach to the posts the remuneration and other conditions as may be determined in accordance with the applicable labour legislation. -establish a process or mechanism to regularly evaluate or review the staff establishment, remuneration and conditions of service.	May not delegate
MM8	Assigned by Legislation	s70	MSA	Municipal Manager must: -provide a copy of the Code of Conduct and its amendment to every staff member, -ensure that the purpose, contents and consequences of the Code of Conduct are explained to staff members who cannot read. -communicate sections of the Code of Conduct that affects the public to members of the local community.	May not delegate

MM9	Assigned by Legislation	s100	MSA	• implement and enforce municipality's credit control and debt collection policy and by-laws; • establish effective mechanisms, processes and procedures to collect monies due and payable to municipality; • report prescribed particulars to Mayor	May not delegate
MM10	Assigned by Legislation	s117	MSA	Keep custody of all records and documents of Municipality.	May not delegate
MM11	Council	s59(4)	MSA	In terms of s59 MSA the delegations reflected in this section to the Municipal Manager are, (except where a particular Act confers a delegation to him directly) conferred on him by the Council.	May not delegate
MM12	Council	s11 (3)(a)	MSA	Assist the Mayor in promoting administration within the policy framework of the Council	May not delegate
MM13	Council	s11(3)(c)	MSA	Establishing and maintaining the administration	May not delegate
MM14	Council	s11(3)(d)	MSA	Administrate and regulate internal affairs and local government affairs of community	May not delegate
MM15	Council	s11(3)(e)	MSA	Implement legislation and by-laws	May not delegate

MM16	Council	s11 (3)(f)	MSA	Appoint service providers in terms of the Local Government: Municipal Finance Management Act (MFMA) and Supply Chain Management (SCM) Policy and Regulations	May not delegate
MM17	Council	S11(3)(g)	MSA	Monitor and regulate appointed service providers	May not delegate
MM18	Council	s11 (3)(h)	MSA	Preparation of Budget for the Mayor through Budget and Treasury Office	May not delegate
MM19	Council	s1 1(3)(i)	MSA	Implementation of tariff policy and recovery of monies through Budget and Treasury Office	May not delegate
MM20	Council	s11 (3)(j)	MSA	Monitoring effectiveness of revenue collection through Budget and Treasury Office	May not delegate
MM21	Council	s11 (3)(k)	MSA	Assisting Mayor in establishing and implementing a PMS	May not delegate
MM22	Council	s11 (3)(l)	MSA	Promoting a safe and healthy environment	May not delegate
MM23	Council	s11 (3)(n)	MSA	Any other duty falling within Council's executive competence	May not delegate
MM24	Council	s11(3)(1)	MSA	Implementing the Budget once approved through Budget and Treasury Office	May not delegate

MM25	Council	s11(4)	MSA	Ensuring recording of all Council and EXCO Committee decisions through the Department of Corporate Support Services	May not delegate
MM26	Council	s15	MSA	Municipal Code – Compilation, maintaining and updating thereof	May not delegate
MM27	Council	s21	MSA	Notification of matters of importance to local community through the local media	May not delegate
MM28	Council	s21, 21A, 21B	MSA	Notifying matters of importance to local community through the Department of Corporate Support Services	May not delegate
MM29	Council	s23	MSA	Assist Mayor to prepare developmentally oriented planning to achieve objects of local government	May not delegate
MM30	Council	s25(4)	MSA	Notice to the public of adoption of IDP within 14 days of adoption	May not delegate
MM31	Council	s28(3)	MSA	To give notice to local community of particulars of process to be followed in respect of IDP	May not delegate

MM32	Council	s34	MSA	Assist Mayor in review of IDP and possible amendments thereto	May not delegate
MM33	Council	s36	MSA	Ensuring the affairs of municipality are conducted in accordance with IDP	May not delegate
MM34	Council	s38 & 39	MSA	Assist Mayor to establish and develop PMS	May not delegate
MM35	Council	s40	MSA	Monitoring and reviewing of the PMS	May not delegate
MM36	Council	s42	MSA	Involvement of the community in PMS	May not delegate
MM37	Council	s44	MSA	Notification of KPIs and targets to public through IDP division	May not delegate
MM38	Council	s45	MSA	Governance of Performance of measurements and submit results to Auditor-General annually	May not delegate
MM39	Council	s45	MSA	Monitoring and maintaining internal audit performance	May not delegate
MM40	Council	s46	MSA	Submission of Annual Performance Report to Mayor in conjunction with Chapter 12 of the MFMA	May not delegate
MM41	Council	s50	MSA	General local public administration as embodied in s195 of the Constitution	May not delegate

MM42	Council	s50	MSA	Assist Mayor to achieve basic values and principles in municipality	May not delegate
MM43	Council	s51(a) to (d)	MSA	Organise and establish administration that is responsive to needs and culture of public and be service and performance orientated	May not delegate
MM44	Council	s51(a) to (c)	MSA	Establish and organise municipality to be responsive to needs, culture of public service, performance orientation	May not delegate
MM45	Council	s51(d)	MSA	Ensure managers and other staff members align their roles and responsibilities with the priorities and objectives set out in the IDP	May not delegate
MM46	Council	s51(g) to (l)	MSA	Organisation of administration	May not delegate
MM47	Council	s51(m)	MSA	Establish an equitable and non-discriminatory work environment	May not delegate
MM48	Council	s53(2)(b)	MSA	Implementation of roles and responsibilities defined by Council	May not delegate
MM49	Council	s55(1)	MSA	To appoint Labour Law Specialists to assist the Municipality with any labour law issues where appropriate	May not delegate

MM50	Assigned by legislation	s57(2)(c)	MSA	Enter into and sign performance contracts with Managers directly accountable to the Municipal Manager (s56 Managers)	May not delegate
MM51	Council	s57(7)	MSA	Ensure that the provisions of s57(6) are complied with in respect of employment contracts for Section 56 Managers	May not delegate
MM52	Council	s59(3)(a)	MSA	Implementation of the tariff policy and By-laws	May not delegate
MM53	Council	s67(4)	MSA	Display a copy of the resolution passed by Council to levy and recover fees, charges or tariffs for 30 days at the Main Municipal Administrative Office and other Municipal Offices or Places where the public has access. -Publish in a local newspaper that the resolution has been passed by Council and it is available for public inspection during office hours at places stated in the notice and the date such resolution will come into operation. -Convey the above information to the community through a local radio broadcast.	May not delegate

MM54	Council	s68	MSA	Review of appropriate mechanisms to provide municipal services and submit recommendations in this regard to Council for approval	May not delegate
MM55	Council	s71	MSA	Responsibility to ensure municipal services rendered per service delivery agreement	May not delegate
MM56	Council	s73	MSA	Ensure municipal services through competitive bidding to follow proper selection criteria	May not delegate
MM57	Council	s74 - 75	MSA	Providing customer management and mechanisms for feedback	May not delegate
MM58	Council Council	s75A(3) s77	MSA MSA	Establish customer care and management and adopt mechanisms for feedback	May not delegate
MM59	Council	s81	MSA	Inform communities/users of the cost of service provision, with the assistance of the Office of the Speaker, if necessary	May not delegate
MM60	Council	s83 & s84	MSA	Customer care – metering, billing, queries, appeals and pay-points	May not delegate

MM61	Council	s95(a) to (b)	MSA	Review of decisions made as a result of a delegation to a staff member	May not delegate
MM62	Council	s95(a) to (b)	MSA	Municipal Manager must: a) ensure that every staff member and every relevant representative trade union has easy access to a copy of the staff systems and procedures. B) on written request by a staff member, make a copy or extract from the staff systems and procedures.	May not delegate
MM63	Council	s95(c)	MSA	Development of municipality's human resource capacities in compliance with Skills Development Act, including provisions in the budget	May not delegate
MM64	Council	s95(d) to (i)	MSA	Ensure compliance with Bargaining Council Agreements	May not delegate
MM65	Council		CON	Ensure municipality gives effect to provisions of Constitution by giving priority to basic needs of community and their having access to at least minimum level of basic municipal services	May not delegate

MM66	Council	s96	MSA	Implement and maintain a credit control and debt collection policy approved by the Council	May not delegate
MM67	Council	s97(2)	MSA	Compromising or compounding any action, claim or proceedings and submission to arbitration of any matter (excluding decisions on status, powers and duties or validity of Council's actions or by-laws)	May not delegate
MM68	Council	s109	MSA	Authorise legal representation for employees against whom legal proceedings have been instituted resulting from the execution of their duties	May not delegate
MM69	Council	s1 09(2)	MSA	To approve legal representation for employees against whom legal proceedings have been instituted resulting from the execution of their duties	May not delegate
MM70	Council	s1 09A	MSA	Implement and maintain differentiation policy in respect of credit control and debt collections	May not delegate

9.2 Local Government: Municipal Finance Management, 2003 (Act No. 56 of 2003)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM71	Assigned by Legislation	s1 2(1)	MFMA	Deciding to set-up a relief, charitable, trust or other fund of whatever description	May not delegate
MM72	Assigned by Legislation	s22	MFMA	Publication of annual budget	May not delegate
MM73	Assigned by Legislation	s26(4)	MFMA	Obtaining the MEC responsible for finance's approval to withdraw funds from the Municipality's bank accounts, if a budget has not been approved on or before 1 July of each year. (Subject to section 11 MFMA)	May not delegate
MM74	Assigned by Legislation	s32(3)	MFMA	Informing the Council or the Mayor that a decision taken by the Council or the Mayor is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	May not delegate

MM75	Assigned by Legislation	s32(3)	MFMA	Deciding whether a decision taken by the Council or the Mayor is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	May not delegate
MM76	Assigned by Legislation	s32(3)	MFMA	Instructing an authorised official not to implement a decision taken by the Council or the Mayor that is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	May not delegate
MM77	Assigned by Legislation	s32(4)	MFMA	Informing the Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	May not delegate

MM78	Assigned by Legislation	s32(6)	MFMA	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	May not delegate
MM79	Assigned by Legislation	s32(6)	MFMA	To determine whether an alleged irregular expenditure constitutes a criminal offence	May not delegate
MM80	Assigned by Legislation	s60(b)(i)&(ii)	MFMA	To determine whether alleged theft and fraud occurred in the Municipality	May not delegate
MM81	Assigned by Legislation	S45(2)(b)	MFMA	Signing a debt agreement or other document which creates or acknowledges any short term debt	May not delegate
MM82	Assigned by Legislation	s54	MFMA	Submission of report to Mayor for Budgeting control and early identification of financial problems	May not delegate

MM84	Assigned by Legislation	s61(1)(a)	MFMA	To act with fidelity, honesty, integrity and in the best interest of the Municipality in managing its affairs	May not delegate
MM85	Assigned by Legislation	s61(1)(b)	MFMA	To disclose to the Council and the Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Mayor	May not delegate
MM86	Assigned by Legislation	s61(1)(b)	MFMA	To disclose to the Council and the Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Mayor	May not delegate
MM87	Assigned by Legislation	s65(1)	MFMA	Responsible for Revenue management	May not delegate
MM88	Assigned by Legislation	s67(1)	MFMA	Responsible for Expenditure management of municipality	May not delegate

MM89	Assigned by Legislation	s67(1)	MFMA	Entering into an agreement with an organisation or body outside any sphere of government to whom funds of the Municipality are to be transferred otherwise than in compliance with a commercial or other business transaction	May not delegate
MM90	Assigned by legislation	s67	MFMA	To obtain the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	May not delegate
MM91	Assigned by Legislation	s69(3)(a)	MFMA	To prepare and submit, within 14 days after the MFMA approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year	May not delegate

MM92	Assigned by Legislation	s69(3)(b)	MFMA	To prepare and submit, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the Municipal Manager and all senior managers	May not delegate
MM93	Assigned by Legislation	s67(4)	MFMA	To determine whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	May not delegate
MM94	Assigned by Legislation	s68(b)	MFMA	To provide administrative support, resources and information required by the Mayor to perform the budgetary steps assigned to the Mayor	May not delegate

MM95	Assigned by Legislation	s69(1)(a)	MFMA	To determine, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	May not delegate
MM96	Assigned by Legislation	s72(1)(a)	MFMA	To perform an assessment of the Municipality's performance during the first half of each financial year by 25 January of each year	May not delegate
MM97	Assigned by Legislation	s72(1)(b)	MFMA	To submit the mid-year performance assessment report to the Mayor, the National Treasury and the Provincial Treasury	May not delegate
MM98	Assigned by Legislation	s74(2)	MFMA	To report his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Mayor and the provincial treasury	May not delegate
MM99	Assigned by Legislation	s79(1)(c)	MFMA	To regularly review delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of those delegations	May not delegate

MM100	Assigned by Legislation	s79(1)(a)	MFMA	To developing an appropriate system of delegation that will both maximize administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application of the MFMA	May not delegate
MM101	Assigned by Legislation	s79(1)(b)	MFMA	To delegate to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA (May not delegate to any political structure or political office)	May not delegate
MM102	Assigned by Legislation	s79(4)	MFMA	To review and confirm, vary or revoke any decision taken in consequence of a delegation or sub- delegation in terms of the MFMA (No variation or revocation of a decision taken under delegated powers may detract from any rights that may have accrued as a result of the decision)	May not delegate

MM103	Assigned by Legislation	s80(2)(a)	MFMA	Designating a Chief Financial Officer with regard to the BTO Office	May not delegate
MM104	Assigned by Legislation	s80(2)(b)	MFMA	Allocating officials of the Municipality to the Chief Financial Officer	May not delegate
MM105	Assigned by Legislation	s84(2)(a)(i) (aa) MFMA	MFMA	To publish an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	May not delegate
MM106	Assigned by Legislation	s84(2)(a)(i) (bb) MFMA	MFMA	To invite the local community, organized labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	May not delegate
MM107	Assigned by Legislation	s84(2)(a)(ii)	MFMA	Soliciting the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	May not delegate

MM108	Assigned by Legislation	s86(2)	MFMA	To submit the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor-General, the National Treasury and the provincial treasury	May not delegate
MM109	Assigned by Legislation	s87(11)	MFMA	To receive a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	May not delegate
MM110	Assigned by Legislation	s90(2)	MFMA	To receive an application from a municipal entity of which the Municipality is the parent municipality to transfer ownership or otherwise dispose of a movable capital asset other than an asset needed to provide the minimum level of basic municipal services with a value below a valued determined by the Council	May not delegate
MM111	Assigned by Legislation	s101(2)	MFMA	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity.	May not delegate

MM112	Assigned by Legislation	s1 02(1)	MFMA	To receive a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	May not delegate
MM113	Assigned by Legislation	s114(1)	MFMA	To submit a report containing the reasons for deviating from such recommendation to the Auditor- General, the Provincial and the National Treasuries if a tender other than the one recommended by Bid Adjudication Committee of the Municipality is approved	May not delegate
MM114	Assigned by Legislation	s115	MFMA	Monitoring and Implementation of the supply chain management policy and regulations	May not delegate
MM115	Assigned by Legislation	s116(3)	MFMA	To receive an application from a municipal entity of which the Municipality is a parent municipality to amend a contract or agreement procured through the supply chain management policy of the municipal entity concerned	May not delegate

MM116	Assigned by Legislation	s11 6(3)(a)	MFMA	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality in the Council	May not delegate
MM117	Assigned by Legislation	s11 6(3)(a)	MFMA	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the municipality in the Council	May not delegate
MM118	Assigned by Legislation	s11 6(3)(b)	MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality and inviting the local community to submit representations to the Municipality	May not delegate
MM119	Assigned by Legislation	s11 6(3)(b)	MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	May not delegate

MM120	Assigned by Legislation	s119	MFMA	Ensure competency levels of officials involved in municipal supply chain management are met	May not delegate
MM121	Assigned by Legislation	s120(6)(c)	FMA	Soliciting the views and recommendations of National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public- private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	May not delegate
MM122	Assigned by Legislation	s1 20(6)(a)	MFMA	To submit the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership	May not delegate

MM123	Assigned by Legislation	s120(6)(b)	MFMA	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	May not delegate
MM124	Assigned by Legislation	s127(5)(2)		Publication of annual report and receipt of community representations	May not delegate
MM125	Assigned by Legislation	s128		Monitoring whether the accounting officer of any MFMA municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance, to the Council, the provincial treasury and the Auditor- General	May not delegate
MM126	Assigned by Legislation	s129(2)(a)	MFMA	Attending the meetings of the Council and its committees where the annual report is discussed and responding to questions concerning the report	May not delegate

MM127	Assigned by Legislation	s1 29(3)	MFMA	Publishing the oversight report regarding the annual report	May not delegate
MM128	Assigned by Legislation	s132(2)	MFMA	Submission of the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	May not delegate
MM129	Assigned by Legislation	s1 76(2)	MFMA	Ensure recovery of loss or damage suffered by the municipality because of wrongful actions of officials	May not delegate
MM130	Council	s8(4)	MFMA	To enter into an agreement with other parent municipalities of a municipal entity of which the Municipality is a parent municipality, as to which Municipality's primary bank account to use for the purpose of receiving allocations from organs of state to the municipal entity concerned	May not delegate
MM131	Council	s12(2)	MFMA	Open a separate banking account for relief, charitable, trust or other fund in conjunction with Budget and Treasury Office	May not delegate

MM132	Council	s12(4)	MFMA	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund (Such authorisation must be in accordance with decisions of the Council in this regard and only for the purposes for which, and subject to the conditions on which, the fund was established or the money in the fund was donated)	May not delegate
MM133	Council	s14(4)	MFMA	The transfer of ownership or otherwise disposal of a movable capital asset below the value of R 1 million that is not needed to provide the minimum level of basic municipal services (Must determine whether an asset is not suitable to provide the minimum level of basic municipal services, and consider its fair market value and the economic and community value to be received for it.	May not delegate
MM134	Council	s19(1)(b)	MFMA	Approving a capital project, including its total cost	May not delegate
MM135	Council	s19(1)(d)	MFMA	To consider the sources of funding of a capital project	May not delegate

MM136	Council	s19(3)	MFMA	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital programme	May not delegate
MM137	Council	s19(3)	MFMA	To consider, in respect of a capital project, the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications.	May not delegate
MM138	Mayor	s21(2)(e)	MFMA	Providing information relating to the budget that may be requested to the National Treasury and any other organ of state (Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury)	May not delegate
MM139	Council	s23(1)	MFMA	To receive and consider the views of the communities and organs of state received in connection with the budget	May not delegate
MM140	Council	s32(2)	MFMA	Recovery of unauthorized, irregular, fruitless and wasteful expenditure	May not delegate

MM141	Council	s33	MFMA	Entering into a contract which will impose financial obligations beyond a financial year, not exceeding 3years	May not delegate
MM142	Council	s33(1)(a)	MFMA	Make public contracts imposing financial burden on municipality for longer than three years that they make disclosure of their actions	May not delegate
MM143	Council	s34(1)	MFMA	To determine the (proposed) remedial or corrective steps to deal with any serious financial problems facing the Municipality	May not delegate
MM144	Council	s37(1)	MFMA	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management	May not delegate
MM145	Council	s45(1)	MFMA	Supply of budgetary and financial information to other organs of State	May not delegate
MM146	Council	s46(2)(b)	MFMA	Deciding whether to incur short term debt, subject to the provisions of s45(2)(b)	May not delegate

MM147	Council	s48(3)(a)	MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	May not delegate
MM148	Council	s48(3)(b)	MFMA	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	May not delegate
MM149	Council	s49	MFMA	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	May not delegate
MM150	Municipal Manager	s62(1)(c)(ii)	MFMA	Ensuring staff members' interactions with lenders or investors are appropriate	May not delegate
MM151	Council	s67	MFMA	To take reasonable steps to ensure that the Municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standards	May not delegate

MM152	Council	s80(1)	MFMA	To approve financial assistance to non-profit organisations (NPO's) within the legal framework provided by s67	May not delegate
MM153	Council	s84(1)(b)	MFMA	Establish a Budget and Treasury office for the Municipality	May not delegate
MM154	Council	s86(1)	MFMA	To make an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	May not delegate
MM155	Council	s87(1)	MFMA	To receive information from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s)	May not delegate
MM156	Council	s54(1)(d)	MFMA	To receive a proposed budget for a municipal entity of which the Municipality is the parent municipality for each financial year	May not delegate

MM157	Council	s89(b)	MFMA	Monitoring and ensuring that a municipal entity of which the Municipality is the parent municipality reports to the Council on all expenditure incurred by that municipal entity on directors and staff remuneration matters, and in a manner that discloses such expenditure per type of expenditure	May not delegate
MM158	Council	s90(4)	MFMA	The transfer of ownership or otherwise disposal of a movable capital asset, of a municipal entity of which the Municipality is the parent municipality, below the value of R 1 000 000.00 that is not needed to provide the minimum level of basic municipal services (Must determine whether an asset is not suitable to provide the minimum level of basic municipal services, and consider its fair marketvalue and the economic and community value to be received for it.)	May not delegate
MM159	Council	s97(3)	MFMA	To consider a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for periods of more than 30 days	May not delegate

MM160	Council	s97(3)	MFMA	To receive a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for periods of more than 30 days	May not delegate
MM161	Council	s1 01 (1)	MFMA	To receive a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality or any financial problems of the entity	May not delegate
MM162	Council	s104(1)(b)	MFMA	Deciding which information, returns, documents, explanations and motivations to require from the accounting officer of a municipal entity of which the Municipality is the parent municipality	May not delegate
MM163	Council	s113(1)	MFMA	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process (In accordance with a prescribed framework)	May not delegate

MM164	Council	s114(1)	MFMA	To receive and consider a report containing the reasons for deviating from such recommendation from the accounting officer of a municipal entity of which the Municipality is the parent municipality if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the municipal entity is approved	May not delegate
MM164A	Council	S116(1)(a)	MFMA	Ensuring that there are written contracts for services procured through the supply chain management processes	May not delegate

MM164B	Council	S116(2)	MFMA	Monthly ascertain that contracts with services providers are being enforced and implemented.	May delegate to the CFO or appropriate Senior Manager
MM164C	Council	S116(3)	MFMA	Report to Council on the performance and management of supply chain contracts	May not delegate

MM165	Council	s116(3)	MFMA	To consider the reasons for the proposed amendment to a contract or agreement and any representation that may have been received regarding the proposed amendment to a contract or an agreement procured through the supply chain management policy of the Municipality and deciding whether to consent to the amendment of the contract or agreement	May not delegate
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MM167	Council	s1 20(1)(c)	MFMA	To determine whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	May not delegate
MM167 A	Council	S120(4)	MFMA	Ensuring that a feasibility study is conducted prior to Municipality entering into public-private partnership.	May not delegate
MM168	Council	s121 (4)(f)	MFMA	To determine any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality	May not delegate
MM169	Council	s1 24(1)	MFMA	Ensure disclosures concerning Councillors and Officials salaries, allowances and benefits in annual report	May not delegate

MM170	Council	s125(1)	MFMA	Ensure compulsory disclosures in financial statements	May not delegate
MM172	Council	s126(4)	MFMA	To receive a report outlining the reasons for the delay from the Auditor-General if she/he is unable to complete an audit within three months after submission of the Municipality's annual financial statements and any consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or effective control (if it is a private company)	May not delegate
MM173	Council	s127(1)	MFMA	To receive the annual report of a municipal entity of which the Municipality is a parent municipality	May not delegate
MM174	Municipal Manager	s127(5)(b)	MFMA	To submit the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	May not delegate
MM174 A	Legislation	S128(1)(a)	MFMA	Monitor compliance of accounting officer of municipal entity if they complied with section 121(1) and 126(1)	May not delegate

MM174 B	Council	S131(1)	MFMA	Ensuring that the municipality address issues raised in the Auditor General report.	May not delegate
MM175	Council	s135(3)	MFMA	To consider whether the Municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments (In consultation with Mayor)	May not delegate

MM176	Council	s135(3)(c)	MFMA	Notifying organised local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	May not delegate
MM177	Council	s135(3)(a)	MFMA	Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality (In consultation with Mayor)	May not delegate
MM178	Council	s135(3)(b)	MFMA	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	May not delegate

MM179	Council	s137(2)	MFMA	To receive an assessment of the seriousness of the financial problem in the Municipality, the determination of the provincial executive whether the financial problem experienced by the Municipality, singly or in combination with other problems, is sufficiently serious or sustained that the Municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the Municipality	May not delegate
MM180	Council	s139(2)	MFMA	To receive a copy of the Municipal Financial Recovery Service's determination of the reasons for the crisis in the Municipality's financial affairs and assessment of the Municipality's financial state	May not delegate
MM181	Council	s143(3)(a)	MFMA	To receive a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	May not delegate

MM182	Council	s145(1)(b)	MFMA	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality	May not delegate
MM183	Council	s146(1)(c)	MFMA	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality	May not delegate
MM184	Council	s147(1)(b)	MFMA	To receive an approved financial recovery plan for the Municipality (In consultation with Mayor)	May not delegate
MM185	Council	s148(3)(a)	MFMA	Implementing an approved financial recovery plan for the Municipality (In consultation with Mayor)	May not delegate
MM186	Council	s152(1)	MFMA	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality	May not delegate

MM187	Council	s139(2)	MFMA	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	May not delegate
MM188		s139	MFMA	To receive progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance	May not delegate
MM189		S139	MFMA	To receive a notification that an intervention in the Municipality has ended	May not delegate
MM190	Council	s152(2)	MFMA	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	May not delegate
MM191	Council	s153(1)(a)	MFMA	Bringing an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	May not delegate

MM192	Council	s153(1)(b)	MFMA	Bringing an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	May not delegate
MM193	Council	s1 53(3)	MFMA	Giving notice of an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	May not delegate
MM194	Council	s164 & s163(2)	MFMA	Ensure forbidden activities are not followed by Municipality	May not delegate
MM195	Council	s166(2)(d)	MFMA	Requesting the audit committee to investigate the financial affairs of the Municipality or a municipal entity of which the Municipality is a parent	May not delegate

MM196	Council	s1 67(2)(a)	MFMA	Recovering any amount paid or given in cash or in kind to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	May not delegate
MM197	Council	s171(4)(a)	MFMA	Investigating any allegations of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality unless those allegations are frivolous, vexatious, speculative or obviously unfounded	May not delegate
MM198	Council	s171(4)(a)	MFMA	Deciding whether an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative or obviously unfounded	May not delegate

MM199	Council	s1 74(4)(b)	MFMA	Deciding whether an investigation of an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings	May not delegate
MM200	Council	s178(2)(a)	MFMA	To submit to the National Treasury a list of all corporate entities in which the Municipality or a municipal entity under its sole or shared control has an interest	May not delegate
MM201	Council	s1 78(2)(b)	MFMA	To submit to the National Treasury a list of all public-private partnerships to which the Municipality is a party with a value of more than one million Rands in total or per annum	May not delegate

9.3 Disaster Management Act, 2002 (Act No. 57 of 2002)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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MM202	Council	s54(3)	DMA	Ensure that local disasters are dealt with, if municipality has primary responsibility assigned to it by district municipality	May not delegate
MM203	Council	s55(1)	DMA	Once Council has declared a local state of disaster, such event must be published in provincial gazette	May not delegate
MM204	Council	s55(2)	DMA	Issue directions or authorize issuing of directions to make resources facilities and equipment available to deal with local disaster	May not delegate
MM205	Council	s55(3)	DMA	Ensure that limits to deal with local disaster are not exceeded	May not delegate
MM206	Council	s55(5)	DMA	Giving notice in provincial gazette that local disaster has been terminated or extended by the Council	May not delegate
MM206A	Legislation	S50(1)	DMA	Ensuring that disaster management centre submits yearly reports to council on the disaster activities.	May not delegate

9.4 Magistrate's Court Act, 1944 (Act No.32 of 1944)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM207	Council	s15(2)	MCA	To appoint personnel as authorized officers for the serving of process documents, in terms of the provisions of the Magistrate's Court Act, 1944	May not delegate

9.5 Occupational Health And Safety Act, (Act No. 85 of 1993)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM208	Council	s9(1)	OHS	To appoint safety representatives for departments in consultation with the relevant heads of departments	May not delegate

9.6 Regulation of Gatherings Act, 1993 (Act No. 205 of 1993)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM209	Council	s2(4)	GATH	To grant approval in respect of political processions, assemblies and meetings in public places, in accordance with the Municipal policy.	May not delegate

9.7 Local Government Ordinance of Transvaal, 1939 (Ordinance No. 17 of 1939)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM210	Council	s6 rw s79(33)	LGO	To delegate officials to attend external congresses, workshops/meetings, etc. ("external" means congresses etc. not initiated by Council itself)	May delegate to Departmental Heads
MM211	Council	s47A	LGO	To consider and approve applications from officials for assistance in legal action brought against them resulting from the execution of their duties	May not delegate

MM212	Council	s66	LGO	To close any street or public place temporarily in order that the Municipality's activities may be executed properly	May not delegate
MM213	Council	s79(1 6)	LGO	To approve claims from Section 56 Managers in respect of travel and subsistence allowances and authorize payment thereof in respect of attendance of Council business (including congresses, etc.) outside the Municipality	May not delegate
MM214	Council	s79(16)A	LGO	To approve official visits by Section 56 Managers for official purposes outside the Municipality's area	May not delegate
MM215	Council	s79(1 8)	LGO	To approve applications for the usage of the Municipality's mobile stage and to make the stage available within the Municipality's area of jurisdiction	May not delegate
MM216	Council	s79(33)	LGO	To offer compensation, through the press, to the maximum amount of R1 000,00 for information that will lead to the conviction of any person who causes damage to Municipal property	May not delegate

MM217	Council	s79(33)	LGO	To grant approval for the temporary use of Municipal land, in accordance with Council policy, not exceeding 3 months	May not delegate
MM218	Council	s79(4)(bis)	LGO	To allocate office space and accommodation in Municipal buildings as well as parking for official vehicles and vehicles of municipal employees	May not delegate

MM219	Council	s8(2)	LGO	1. To sign, authenticate or execute any document on behalf of the municipality which is legally required for the effective performance of its functions and the exercise of its powers, or 2. To cancel any document/agreement in consultation with the Mayor 3. To request external legal opinion 4. To instruct an attorney on Council's panel to enter appearance or defend a matter on behalf of Council including the briefing of counsel when necessary 5. To appoint counsel to appeal against any decision of any court in an action where the municipality is involved 6. To instruct an attorney on Council's panel to take legal action against any person who fails to comply with the conditions of agreement with the Municipality or in respect of claims for damage to any Council property, be it by the contracting party or third parties	May not delegate
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9.8 Conditions of Employment Agreement:**GG 16047 of 1994**

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM220	Council	4.2	CEA	To temporarily re-organise divisions of Departments, including the amendment of duties and responsibilities of divisions in consultation with the relevant trade union(s) for a period not exceeding three months. (Also in terms of Section 66 of MSA)	May not delegate
MM221	Council	6.1.1&6.1.2	CEA	To make all appointments, promotions, transfers of employees provided a vacancy exists (read with s66 & 67 of MSA) except Section 56 Managers	May not delegate
MM222	Council	6.2.7.2	CEA	Extend period of probation for a period not exceeding six (6) months.	May not delegate
MM223	Council	6.2.7.2.2	CEA	Give an employee who is found not fit for appointment in a particular post after expiry of probation period, one (1) month's written notice of termination of his/her services.	May not delegate

MM224	Council	8.3	CEA	Appointment of employees in an acting capacity and authorizing payment of an acting allowance in terms of Council policy, excluding section 56 positions that must be appointed by Council	May not delegate
MM225	Council	9.5	CEA	To request officials to work overtime	May not delegate
MM226	Council	9.6	CEA	To place employees on stand-by service in consultation with trade unions	May not delegate
MM227	Council	9.10	CEA	To suspend an employee or utilize an employee in another capacity for a period not exceeding three (3) months	May not delegate
MM228	Council	11.1	CEA	To accept resignations from the service of the Council at short notice	May not delegate
MM229	Council	11.1	CEA	To accept resignations from Managers of Departments under his/her supervision	May not delegate
MM230	Council	11.1.4 & 11.1.5	CEA	To terminate the services of any employee declared medically unfit by a medical board, due to forfeiture of any certification of competence, licence or authorization which renders him unable to perform the duties attached to the post	May not delegate

MM231	Council	11.4	CEA	To terminate the services of an employee who has reached retirement age or expiry of a service contract.	May not delegate
MM232	Council	12.1 & 12.2	CEA	To terminate the services of an employee who absents himself/herself for a period exceeding five consecutive working days without permission or an acceptable reason: Provided that a reasonable procedure be followed in terms of the relevant labour legislation	May not delegate
MM233	Council	13.1 & 13.2	CEA	To provide uniforms and/or protective clothing to officials or to pay them an allowance therefore, in accordance with Council policy	May not delegate
MM234	Council	15.1.1	CEA	To authorize officials to attend training courses/seminars that are in accordance with the Workplace Skills Plan, related to local authority and other matters that are, in the opinion of the Municipal Manager, in the Council's interest, and to authorize all fees in this regard, including course fees	May not delegate

MM235	Council	15.1.1	CEA	To instruct an official to report for duty outside official hours when extra-ordinary or urgent circumstances necessitate it: Provided that such circumstances should not exceed a period of three (3) months at a time.	May not delegate
MM 236			CEA	To instruct an official to report for duty outside official hours when extra-ordinary or urgent circumstances necessitate it: Provided that such circumstances should not exceed a period of three (3) months at a time	May not delegate
MM237	Council	15.1.2	CEA	To instruct an employee in the Department to perform other duties for a maximum of 3 months: Provided that such other duties are in keeping with his/her rank or post.	May not delegate
MM238	Council	15.2	CEA	To approve applications from employees to perform paid work outside the Council's service in accordance with Council's policy in this regard	May not delegate
MM239	Council	15.5	CEA	To approve or refuse the use of Municipal employees or property for purposes other than that of the Municipality or the removal thereof from Municipal premises	May not delegate

MM240	Council	16.14.2	CEA	Grant sick leave to an employee suffering from nervous disorders, insomnia, debility or similar illness or disposition if satisfied that such condition renders employee unfit for work or employee's condition does not arise from his/her failure to make use of vacation leave	May not delegate
MM241	Council	16.14.3	CEA	To appoint such registered medical practitioner(s) as may be required to give effect to the relevant stipulation of the Conditions of Employment Agreement, and to authorize payment for services rendered in this regard	May not delegate
MM242	Council	16.14.3	CEA	To require an employee to submit himself/herself an examination by a registered medical practitioner appointed by the Municipality	May not delegate
MM243	Council	16.14.4.2	CEA	May demand medical certificates from Directors in respect of absence from duty due to illness for three days or less	May not delegate
MM244	Council	16.15	CEA	Approval of sick leave for alcoholics or substance addicts to attend an approved rehabilitation centre	May not delegate

MM245	Council	16.16	CEA	Council Granting of special sick leave to employees due to injuries arising from his/her duties and occurring in the course of his/her duties	May not delegate
MM246	Council	16.17	CEA	Granting of special leave to a maximum of five (5) days to Directors. (Studies, exams, witness in court, attending workshops, conferences, meetings, etc. family responsibility leave, to take part in sport at provincial or high level, etc.)	May not delegate
MM247	Council	16.3.1.1, 16.11	CEA	To approve or refuse leave of absence of Directors & 16.17 with due consideration to the needs of the Municipality	May not delegate
MM248	Council	16.3.4	CEA	To cancel, postpone or interrupt leave of Directors	May not delegate

9.9 Implementation of Council Resolutions

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
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MM249	Council	A.0318	CR	To sign all lease agreements for Municipal Houses, cancel such agreements in case of breach of contract and to take any steps or implement any action that may be necessary to protect the Municipality's interest	May not delegate
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9.10 Executive Committee Resolutions

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
MM250	Council	MC.041 1	MCR	The authority to approve the utilization of volunteers where circumstances necessitate it	May not delegate
MM251	Council	MC.041 6	MCR	To appoint temporary personnel for a period not exceeding three months in cases where the Municipal Manager is of the opinion that such appointments is in the best interest of the Municipality in exceptional circumstances	May not delegate

MM252	Council	mc.0432	MCR	To appoint an external or internal person to represent the Municipality at CCMA hearings and Conciliations etc.	May not delegate
MM253	Council	MC.0980 12/09/2002	MCR	To appoint an external Chairperson/Prosecutor when a disciplinary or appeal hearing is conducted against a Director or in cases where legal technicalities are involved	May not delegate
MM254	Council	MC.0980	MCR	To appoint an external or internal interpreter for disciplinary and appeal hearings	May not delegate

10. ASSIGNED POWERS TO THE CHIEF FINANCIAL OFFICER

10.1 Local Government: Municipal Finance Management Act, 2003 (Act No. 53 of 2003)

SECTION IN ACT	PARTICULARS	POWER NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
81(1)(b) MFMA	Advising the Municipal Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA	CFO1	CFO	<i>None</i>	Ensure other directors comply with legislation
81(1)(c) MFMA	Assisting the Municipal Manager in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget	CFO2	CFO	None	Supports and guide other directors and managers during the compilation of the budget
81(1)(d) MFMA	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	CFO3	CFO	None	Supports Managers in

SECTION IN ACT	PARTICULARS	POWER NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
					executing their duties
82(4) MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	CFO4	CFO	None	Review and report on sub-delegations

10.2 Local Government Ordinance of Transvaal (Ordinance No. 17 of 1939)

s79(18) & (24)	LGO To appoint a sworn Valuer to do valuations	CF05	Council		
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10.3 Conditions of Employment Agreement: GG 16047 Of 1994

s79(18) & (24)	To deduct any monies legally owing by official	CFO6	Council		
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11. POWERS DELEGATED BY THE MUNICIPAL MANAGER TO THE CHIEF FINANCIAL OFFICER

11.1 Local Government Municipal Finance Management Act, 2003 (Act No. 53 of 2003)

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
96 MSA 74 MSA	To make and annually review of all required financial policies, <i>inter alia</i> for: Credit Control and Debt Collection Policy Tariff Policy on levying of fees for municipal services	CFO7	Municipal Manager	CFO	Submits to the portfolio committee before referring it to council
98 MSA 75 MSA	To make applicable by-laws to give effect to the implementation and enforcement of the financial policies, and obtain Council approval <i>inter alia</i> for :Credit Control and Debt Collection By-laws and Tariff By-laws	CFO8	Municipal Manager	CFO	Submits to the portfolio committee before referring to council

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
MSA	To implement and enforce the all the municipality's financial policies and applicable by-laws, and to use all available processes to collect moneys owed to the Council in terms of a contract, legislation, court order, decision of the Council or any other legal basis	CFO9	Municipal Manager	CFO	Ensure directors comply by supporting them
MSA	To obtain an interim property valuation from the Council's appraisers as and when the need arise, in respect of any property within the municipal area	CF10	Municipal Manager	CFO	
MSA	To commence with a legal process on behalf of Council in respect of the recovering of any money owed to the Council for whatever reason and in any court which has jurisdiction, with the inclusion of the signing of all necessary	CF11	Municipal Manager	CFO	In consultation the Director Corporate Services

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	documents in this regard. This includes the power to instruct the Council's attorneys and an advocate when necessary, to act on behalf of Council in such cases				
MSA	To claim from and make payments to professional persons or firms	CF12	Municipal Manager	CFO	
MSA	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	CF13	Municipal Manager	CFO	In line with Council Travelling and Subsistence Policy
MSA	To release funds in respect of capital items in terms of the approved capital budget	CF14	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
MSA	To deduct money, which an official owes to the Council, from his salary or wages	CF15	Municipal Manager	CFO	Within the ambit of applicable legislation
MSA	To perform the functions and exercise the powers that vest in the Council in terms of the provisions of all legislation relating to financial matters	CF16	Municipal Manager	CFO	
MS	To finalize insurance claims concerning the Council's internal insurance fund	CF17	Municipal Manager	CFO	
MFMA	To act as the Council's authorized agent in entering into loan and donation contracts with other municipalities	CF18	Municipal Manager	CFO	
MSA	To establish effective administrative mechanisms, processes and procedures in accordance with the credit control and debt collection policies and any such by-laws of the municipality, to collect money that is due and payable to the municipality	CF19	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
60(2) MSA	The decision to make investments on behalf of the municipality	CF20	Municipal Manager	CFO	Must be done in consultation with the accounting Officer and subject to council's approval
7(1) MFMA	Deciding to open a bank account for the Municipality	CF21	Municipal Manager	CFO	After following the SCM Policy
7(1) MFMA	Deciding at which bank/banks to open a bank account	CF22	Municipal Manager	CFO	After following the SCM Policy
7(1) MFMA	Deciding to close a bank account	CF23	Municipal Manager	CFO	In consultation with the Municipal Manager

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
7(2) MFMA	Determining into which bank account money collected or received by the Municipality must be deposited	CF24	Municipal Manager	CFO	Not to be sub-delegated
8(1) MFMA	Designating a bank account of the Municipality as the Municipality's primary bank account	CF25	Municipal Manager	CFO	In consultation with the AO
8(3) MFMA	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	CF26	Municipal Manager	CFO	
8(5) MFMA	Submission of the Municipality's primary bank account details, and any impending change thereof	CF27	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
9(a) MFMA	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	CF28	Municipal Manager	CFO	
9(b) MFMA	Submission of the details of the Municipality's bank accounts annually before the start of a financial year	CF29	Municipal Manager	CFO	Maybe sub-delegated
10(1)(a) MFMA	Administration of the Municipality's bank accounts	CF30	Municipal Manager	CFO	
10(2) MFMA	Enforcing compliance with sections 7, 8 and 11 of the MFMA	CF31	Municipal Manager	CFO	
11(1) MFMA	Authorising staff to withdraw or authorise the withdrawal of money from the Municipality's bank account	CF32	Municipal Manager	CFO	
11(4)(a) MFMA	Preparation of a quarterly consolidated report of all withdrawals made in terms of	CF33	Municipal Manager	CFO	A quarterly consolidated report of all withdrawals made

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	section 11(1)(b) to (j) of the MFMA from the Municipality's bank accounts				from the Municipality's bank accounts must be tabled in the Council, and submitted to the provincial treasury and the Auditor-General within 30 days after the end of each quarter.
11(4)(a) MFMA	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Council	CF34	Municipal Manager	CFO	
11(4)(b) MFMA	Submission of quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the provincial treasury and the Auditor-General	CF35	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
13(2) MFMA	Establishing an appropriate and effective cash management and investment policy for the Municipality	CF36	Municipal Manager	CFO	In consultation with Municipal Manager
24(3) MFMA	Submission of the approved annual budget to the National Treasury and the provincial treasury	CF37	Municipal Manager	CFO	
31(c) MFMA	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	CF38	Municipal Manager	CFO	Funds for the programme in question should have been appropriated for more than one financial year
32(2) MFMA	Identifying the identity of the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure	CF39	Municipal Manager	CFO	Assist the MM to submit report to

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
					council and the audit committee
32(2) MFMA	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure	CF40	Municipal Manager	CFO	
32(2) MFMA	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	CF41	Municipal Manager	CFO	
37(2) MFMA	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the receiving municipality thereof	CF42	Municipal Manager	CFO	Such notification must be given on or before 2 April each year
45(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any short term debt	CF43	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
46(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	CF44	Municipal Manager	CFO	
62(1)(b) MFMA	Deciding the reasonable steps to be taken to ensure that that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	CF45	Municipal Manager	CFO	
62(1)(c)(i) MFMA	Deciding the reasonable steps to be taken to ensure that that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	CF46	Municipal Manager	CFO	
62(1)(f)(iii) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt	CF47	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	collection policy referred to in section 96(b) of the Municipal Systems Act				
63(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	CF48	Municipal Manager	CFO	
63(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	CF49	Municipal Manager	CFO	
63(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset	CF50	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	and liabilities register, as may be prescribed				
64(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy	CF51	Municipal Manager	CFO	
64(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	CF52	Municipal Manager	CFO	
64(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that accounts for regional services council levies and charges for municipal services are prepared on a	CF53	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	monthly basis, or less often as may be prescribed where monthly accounts are uneconomical				
64(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	CF54	Municipal Manager	CFO	
64(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	CF55	Municipal Manager	CFO	
64(2)(f) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and	CF56	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	maintains a system of internal control in respect of debtors and revenue				
64(2)(h) MFMA	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	CF57	Municipal Manager	CFO	
64(3) MFMA	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	CF58	Municipal Manager	CFO	
64(4)(a) MFMA	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of	CF59	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	state is transferred to that organ of state at least on a weekly basis				
64(4)(b) MFMA	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	CF60	Municipal Manager	CFO	
65(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	CF61	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
65(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	CF62	Municipal Manager	CFO	
65(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	CF63	Municipal Manager	CFO	
65(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either	CF64	Municipal Manager	CFO	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	electronically or by way of non-transferable cheques				
65(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	CF65	Municipal Manager	CFO	
65(2)(f) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	CF66	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
65(2)(g) MFMA	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	CF67	Municipal Manager	CFO	
65(2)(h) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	CF68	Municipal Manager	CFO	
65(2)(j) MFMA	Deciding the reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records	CF69	Municipal Manager	CFO	
66 MFMA	Reporting to the Council on all expenditure incurred by the Municipality on staff	CF70	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure				
67(1) MFMA	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, -(a) has the capacity to comply with any agreement with the Municipality, (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, (c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its	CF71	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	financial year to the Municipal Manager promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA				

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
67(3) MFMA	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with (a) any agreement with the Municipality, (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, (c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;	CF72	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all therequirements of section 67(1) of the MFMA				
68(a) MFMA	Assisting the Mayor in performing the budgetary steps assigned to the Mayor	CF73	Municipal Manager	CFO	
69(1)(b) MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that	CF74	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	revenue and expenditure are properly monitored				
69(2) MFMA	Determining whether it is necessary to prepare an adjustments budget	CF75	Municipal Manager	CFO	
69(2) MFMA	Preparing an adjustments budget and submitting it to Mm and EXCO Mayor for consideration and tabling in the Council	CF76	Municipal Manager	CFO	
69(3)(a) MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, for the budget year	CF77	Municipal Manager	CFO	
70(1) MFMA	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	CF78	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
70(2) MFMA	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	CF79	Municipal Manager	CFO	
81(1) MFMA	Taking charge of budget and treasury office Assist municipal manager in administration of municipality bank accounts Perform budgeting , accounting, financial reporting, cash management, and other financial duties	CF79A	Legislation	CFO	
83(2) MFMA	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels	CF80	Municipal Manager	CFO	

119(2) MFMA	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels	CF81	Municipal Manager	CFO	
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SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
121(2)(e) MFMA	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	CF82	Municipal Manager	CFO	
121(2)(f) MFMA	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	CF83	Municipal Manager	CFO	
122(1)/ MFMA 126(1)(a) MFMA	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its	CF84	Municipal Manager	CFO	

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
	business activities, its financial results, and its financial position as at the end of the financial year				
122(1) MFMA 126(1)(b) MFMA	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity which is a private company	CF85	Municipal Manager	CFO	
126(1)(a) MFMA	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	CF86	Municipal Manager	CFO	
127(5)(b) MFMA	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	CF87	Municipal Manager	CFO	In consultation with Municipal Manager

SECTION IN ACT	PARTICULARS	DELEGATION NUMBER	DELEGATING AUTHORITY (DELEGATOR)	DELEGATED BODY (DELEGATEE)	CONDITIONS
178(2)(c) MFMA	Submitting to the National Treasury a list of all other types of contracts of the Municipality for a period beyond 1 January 2007 and with a value of more than one million Rands in total or per annum	CF88	Municipal Manager	CFO	
75A(3) MSA	To publish the resolutions of Council in respect of the levying of rates and the recovery of fees, charges or tariffs	CF89	Municipal Manager	CFO	

11.1 Sub-Delegations by the Chief Financial Officer

NB. The sub-delegation can only be done once the posts have been filled unless the sub-delegation is to an Acting Manager

Section of MFMA	POWER	POWER NUMBER	RESPONSIBILITY	DELEGATING AUTHORITY	DELEGATED BODY (DELEGATEE)	SUB DELEGATED BY THE CFO TO
8(5)	Submission of the Municipality's primary bank account details, and any impending change thereof.	CFO1	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
9(a)	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	CFO2	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
9(b)	Submission of the details of the Municipality's bank accounts annually before the start of a financial year	CFO3	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

10(1)(a)	Administration of the Municipality's bank accounts	CFO4	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	CFO5	Accounting Officer	Accounting Officer	Chief Financial Officer	No further sub-delegation permitted
11(1)	Written authorisation to senior financial official to withdraw or authorise the withdrawal of money from the Municipality's bank account for the purpose outlined in terms of sect 11 of the MFMA	CFO6	Accounting Officer	Accounting Officer	The Chief Financial Officer must be issued with written authorisation by the Accounting Officer to implement the section 11	The Accounting Officer must issue written authorisation to any other senior financial official to implement section 11. This authority lies only with

						the Accounting Officer
11(4)(a)	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the Municipality's bank accounts	CFO7	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Municipal Council	CFO 8				
11(4)(b)	Submission of quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the provincial treasury and the Auditor-General	CFO9	Accounting Officer	Accounting Officer	Chief Financial Officer	No further sub-delegation permitted

12(4)	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of relief, charitable, trust or other fund.	CFO10	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
22	Making the annual budget public, inviting the community to submit representations in connection therewith and submitting the annual budget to the national and provincial treasuries and affected municipalities	CFO11	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation
24(3)	Submission of the approved annual budget to the National Treasury and the provincial treasury	CFO12	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation
31(c)	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring	CFO13	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Budget Planning & Implementation

	further borrowing beyond the annual budget limit					
	Informing the Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	CFO14	Accounting Officer - Directly accountable to the MFMA for implementation	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
32(6)	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS.	CFO15	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Legal Services
37(2)	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next	CFO16	Accounting Officer	Accounting Officer	CFO	Manager - Budget

	three financial years and notifying the receiving municipality thereof.					Planning & Implementation
45&6(2)(b)	Signing a debt agreement or other document which creates or acknowledges any short and long term debt	CFO17	Accounting Officer	Accounting Officer	Chief Financial Officer	CFO
60(b)(i)	Provide guidance and advice on compliance with this Act to the Political Structures, Political Office Bearers and Officials of the Municipality and or Municipal Entity	CFO19	Accounting Officer	Accounting Officer	Chief Financial Officer	
62(1)(a)	Deciding the reasonable steps to be taken to ensure that that the resources of the Municipality are used effectively, efficiently and economically	CFO21	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	Senior Managers within Depts of the Municipality
62(1)(b)	Deciding the reasonable steps to be taken to ensure that that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	CFO22	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers

62(1)(c)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	CFO23	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	All Senior BTO Managers &
62(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standards	CFO24	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	All Senior BTO Managers &
62(1)(d)	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	CFO25	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	All Senior BTO Managers
62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed	CFO26	Accounting Officer	Accounting Officer	Chief Financial Officer and Senior Managers	Manager - Legal Services & Manager - Financial Management & Reporting and

	an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA					Manager Internal Audit
62(1)(f)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	CFO27	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
62(1)(f)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a rates policy as required in terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act No of 2004)	CFO28	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act	CFO29	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management a

62(1)(f)(iv)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	CFO30	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers	Senior BTO Manager – Supply Chain Management
63(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	CFO31	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Senior BTO Manager - Asset & Liability Management
63(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	CFO32	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Senior BTO Managers - Asset & Liability Management
63(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	CFO33	Accounting Officer	Accounting Officer	Chief Financial Officer, IT Manager & Manager - Internal Audit	Manager - Financial Management & Reporting

64(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy	CFO34	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	CFO35	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(c)	Deciding the reasonable steps to be taken to ensure that accounts for regional services council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	CFO36	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(d)	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into	CFO37	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers Manager - Financial

	the Municipality's primary and other bank accounts					Management & Reporting and Revenue & Debt Management
64(2)(e)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	CFO38	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Manager - Revenue & Debt Management including the support from the Manager IT
64(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	CFO39	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager Internal Audit	Senior BTO Manager - Revenue & Debt Management

						and Manager - Financial Management & Reporting
64(2)(g)	Deciding the reasonable steps to be taken to ensure that the Municipality charges interest on arrears, except where the Council has granted exemptions in accordance with its budget-related policies and within a prescribed framework	CFO40	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management
64(2)(h)	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	CFO41	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Financial Management & Reporting

64(3)	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	CFO42	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Revenue & Debt Management and Financial Management & Reporting.(This would relate to the support and information that is provided to the CFO. The A/O & CFO would inform the NT)
64(4)(a)	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	CFO43	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting (This

						would relate to the support and information that is provided to the CFO).
64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	CFO44	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	CFO45	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises	CFO46	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting

	expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality					
65(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	CFO47	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	CFO48	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	CFO49	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality complies with	CFO50	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial

	its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments					Management & Reporting
65(2)(g)	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	CFO51	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(h)	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	CFO52	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
65(2)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	CFO53	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
65(2)(j)	Deciding the reasonable steps to be taken to ensure that all financial accounts of the	CFO54	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial

	Municipality are closed at the end of each month and reconciled with its records					Management & Reporting
66	Reporting to the Council on all expenditure	CFO55	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	CFO56				
67(1)	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, -	CFO57	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and	CFO58				

	(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	CFO59	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
	Entering into an agreement with an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction	CFO60	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(2)	Obtaining the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	CFO61	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(3)	Determining the appropriate mechanisms to ensure compliance by an organisation or	CFO62				

body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with –						
(a) any agreement with the Municipality,	CFO63	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting	
(b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement,	CFO64	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting	
(c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;	CFO65	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting	
(d) implements effective, efficient and transparent financial management and internal control systems to guard against	CFO66	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial	

	fraud, theft and financial mismanagement; and					Management & Reporting
	(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	CFO67	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
67(4)	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	CFO68	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
68(a)	Assisting the Mayor in performing the budgetary steps assigned to the Mayor	CFO69	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Managers	Senior BTO Manager - Budget Planning & Implementation
68(b)	Determining the administrative support, resources and information required by the	CFO70	Accounting Officer		Chief Financial Officer &	Senior BTO Manager -

	Mayor to perform the budgetary steps assigned to the Mayor			Accounting Officer	Senior Managers	Budget Planning & Implementation
	Making the administrative support, resources and information required by the Mayor to perform the budgetary steps assigned to the Mayor available to him/her	CFO71				
69(1)(a)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	C 072	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(1)(b)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	CFO73	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(2)	Determining whether it is necessary to prepare an adjustments budget	CFO74	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager -

						Budget Planning & Implementation
	Preparing an adjustments budget and submitting it to the Mayor for consideration and tabling in the Council	CFO75	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(3)(a)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year	CFO76	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation
69(3)(b)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the Municipal Manager and all senior managers	CFO77	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Managers	

70(1)	Reporting in writing to the Municipal Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	CFO78	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Budget Planning & Implementation and Revenue & Debt Management
70(2)	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	CFO79	Accounting Officer	Accounting Officer	Chief Financial Officer	Manager - Financial Management & Reporting
71(1)	Submitting to the Mayor and the provincial treasury, within 10 working days after the end of each month, statement in the prescribed format on the state of the municipality's budget	CFO80	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Budget Planning & Implementation and Revenue & Debt

						Management and Financial Management & Reporting
71(5)	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement	CFO81	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Financial Management & Reporting, Budget Planning & Implementation and Revenue & Debt Management

72(1)(a)	Performing an assessment of the Municipality's performance during the first half of each financial year	CFO82	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management, Manager IDP & Performance Management	All Managers
72(1)(b)	Submitting the mid-year performance assessment report to the Mayor, the National Treasury and the Provincial Treasury	CFO83	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Managers - Financial Management & Reporting and Budget Planning & Implementation
72(3)	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	CFO84	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	Senior BTO Managers - Financial Management & Reporting and Budget

						Planning & Implementation
73(a)	Informing the provincial treasury of any failure by the Municipal Council to adopt or implement a budget-related policy or a supply chain management policy	CFO85	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
73(b)	Informing the provincial treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-related policy or the supply chain management policy	CFO86	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
74(1)	Submitting to the National Treasury, the provincial treasury, the department for local government and the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.	CFO87	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers

74(2)	Reporting his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Mayor and the provincial treasury	CFO88	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Finance Governance & Operational Management
75(1)	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first	CFO89	Accounting Officer	Accounting Officer	Chief Financial Officer & IT Manager	Senior BTO Manager - Budget Planning and Implementation
77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	CFO90	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances	CFO91	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	Sub Delegation by Senior Managers to

	in the Municipality's financial administration for the proper application of the MFMA.					Divisional Managers
79(1)(b)	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA.	CFO92	Accounting Officer	Accounting Officer	CFO	Any other Manager
79(1)(c)	Regularly reviewing delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of those delegations.	CFO93	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
79(2)	Reviewing and confirming, varying or revoking any decision taken in consequence	CFO94	Accounting Officer	Accounting Officer	Chief Financial Officer &	

	of a delegation or sub-delegation in terms of the MFMA.				Senior Management	
80(2)(b)	Allocating officials of the Municipality to the Chief Financial Officer.	CFO95	Accounting Officer	Accounting Officer	Chief Financial Officer	
84(1)(b)	Making an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	CFO96	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
84(2)(a)(i) (aa)	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	CFO97	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
84(2)(a)(i) (bb)	Inviting the local community, organised labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	CFO98	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	

84(2)(a)(ii)	Soliciting the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	CFO99	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	
86(2)	Submitting the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor-General, the National Treasury and the provincial treasury	CFO100	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting
87(11)	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	CFO101	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Budget Planning & Implementation

101(2)	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity in the first Council meeting next ensuing	CFO102	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Financial Management & Reporting and Budget Planning & Implementation and Revenue & Debt Management
102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity.	CFO103	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	Senior BTO Manager - Financial Management & Reporting
114(1)	Submitting a report containing the reasons for deviating from such recommendation to the Auditor-General, the provincial treasury and the National Treasury if a tender other than the one recommended in the normal	CFO104	Accounting Officer	Accounting Officer	Not Delegated	Not Delegated

	course of implementing the supply chain management policy of the Municipality is approved					
115(1)(a)	Implementing the Municipality's supply chain management policy	CFO105	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers	Senior BTO Manager - Supply Chain Management
115(1)(b)	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	CFO106	Accounting Officer	Accounting Officer	Chief Financial Officer & all Senior Managers & Manager - Legal Services	Senior BTO Manager - Supply Chain Management
116(2)(a)	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is properly enforced	CFO107	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	Senior BTO Manager - Supply Chain Management

116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	CFO108	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and Manager - PM	Senior BTO Manager - Supply Chain Management
116(2)(c)	Determining the capacity that needs to be established within the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	CFO109	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager - Corporate Services, Performance Management	Senior BTO Manager - Supply Chain Management
	Establishing the capacity in the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a	CFO110				

	contract or an agreement with the Municipality on a monthly basis					
116(2)(d)	Regularly report to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors.	CFO111	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager - Corporate Services, Performance Management	Senior BTO Manager - Supply Chain Management
	Determining the frequency/regularity of reports to be submitted to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors.	CFO112				
116(3)(a)	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council	CFO113	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and Manager - Legal Services	Senior BTO Manager - Supply Chain Management
116(3)(b)	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply	CFO114	Accounting Officer	Accounting Officer	Chief Financial Officer &	Senior BTO Manager -

	chain management policy of the Municipality and inviting the local community to submit representations to the Municipality				relevant Senior Manager	Supply Chain Management
120(6)(a)	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership	CFO115	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	Senior BTO Manager - Supply Chain Management
120(6)(b)	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Municipal Council at which the matter is to be considered	CFO116	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Supply Chain Management

120(6)(c)	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Municipal Council at which the matter is to be considered	CFO117	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Manager and the Manager - Legal Services	
121(3)(e)	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	CFO118	Accounting Officer	Accounting Officer	Chief Financial Officer	Senior BTO Manager - Revenue & Debt Management

121(3)(f)	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	CFO119	Accounting Officer	Accounting Officer	Chief Financial Officer & relevant Senior Managers and Manager Performance Management	Senior BTO Manager - Revenue & Debt Management and Budget Planning & Implementation
122(1)/ 126(1)(a)	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	CFO120	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior Managers
	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	CFO121				
			Accounting Officer			

126(1)(b)	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity which is a private company	CFO122		Accounting Officer	Chief Financial Officer	All Senior Managers
127(1)	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality	CFO123	Accounting Officer	Accounting Officer	Chief Financial Officer	
127(5)(a)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	CFO124	Accounting Officer	Accounting Officer	Chief Financial Officer	
127(5)(b)	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	CFO125	Accounting Officer	Accounting Officer	Chief Financial Officer	
128	Monitoring whether the accounting officer of any municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of	CFO126	Accounting Officer	Accounting Officer	Chief Financial Officer & Senior Management	

	the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance, to the Municipal Council, the provincial treasury and the Auditor-General					
129(2)(a)	Attending the meetings of the Municipal Council and its committees where the annual report is discussed and responding to questions concerning the report	CFO127	Accounting Officer	Accounting Officer		
129(2)(b)	Submitting copies of the minutes of meetings of the Municipal Council and its committees where the annual report was discussed to the Auditor-General, the provincial treasury and the provincial department responsible for local government	CFO128	Accounting Officer	Accounting Officer	Chief Financial Officer	
129(3)	Publishing the oversight report regarding the annual report	CFO129	Accounting Officer	Accounting Officer	Chief Financial Officer	
132(2)	Submission of the Municipality's annual report and oversight report and the annual	CFO130	Accounting Officer	Accounting Officer	Chief Financial Officer	

	report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature					
146(1)(c)	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	CFO131	Accounting Officer	Accounting Officer	Chief Financial Officer	All Senior BTO Managers
	Bringing an application to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	CFO132	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	
152(2)	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	CFO133	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	

153(1)(b)	Bringing an application in the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	CFO134	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	CFO
153(3)	Giving notice of an application in the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	CFO135	Accounting Officer	Accounting Officer	Chief Financial Officer & Manager - Legal Services	
167(2)(a)	Recovering any amount paid or given in cash or in kind to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	CFO136	Accounting Officer	Accounting Officer	Chief Financial Officer	CFO

12. ALL SECTION 56 SENIOR MANAGERS

12.1 Municipal Systems Act, 2000 (Act No. 32 of 2000)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
SM1	Council	s59(4)	MSA	These delegations are conferred on all Section 57 Managers in terms of s59(4) of the Local Government: Municipal Systems Act, Act 32 of 2000. Where indicated the delegation is sub-delegated to the Manager.	Senior Managers
SM2	Council	s11(3)(a) & (b)	MSA	Assist Municipal Manager in promoting municipal administration within policy framework of the Council	Senior Managers
SM3	Council	s11(3)(c)	MSA	Establishing and maintaining the administration of their relative departments	Senior Manager to assist
SM4	Council	s11(3)(e)	MSA	Implement legislation and by-laws	Senior Manager to assist
SM5	Council	s11 (3)(f)	MSA	Appoint service providers in terms of the Supply Chain Management Policy	Not delegated

SM6	Council	s11 (3)(g)	MSA	Monitor appointed service providers	Senior Manager to assist
SM7	Council	s11 (3)(h)	MSA	Preparation of Budget for Mayor	Senior Manager to assist
SM8	Council	s11 (3)(i)	MSA	Implementation of tariff policy and recovery of monies	Senior Manager to assist
SM9	Council	s11 (3)(j)	MSA	Monitoring effectiveness of revenue collection	Senior Manager to assist
SM10	Council	s11 (3)(l)	MSA	Implementing the Budget once approved	Senior Manager to assist
SM11	Council	s11 (3)(l)	MSA	Promoting a safe and healthy environment	Senior Manager to assist
SM12	Council	s34	MSA	Assist Municipal Manager in annual reviewal of IDP	Senior Manager to assist
SM13	Council	s38 & 39	MSA	Assist Municipal Manager to establish and develop PMS	Senior Manager to assist
SM14	Council	s46	MSA	Assist Municipal Manager to submit Annual Performance Report to Mayor	Senior Manager to assist
SM15	Council	s51(a) to (c)	MSA	Assist Municipal Manager to establish and organize municipality to be responsive to needs, culture of public service, performance orientation	Senior Manager to assist
SM16	Council	s53(3)	MSA	Assist Municipal Manager to define role profiles for staff	Senior Manager to assist
SM17	Council	s55(1)(a)	MSA	Assist Municipal Manager in establishing an effective and efficient administration for municipality	Senior Manager to assist
SM18S M19	Council	s55(1)(b)	MSA	Assist Municipal Manager by efficient management of their department's administration	Senior Manager to assist

SM20	Council	s55(1)(c)	MSA	Implementation of IDP in their respective departments and monitoring results attained	Senior Manager to assist
SM21	Council	s55(1)(d)	MSA	Management of provision of services	Senior Managers
SM22	Council	s55(1)(f)	MSA	Management, utilization and training of staff in their respective departments	Senior Manager to assist
SM23	Council	s55(1)(g)	MSA	Maintenance of discipline of staff	Senior Manager to assist
SM24	Council	s55(1)(h)	MSA	Promotion of sound labour relations	Senior Manager to assist
SM25	Council	s55(1)(i)	MSA	Advising Section 79 and Section 80 Committees	Senior Manager to assist
SM26	Council	s55(1)(j)	MSA	Managing communication between administration, political structures and office bearers	Senior Manager to assist
SM27	Council	s55(1)(k)	MSA	Carrying out decisions of political structures and office bearers	Senior Manager to assist
SM28	Council	s55(1)(l)	MSA	Administration of by-laws and legislation	Senior Manager to assist
SM29	Council	s55(1)(m)	MSA	Exercising of powers and duties delegated to them in terms of s59	Senior Manager to assist
SM30	Council	s55(1)(n)	MSA	Facilitating participation by communities	Senior Manager to assist
SM31	Council	s55(1)(o)	MSA	Developing a system for assessing community satisfaction	Senior Manager to assist
SM32	Council	s55(1)(o)	MSA	Develop a system to assess community satisfaction	Senior Manager to assist

SM33	Council	s55(1)(p)	MSA	Implementation of applicable national and provincial legislation	Senior Manager to assist
SM34	Council	s66(1)(b)	MSA	Provide job description for each post in their department	Senior Manager to assist
SM35	Council	s68	MSA	Assist Municipal Manager in development of Manager to assist municipality's human resource capacities in compliance with Skills Development Act, including provisions in the budget	Senior Manager to assist
SM36	Council	s73	MSA	Assist Municipal Manager to ensure municipality gives effect to provisions of Constitution by giving priority to basic needs of community and their having access to at least minimum level of basic municipal services	Senior Manager to assist

12.2 Local Government: Municipal Structures Act (Act No. 117 of 1998)

Del No	Delegator	Applicable Section	Act	Particulars	Sub-Delegation
SM37	Council	s56	MsrA	Provide the Municipal Manager with the necessary information to assist Mayor to execute his/her functions and powers	Senior Manager to assist

SM38	Council	s9(2)	MsrA	Assist Municipal Manager to annually review needs and priorities that involve community	Senior Manager to assist
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12.3 Local Government: Municipal Finance Management Act, 2003 (Act No.56 of 2003)

Del No	Delegator	Applicable Section	Act	Particulars	Delegation
SM39	Assigned by Legislation	s77(2)	MFMA	To assist the Accounting Officer in managing and co-ordinating the financial administration of the Municipality	Senior Manager to assist
SM40	Municipal Manager	s32(4)	MFMA	To determine the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality (Directors to exercise power in departments in consultation with the Chief Financial Officer)	Senior Manager to assist

SM41	Municipal Manager	s32(4)	MFMA	Deciding whether an expenditure incurred by the Municipality was unauthorised, irregular or fruitless and wasteful expenditure (Directors to exercise power in departments in consultation with the Chief Financial Officer)	Senior Manager to assist
SM42	Municipal Manager	s32(4)	MFMA	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure (Directors to exercise power in departments in consultation with the Chief Financial Officer)	Senior Manager to assist
SM43	Municipal Manager	s32(4)	MFMA	To determine the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality (Directors to exercise power in departments in consultation with the Chief Financial Officer)	Senior Manager to assist

SM44	Municipal Manager	s32(4)	MFMA	To determine the amount of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality (Directors to exercise power in departments in consultation with the Chief Financial Officer)	Senior Manager to assist
SM45	Council	s54	MFMA	Assist Municipal Manager and Chief Financial officer in respect of submission of report to Mayor re Budgeting control and early identification of financial problems	Senior Manager to assist
SM46	Municipal Manager	s62(1)(a)	MFMA	To take reasonable steps to ensure that that the resources of the Municipality are used effectively, efficiently and economically (In consultation with the CFO)	Senior Manager to assist
SM47	Municipal Manager	s62(1)(d)	MFMA	To take reasonable steps to ensure that unauthorised irregular or fruitless and wasteful expenditure and other losses are prevented (Directors to exercise power in department in consultation with the Chief Financial Officer)	Senior Manager to assist

SM48	Municipal Manager	s62(1)(e)	MFMA	To take reasonable steps to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA (Directors to exercise power in department in consultation with the Chief Financial Officer	
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13. AMENDMENT OF DELEGATIONS

These delegations must be amended after the election of new Councillors every five years. These delegations may also be amended by Council as and when needed.

APPROVED BY COUNCIL ON..... UNDER ITEM NO.....

MAYOR OBO COUNCIL

MUNICIPAL MANAGER