

## **Credit Control and Debt Collection Bylaw**

- All Municipal services may only be rendered upon application.
- This application must be made to the delegated office/official.
- The application must be made for services that the municipality has, and can offer, and this application can be amended at any time so as to include a new level of service that the customer wishes to engage the municipality on.
- The municipality may enter into special agreements for rendering of services, which may include imposition of certain conditions, receiving of subsidies for services, if the person is outside the area of supply the municipal.
- Where the purpose for which municipal services are used is changed the onus and obligation is on the customer to advise the Municipality accordingly.
- The municipality for the services it renders does have applicable charges that it levies these services against.
- Charges may differ in respect of different categories of customers.
- Services will be terminated due to non-payment for services.
- The municipality may consolidate payments for services rendered.
- In addition to charges for services a municipality may charge a monthly fixed charge, annual fixed charge or a once off fixed charge for available municipal services whether they are used or not.
- There are certain services that are subsidized services, the municipality may determine the households that will receive these subsidized services.
- Commercial customers do not qualify for any subsidies.
- The municipality in the implementation of these bylaws may cover additional costs such as legal costs, from the customer.
- The municipality is allowed to collect a deposit; in this respect the municipality may also categorize its consumers when determining the amount that has to be paid.
- The bylaw determines the method or how the calculation of amounts due and payable are arrived at.
- The customer is responsible for payment.
- If a customer uses municipal services for other than that which it is intended to be used, an adjustment must be made and the customer is liable to pay the adjusted bill.
- Where the bill is not paid in full any lesser amount tendered and accepted is not deemed to be settlement in full.
- The owner of a premise is liable for all amounts due in respect of services rendered to that premises.
- Any charges that have been incurred by the municipality for dishonoured payments must be recovered from the client.
- The bylaw stipulates what is to be contained in a statement of account.
- A customer may lodge a complaint to query a statement of account.
- The query must be raised with the relevant official before the due date for payment.
- Thus query must have its supporting documents attached and the municipal official must log this query onto a register.
- The complaint must be investigated and the customer advised of the outcome in writing, one month after the complaint is registered.
- The appeal procedure for this finding is set out in the bylaw.

- Interest is levied on arrear accounts.
- The costs associated with a reconnection or disconnection is for the account of the customer.
- If an account is outstanding for a period of more than 45 days the municipality may institute legal action, or hand the customers over for debt collection.
- Agreements may be entered into for the payment of arrears.
- The customers must have a copy of the agreement.
- Failure to honour agreements, may lead to legal action, disconnection interest or penalties.
- In respect of rates all rates are due by a specified date, joint owners are jointly and severally liable.
- Owner remains liable for payment.
- There are certain households that qualify for the household to be regarded as indigent.
- The indigent must apply for this status to the Municipality.
- A list of documents to be attached to the application is requested in the bylaw.
- A municipal official may be authorized to conduct an on-site visit to verify the status that is being applied for.
- Application is approved for a period of 12 months only.
- Prepaid electricity metres must be installed for the indigents.
- Limited water supply of 6 kilolitres is also to be supplied.
- The customer must apply every 12 months.
- The municipality in accordance with its annual budget must make provision for certain subsidized services to indigent households.
- This criteria is further stipulated in the bylaw.
- Existing arrears of indigents must be written off, applied as a surcharge to prepaid metres, be attempted to be recovered through legal proceedings.
- The municipality must undertake regular audits if this status.
- Any indigent customer who provides false information in an application form and the Municipality becomes aware that such information is false shall automatically without notice be deregistered as an indigent.
- Should an indigent no longer meet the criteria within which they have qualified to become an indigent, then they have to accordingly apply to the Municipality to de-register as an indigent.
- If an audit verification does not meet the criteria of approval for an indigent this too leads to automatic disqualification.
- In the event of persons who tender for Municipal work they must submit documents in the form of a municipality certificate to be attached to the application to state that they are not in arrears with the Municipality.
- No person may gain access to Municipal services unless it is in accordance with an agreement that has been entered into with the customer and the Municipality.
- All customer agreements entered into prior to the approval of these bylaws shall be applied retrospectively, and hence the agreement is valid.
- No person other than the municipality or its agent shall maintain municipal infrastructure, or be responsible for connections/disconnections as far as the infrastructure is concerned.
- No person shall restrict access to physical infrastructure that belongs to the Municipality.
- A person who unlawfully, intentionally or negligently reconnects services shall immediately be disconnected.

- A document that is signed by delegated personnel within the Municipality, is deemed to be proof on its mere production, as evidence in a court of law.
- The bylaw has penalties for offences.
- The bylaw is called **CREDIT CONTROL AND DEBT COLLECTION BYLAWS.**