

INFORMATION MANUAL

2015/2016

“ The City of Heritage ”



Compiled in terms of the
Promotion of Access to Information Act No. 2 of 2000

INFORMATION MANUAL FOR ULUNDI MUNICIPALITY

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1. FOREWORD

The sole purpose of the Promotion of Access to Information Act (PAIA), 2000 (Act 2 of 2000), as amended, is to give *effect to the public's right of access of information from public and private bodies, as contemplated in section 32 of the Constitution.*

The Ulundi Municipality (Ulundi), as a local public entity in terms of Chapter 7, section 151 (3) of the Constitution, and in terms of the above Act, has an obligation to draft this manual which will be a public document in terms of which the public can access its records.

2. INTRODUCTION

The Ulundi Municipality is a juristic person serving as a local public entity, established in terms of the Municipal Structures Act, Chapter 1, section 9 (b), which is exhaustively elaborated in the Section 12 Notice.

The new vision of Ulundi as a municipality emanates from a strategic planning session held on 17 March 2011. Amongst other decisions taken was that the Ulundi Council's vision needs to be reviewed. The vision that embodies the aspirations of people who are proud of cultural and traditional heritage is:

“A developmental City of Heritage focussing on good governance, socio-economic development and upholding tradition to promote sustainable service delivery”

The **Mission** is as follows:

- Dedication to democratic through partnering with private and public strategic stakeholders;
- Promotion of eco-tourism and cultural activities whilst maintaining good relations with traditional structures and special groups;
- Value for money driven infrastructure, well-structured spatial development and management of natural resources;
- Creating an environment that fosters a dynamic, innovative and vibrant work force and the inculcation of a good work ethic.

Ulundi was established as a third sphere of government to deliver on the following Constitutional objects:

- To provide democratic and accountable government for local communities.
- To ensure the provision of services to its communities in a sustainable manner.
- To promote social and economic development.
- To promote a safe and healthy environment; and

- To encourage the involvement of communities and community organisations in matters of local government.

In order to be able to deliver on the above objects Ulundi is empowered by legislation to pass and promulgate by-laws, policies and strategic decisions as well as set up structures and manage within budgetary means. To streamline service delivery Ulundi adopted and annually review the Integrated Development Plan, in which program and projects are outlined. To fulfil the obligations set out in sections 156 and 229 of the Constitution regarding powers and functions, Ulundi has certain internal and external structures.

3. THE GOVERNANCE STRUCTURE AND FUNCTIONS OF ULUNDI

Ulundi (KZ 266) is a Grade 3, Category B Municipality with 47 councillors, 24 of whom are Ward Councillors and 23 proportionally represent the political aspirations. The Council's executive and legislative authority is exercised by the Council and the structures are as follows:

3.1 LEGISLATIVE STRUCTURE

3.1.1 BACKGROUND

The Constitution of the Republic of South Africa states that the legislative and executive authority of the municipalities is vested in the municipal Councils. A municipality has the functions and powers assigned to it in terms of sections 156 and 229 of the Constitution. Section 59(1) of the Systems Act requires a municipal Council to develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with that system, may:

- ~ Delegate appropriate powers to any of the municipality's other political structures, Political office bearers, Councillors or staff members;
- ~ instruct any such political structure, political office bearer, Councillor or staff member to Perform any of the municipality's duties; and
- Withdraw any delegation or instruction.

4. DELEGATION

In the Municipal Systems Act, ~~delegation~~ is defined in relation to a duty, as including an instruction to perform the duty. Delegate has a corresponding meaning.

4.1 Some of the basic principles of delegation are that:

- delegation can only be made to a lower hierarchical level;
 - The objective is to lighten the burden on top level management, and use available internal human resources efficiently.

Generally, in terms of section 59 of the Municipal Systems Act, delegations can be made to:

- any of the municipality's other political structures;
- political office bearers;
- Councillors; and
- Staff members.

Section 59(2) (d) of the Systems Act further provides that a delegation instruction to any of the above may include the power to sub-delegate a delegated power. It is important though to note that delegations are subject to reviews, limitations, conditions and directions that the Council or delegating authority may impose. Under certain circumstances, the Council or the delegating authority may decide to withdraw a delegation or instruction. These are control measures built into the system. Section 59(2) (e) of the Systems Act provides that a delegation or an instruction in terms of 59(1) does not divest the Council of the responsibility concerning the exercise of the power or the performance of the duty.

4.2 Managing a system of delegations

Managing a system of delegations is an ongoing exercise. For instance, delegations must be reviewed-

- when a new Council is elected;
- when there is an amendment to the Council policies; and
- After a review of allocated powers and functions.

This is to ensure that at all times delegations are aligned to the policies, roles and responsibilities of the role players.

5. OBJECTIVES OF DELEGATION

The objectives of delegation will be to

- Ensure maximum municipal administrative and operational efficiency without compromising accountability;
- provide for good governance and allow for adequate checks and balances;
- delegate decision-making to the most effective level within the administration;
- involve employees in management decisions as far as practicable;
- promote a sense of collective responsibility for performance;
- assign clear delegated duties for the management and co-ordination of administrative components, systems and mechanisms;
- define in precise terms the delegated duties of each political structure, political office-bearer and Municipal Manager;
- Determine the relationships amongst the political structures, political office-bearers and the administration and the appropriate lines of accountability and reporting for each of them.

6. PRINCIPLES OF DELEGATION

A delegation must be in writing and is subject to any limitations, conditions and directions the municipal Council may impose. A delegation must not be in conflict with the Constitution, Systems Act and Structures Act, or any other legislation;

All delegations must ensure that the Council retains all legislative powers and those executive powers which cannot be lawfully delegated;

Policy formulation and determination process is as follows .

- Policy is determined by the body that has the authority to do so in terms of Council's delegation systems;
- Any other structure legitimately established may initiate the generation of policy. The procedure to follow in determining the policy will depend on which body has the final authority to approve it;

The Council as the legislative and executive authority may not exercise any power or perform any function beyond that conferred upon it by law;

All delegations are conditional upon compliance with legislation, Council policies and procedures, standing rules of order, its IDP and budget;

Delegations must provide for good governance and allow for adequate checks and balances;

All delegations must enhance service delivery without sacrificing accountability;

Delegation does not oblige a delegate to exercise his/her delegated power and allows for the decisions to be made at a higher level.

7. CONDITIONS OF DELEGATION

All decision-making powers delegated by the Council are subject to the following conditions:

- Delegated powers are conferred upon the Mayor, Speaker, and Executive Committee, Councillors and posts in the organizations of the Council and not personally on incumbents;
- Delegations apply to persons in acting positions. Persons acting in these positions have the same delegated powers as those serving in a permanent capacity, provided that the competent authority has duly appointed such acting persons;

In executing any delegated power, the delegated body must comply with all relevant legislation, Council policies and procedures, standing rules of order or any relevant agreements;

These delegations do not redefine Council's powers and functions;

The policies, whether existing or future, will determine the parameters of any delegations and the delegating body is bound to comply therewith. It is the duty of the delegating authority and the Council's legislative arm to ensure that clear and comprehensive policies are drafted;

In executing delegated powers, no expenditure may be incurred unless the delegated authority is satisfied that the Council has budgeted for the expenditure and that funds are still available on the relevant budget votes;

Council may, at any time, subject to applicable law, order a delegate not to exercise a delegated authority in a particular matter and Council must then deal with such matter;

The delegate and/or a delegator may determine whether a report is needed motivating the decision and whether the decision must be reduced to writing. If a report is required, then it must indicate that all legal and financial requirements have been met;

A delegation may set out special circumstances in which a delegated authority is prohibited from exercising his/her delegated power;

Any sub-delegation must be reduced to writing and recorded in the delegations register, which must be kept updated at all times by the Municipal Manager or person delegated to do so;

All decisions affecting the rights of others must be in writing and reasons must be recorded for such decisions;

The Council or any other delegating authority, may at any time withdraw, qualify or amend a delegation;

Council must in accordance with the procedures of its rules of order review any decision taken under delegated powers if so requested in writing by at least a quarter of the members of the Council;

Provision must be made for separation between the evaluation and recommendation stage of the decision-making process and the actual decision itself. This must happen in all cases where the decision making process is reasonably capable of being divided as set out above;

All delegated authorities must report delegated decisions at such intervals as the delegating authority may require. These reports are to enable the delegating authority to determine whether the policies regulating the power are adequate and/or whether the delegation is appropriate;

Appeals against any decisions taken in terms of any delegated authority must be dealt with in terms of the Systems Act by an appropriate appeals authority;

Any delegating authority may require a selected sample of decisions taken by a delegate to be audited by the internal audit unit.

8. EXCLUSIONS AND RESTRICTIONS

A municipal Council may not delegate all of its functions.

8.1 Exclusions

Section 160(2) of the Constitution and other legislation prevents municipal Councils from delegating certain functions. These include the following matters which may not be delegated and must be performed by the municipal Councils -

- passing of by-laws;
- approving budgets;
- imposing rates and other taxes, levies and duties
- Raising of loans.
- approving or amending the integrated development plan;
- deciding to enter into a service delivery agreement (in terms of section 76(b) of the Systems Act);

- Setting of tariffs.

[Systems Act, section 59(1)]

~ Appointment and conditions of service of the Municipal Manager and a Director of the municipality,

[Structures Act, Section 30(5) (c)]

8.2 Restricted delegations

Certain powers may in terms of section 60(1) and (2) of the Systems Act be delegated, but only to specified positions or committees. The following powers may, within a policy framework determined by the municipal Council, be delegated to an Executive Committee only, in respect of:

- decisions to expropriate immovable property or rights in or to immovable property;
- and

- after appointment, the determination or alteration of the remuneration, benefits or other conditions of service of the Municipal Manager or managers directly responsible to the Municipal Manager.
- an Executive Committee or Chief Financial Officer in respect of :-
- decisions to make investments on behalf of the municipality within a policy framework determined by the Minister of Finance.

9. RECORDING OF DELEGATIONS

In terms of section 59(1) (d) of the Systems Act, delegations must be in writing. However, no format is prescribed. Whilst these delegations may be recorded in different forms, the functions of the municipality are so diverse that it may be difficult to easily access or recall accurately all delegations made by the Council.

9.1 Master Delegations Register

Keeping a ~~Master~~ Master Delegations Register will eliminate the problem described above. The updating of the register must be delegated to a person who is closely involved with the functions of the municipal Council and/ or Executive Committee and will be alerted each time there is a new delegation or a review or an amendment to an existing delegation.

10. GENERAL DELEGATIONS

10.1 THE SPEAKER

Delegated Powers

- 1) Like all other political office bearers, performs duties and exercises powers delegated to the Speaker in terms of section 59 of the Systems Act;

- 2) Performs other duties assigned to him/her in the Council's Rules of Order; and
- 3) Any other matter which the Council may determine.

10.2 Line of Accountability and Reporting

The Speaker reports to Council.

11. EXECUTIVE STRUCTURE

The following executive structures are in place in Ulundi as per the Municipal Structures Act:

- His/Her Worship the Mayor
- Executive and Finance Committee
- Executive Councillors, within the portfolio areas

11.1 PORTFOLIO COMMITTEES

- The Technical and Infrastructure Portfolio Committee
- The Community Services Portfolio Committee
- The Local Economic Development and Tourism Portfolio Committee
- The Protection Services Portfolio Committee

The functions of these structures are as follows:

12. HIS/HER WORSHIP THE MAYOR

12.1 Delegated Powers

- 1) When the Council goes into recess, he/she in consultation with the Municipal Manager takes decisions on behalf of the Executive Committee or Councillors which if not taken would in some manner prejudice the Council, in all such cases the mayor must report on such decisions to the next ordinary meeting of the Executive Committee;
- 2) Approves subsistence and travel claims of Municipal Manager/ acting Municipal Manager;

- 3) Approves the attendance of conferences by the Municipal Manager/ acting Municipal Manager;
- 4) Approves leave for the Municipal Manager/ acting Municipal Manager; and
- 5) Any other matter which the Council may determine.

12.2 Line of Accountability and Reporting

The Mayor reports to Executive Committee and to Council.

13. THE EXECUTIVE AND FINANCE COMMITTEE

13.1 Powers delegated to the Executive Committee

General Powers

- 1) Designates Councillors, as determined by the MEC as full-time Councillors;
- 2) Sets policy in respect of matters falling within the delegated powers of the Executive Committee or within the powers of the executive, below itself;
- 3) Comments on proposed legislation and government policies;
- 4) Appoints or nominates Councillors to attend national and local meetings/conferences/ seminars, etc.;
- 5) Appoints or nominates Councillors to represent Council on outside bodies;
- 6) Co-ordinates the operations of the Councillors;
- 7) Decides to institute or defend any action in the High Court, or court of equal or higher stature;

- 8) Decides to institute or defend arbitration proceedings in matters where it otherwise would have been dealt with the High Court or court of equal or higher stature;
- 9) Grants leave of absence to members from meetings of the Executive Committee;
- 10) Decisions to expropriate immovable property or rights in or to immovable property within a prescribed policy framework.

13.2 Financial Matters

- 1) Determines the amount of loss of damage suffered by Council
- 2) where the Municipal Manager or any other manager reporting directly to the Municipal Manager or other staff member has been responsible for such loss or damage, and recovers the loss or damage from them;
- 3) Takes any appropriate action with regard to any loss of or shortage in funds or property belonging to or controlled by the Council involving alleged fraud, theft or negligence on the part of all staff, members of Council or any other structure of Council;
- 4) Approves the virement of funds of any capital amount provided that such virement is taken up in the adjustment estimates;
- 5) Resolves any other matter not specifically reserved by Council or specifically delegated to another structure or individual.

13.3 Line of Accountability and Reporting

The Executive Committee reports to the Council.

14. EXECUTIVE COUNCILLORS WITHIN THE PORTFOLIO AREA

The roles and responsibilities of the above is as defined in Chapter 4, part 5, section 80(2) (a) of the Municipal Structures Act read with section 18 of the Delegated Powers and Functions. The other function relates to rendering the political structure of Council accessible at all times to members of the public. There are ten political office bearers (including the Speaker and the Mayor).

14.1 ROLES AND TERMS OF REFERENCE OF PORTFOLIO COMMITTEES

(1) *The Technical and Infrastructure Portfolio Committee*

Legislative functions:

- Electricity and gas reticulation matters
- Storm-water management systems
- Municipal roads
- Real Estates
- Housing development
- Alienation, acquisition and use of immovable residential property
- Street lighting
- Building regulations
- Billboards and the display of adverts in public places
- Fencing and fences
- Fleet Management

Administrative Functions:

- Development planning
- Land survey
- Municipal roads management
- Housing administration
- Sustainable provision of technical, land and infrastructure
- Electricity supply
- Building Maintenance

(2) *Community Services Portfolio Committee*

Legislative Functions:

- Control of public nuisances
- Cleansing of public places
- Refuse removal, refuse dumps and solid waste disposal
- Public Libraries
- Community Awareness Programmes
- Indigent Support
- Youth Social Development Programmes
- Cultural Programmes

- HIV/AIDS and communicable diseases
- Greening Programmes
- Indigent and Pauper Burial
- Amusement facilities
- Local amenities
- Local sport facilities
- Parks and recreation

Administrative Functions:

- Municipal Libraries
- Municipal Museums
- Sport on municipal facilities and within the municipal area
- Licensing of dogs
- Refuse dumps
- Cemeteries and burials
- Facilities for the accommodation of, care and burial of animals
- Social upliftment programmes

(3) *Economic Development and Tourism Portfolio Committee*

Legislative Functions:

- Local Economic Development
- Rural Development
- Small Medium Micro Enterprises Development
- Trading Regulations
- Informal sector development
- Promotion, marketing and development of local tourism
- Monitoring of local tourism operators

Administrative Functions:

- Local Economic Development Awareness Programmes
- Facilitation of rural development initiatives
- Promotion of job creation initiatives
- Skills Development for Co-operatives and SMMEs;
- Grants . In-Aid
- Business Administration
- Monitoring of local tourism operators
- Business partnerships
- Economic research and policy
- Trading management
- Promotion of international relations
- Tourism quality assurance
- Provision and maintenance of tourist services
- Tourism Awareness Programmes

- Tourism sites and attractions
- Regulation of tourism operators
- Tourism structures and institutions
- Database maintenance

(4) Protection Services Portfolio Committee

Legislative Functions:

- Control of traffic and parking
- Security
- Law Enforcement
- Pounds
- Noise pollution
- Public gatherings management

Administrative Functions:

- Fire Fighting services
- Disaster Management
- Road Safety
- Development and Implementation of rank permits
- Issue learners and drivers licence
- Road Traffic Administration

15. MUNICIPAL MANAGER

15.1 Powers delegated to the Municipal Manager:

1. To approve, in consultation with the relevant Heads of Department, the sale by public competition of movable assets in terms of the Supply Chain Management Policy as approved by the Council;
2. To sign any documents which are necessary to give effect to any resolutions of the Council or resolution by any committee of the Council acting in terms of a delegated power;

3. To obtain legal opinion or to take any necessary steps to defend actions, claims or proceedings instituted against the Council, provided that High Court actions shall first be approved by the Executive Committee;
4. To obtain services of an attorney or advocate for any official purpose;
5. After consultation with the Chief Financial Officer, to incur expenses to appoint investigators to obtain evidence in cases of alleged irregularities or misconduct;
6. After consultation with the Chief Financial Officer to apply contractual penalty clauses in the event of late delivery of goods or services to the Council;
7. To approve of leave applications by Heads of Department;
8. To approve of the secondment of staff from one department to another;
9. To approve of the payment of travelling and subsistence claims in respect of Councillors and Heads of Department;
10. To approve, in consultation with the relevant Director, of applications by employees for study loans in terms of the Council Study Assistance Scheme in terms of approved policy;
11. To decide on the replacement, at the Council's expense, of an official's tools or equipment which are damaged or broken while used in the service of the Council in cases where an official is expected to provide her or his own tools or equipment;
12. To allocate official cellular phones or the payments of cellular phone allowances to officials within a policy approved by Council;
13. Provided that necessary funds are available, to approve the attendance by officials of meetings, workshops, seminars, conferences, congresses and similar events and visits which are in the interest of the Council and which are to be conducted within the Republic of South Africa;

14. To decide about the refunding of tender deposits in respect of those tenders where the Council has no contractual obligation to refund deposits;
15. To decide on the use of coat of arms, flag and banner of the municipality for commemorative and other purposes;
16. To decide whether costs incurred by the Disaster Management organisation for the provision of assistance, must be recovered by Council;
17. To decide whether food must be supplied to workers of Disaster Management organizations during the provision of assistance, and to approve a maximum contribution of R25.00
18. To grant permission to persons and bodies to examine the records of the central registry of the Council for research purposes or in terms of The Promotion of Access to Information Act and the Promotion of Access to Information Manual as adopted by Council;
19. To turn down any applications for donations, which cannot be considered in terms of Council policy;
20. To grant special leave to employees who are sportsmen and women, coaches and referees/umpires, for the purpose of participation in sports events and tournaments at provincial and national level.
21. The approval of ex-gratia payments to sportspersons in terms of policy to employees who represent the RSA at national level;
22. The granting of permission for the free use of Council's premises for departmental functions and other municipal-orientated activities/events.
23. After consultation with the Heads of Department concerned:-
 - (a) to create and fill temporary posts in the event of urgent or emergency situations on condition that budgetary provisions have been made;

- (b) to transfer and promote officials from one department to Another, excluding Heads of Department, in terms of the Municipality's recruitment and placement policy;
 - (c) to appoint persons in acting capacities and to approve of Payment of acting allowances;
 - (d) to approve the allocation of travel allowances of staff at approved Rates;
 - (e) to approve that staff may perform external paid private work.
- 24)The authority to expend money in terms of the monetary limits as specified in terms of approved municipal delegations of authority and co-sign all cheques with Chief Financial Officer and any other authorised senior financial official;
- 25)The authority to perform the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council;
- 26)The authority to sub-delegate to municipal officials;
- 27)Approves rezoning applications in respect of land within the applicable legal prescripts;
- 28)Performs the local economic development function, including industrial development;
- 29)Performs the tourism function in liaison with the relevant Provincial Department and District Municipality.

30) Approves the services of a consultant, in terms of the supply chain management policy, where the consultant's fees and expenses do not exceed a prescribed amount set by Council per project or occasion.

15.2 Line of Accountability and Reporting by the Manager

- ~ Reports to Council and the Executive Committee;
- ~ Reports to the relevant MEC;
- ~ Reports to the Auditor-General.

16. CHIEF FINANCIAL OFFICER

16.1 Powers and duties delegated to the Chief Financial Officer:

- 1) The authority to collect moneys owed to the Council in terms of a contract, legislation, court orders, and decisions of the Council or any other legal basis;
- 2) The authority to commence with 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 documents. This includes the power to instruct the Council's attorney and advocate when necessary, to act on behalf of Council in such cases;
- 3) The claiming from and making of payments to professional persons or firms;
- 4) The authority to release funds in respect of capital and operational expenditure items in terms of the approved capital and operational budget;
- 5) The authority to deduct money, subject to the basic conditions of employment Act and any other relevant legislation, from remuneration which an official or a Councillor owes to the Council;

- 6) The authority to make a ruling in respect of the commencement with a legal process for claiming of damages to Council property caused by third party, and for expenses in respect of injuries sustained by an official while on duty, which the Council must incur in terms of the Workmen's Compensation Act (Act No. 130 of 1993) and leave agreement, in the event that another party causes the accident or incident; The authority to perform the functions and exercise the powers that vest in the Council in terms of the provisions of:-
- (a) The financial regulations;
 - (b) The regulations regarding housing subsidy to employees.
- 7) To deal with all matters relating to insurance of Council assets;
- 8) To sign such documents as may be necessary when claiming funds obtained from any government department;
- 9) To invest monies to the best advantage subject to Council's Cash and Investment Policy and applicable legislation, and to report in terms of section 71 of the MFMA;
- 10) To enter into agreement on behalf of Council for the payment of arrears by debtors;
- 11) To refund/pay furniture removal costs of new staff appointees in terms of the relevant policy of the Council;
- 12) To authorise the payment of IOD pay in respect of employees injured on duty;
- 13) To obtain, in consultation with the Municipal Manager, bank overdrafts or to take up loans on short-term commitments when these are required and report to Council;
- 14) To implement and enforce Council's policy in respect of credit control and debt collection;

- 15) The authority to obtain an interim property valuation from the Council's appraisers as and when the need arises, in respect of any property within the municipal area;
- 16) The issuing of a clearance certificate, which certifies that the rates, fees, amounts and interest in respect of a certain property in the municipal area, have been paid to the Council as required by the applicable legislation;
- 17) The authority to sign the following documents:
 - (a) Share certificates in respect of approved loans;
 - (b) All documents concerning the collection of money
Owed to the Council, in either the Magistrates or the High Court;
 - (b) Debt certificates
- 18) The authority to expend money in terms of the monetary limits as specified in terms of approved municipal delegations of authority;
- 19) Statutory powers, functions and duties delegated in terms of the MFMA in respect of:-
 - all income and expenditure of the municipality;
 - all assets and the discharge of all liabilities of the municipality; and
 - Proper and diligent compliance with MFMA.
- 20) Ensuring that the municipality has and maintains-
 - effective, efficient and transparent systems of financial and risk management and internal control;
 - a system of internal audit;

- an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost-effective;
 - a system for properly evaluating and prioritizing all major capital projects prior to a final decision on the project;
- 21) Keeping full and proper records of the financial affairs of the municipality in accordance with any prescribed norms and standards;
- 22) The effective, efficient, economical and transparent use of the resources of the municipality.
- 23) Taking effective and appropriate steps to:
- collect all money due to the municipality;
 - prevent unauthorised expenditure;
 - prevent losses resulting from possible criminal conduct; and
 - Manage available working capital efficiently and economically.
- 24) Without delay report all losses as a result of suspected criminal conduct to the South African Police Service;
- 25) The management, including the safeguarding and the maintenance of the assets, and managing the liabilities, of the municipality;
- 26) Compliance by the municipality with any tax, levy, duty, pension and audit commitments as may be required by legislation;
- 27) Setting all contractual obligations of, and pay all money owing by the municipality within the prescribed or agreed period;

- 28) On discovery of any unauthorised expenditure, must immediately report, in writing, particulars of the expenditure to the mayor, the members of the Executive Council of the Province responsible for finance and for local government and the Auditor-General;
- 29) Administer the budget and treasury office, as well as the Supply Chain Management Unit, and advise the Municipal Manager and other officials on financial matters;
- 30) Set out the annual budget in a schedule that shows revenue by source and expenditure by vote, and comply with any other guidelines issued by National Treasury from time to time;
- 31) Ensure that the remuneration of political office bearers is in accordance with legislation;
- 32) Report to Council on all expenditure on staff salaries, wages, allowances and benefits;
- 33) Where appropriations for capital projects span more than one (1) year, ensure that shifting of funds between years is in accordance with section 31 of the MFMA;
- 34) Open and maintain at least one bank account in the name of the municipality, and advise National Treasury and Auditor General in writing of details thereof;
- 35) Notify National Treasury of occasions when the bank account/s of the municipality show an overdraft position;
- 36) Table in Council a consolidated report of withdrawals each quarter, and submit a copy of the consolidated report to the Provincial Treasury and Auditor-General;
- 37) To ensure that the requirements for the raising of short and long term debt complies with section 45 and section 46 of the MFMA;

- 38) To report monthly, quarterly and mid-year on the Council's budget performance in terms of Chapters 7, 8 and 12 of the MFMA;

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- 39) The authority to perform the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council.

16.2 Line of Accountability and Reporting

The Chief Financial Officer reports to the Municipal Manager.

17. GENERIC POWERS OF DIRECTORS (Including the CFO):

17.1 Powers delegated to all Directors

- 1) Grants or defer leave, to grant sick leave, to approve of leave being carried over to the next cycle, all in respect of all employees in the department and within the limitations as set out in Council's leave conditions;
- 2) Authorises, in consultation with the Municipal Manager, expenditure, ex- budget to a maximum of as per the amount as determined in item 18 hereof;
- 3) Engages and dismiss casual labour in consultation with the Municipal Manager;
- 4) Calls for bids/quotations in terms of the supply chain management policy;
- 5) In the case of a new appointment, after approval from the Municipal Manager if such an appointee has been obliged to change his or her place of residence as a result of the appointment, grants permission in terms of the Council's policy for the payment of removal costs in respect of the appointee's movable property; provided that sufficient proof of such costs that had been incurred, is furnished;

- 6) In consultation with the Municipal Manager, decides about confirming the appointment of an employee that was appointed on probation period in the light of the performance and competence of the appointee, subject to the provisions of the labour legislation;
- 7) In consultation with the Municipal Manager and provided that the granting of permission does not adversely affect the employee's work performance, grants permission to an employee who applies to pursue other employment;
- 8) Approves, after consultation with the Municipal Manager and Chief Financial Officer, virement of funds;
- 9) Appoints temporary staff within his/her department in consultation with the Municipal Manager subject to budgetary provision;
- 10) Authorises expenditure in terms of the monetary limits as specified in terms Supply Chain Management policy;
- 11) Performs the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council;
- 12) Appoints officials of his or her department as health and safety representatives for his or her department in terms of the provisions of the relevant Occupational Health and Safety Act, (Act No. 85 of 1993);
- 13) General management of Fleet including approval for overnight garaging of Vehicles
- 14) Payment of travelling and subsistence allowances to staff within Departments
- 15) Sending of staff to compulsory leave and counselling within the policy framework;

18. DIRECTOR: CORPORATE SERVICES

18.1 Powers delegated to the Director: Corporate Services

- 1) The authority to sign the following documents:
 - (a) A declaration by the seller for the payment of transfer duties in connection with property transactions excluding declarations concerning buildings which were erected with funds obtained from any state department;
 - (b) Lease contracts in respect of the leasing of Council property as well as property leased by the Council, excluding documents concerning the leasing of buildings erected with funds received from national or provincial government;
 - (c) Contracts for the maintenance of lifts in municipal buildings as well as maintenance contracts in respect of Council equipment which are under the control of the administrative manager;
 - (d) Contracts concerning the installation of telephones for official purposes or concerning applications made by persons occupying Council premises;
 - (e) All documents which are necessary for the registration of even or other immovable property alienated by the Council, excluding documents for the registration of even or other immovable property alienated by the Council on which buildings are erected with funds received from national or provincial government;
 - (f) All documents which may be necessary for the registration of immovable property in the Council's name irrespective of the way in which the Council acquired such immovable property;

(g) Contracts which may be necessary for the alienation of any rights in Immovable property owned by the Council;

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(h) All documentation necessary for compliance with the provisions of the relevant Expropriation Act, 1975 (Act 63 of 1975);

(i) All documents which may be necessary for the registration of servitudes or notarial contracts to which the Council is a party;

(j) Contracts regarding branch-railway lines and third party rights;

(k) Any other documents for which authority has been delegated by the Executive Committee or by the Municipal Manager;

2) In consultation with the Director: Technical Services makes recommendations to waive Council's rights in respect of servitudes;

3) Decides on the form of transport that should be used by officials of whom it is required to attend meetings, workshops, seminars, conferences, congresses and similar events and special visits in the interest of the Council, and which are to be conducted within the boundaries of the Republic of South Africa.

4) As Human Resources Manager ;

The Director implements the administration of the Council's obligation in respect of;

~ the Employment Equity Act;

~ the Skills Development Act;

~ the Labour Relations Act and; and

~ the Basic Conditions of Employment Act

6) In consultation with the Director(s) concerned, recommends the confirmation of the appointment of an employee that was appointed on probation, on a permanent basis or to extend the probation period in the light of the performance and competence of the appointee, subject to the provisions of the labour legislation;

- 7) In consultation with the Municipal Manager and the Director(s) concerned, advises on the dismissal, with proper notice, of any temporary employee, whether in a permanent or temporary post, if his or her services are no longer required, subject to the provisions of the labour legislation;
- 8) In consultation with the Municipal Manager and the Director(s) concerned, advises about the acceptance or not acceptance of a notice of termination of service received from an employee on a shorter period than the period set in the Conditions of Service of the employee;
- 9) In consultation with the Municipal Manager and the Director(s) concerned, provided that the granting of permission does not adversely affect the employee's work performance, advises on the granting of permission to an employee who applies to pursue other paid employment;
- 10) Advises and recommends approval of payment of an acting allowance to an employee in terms of his or her conditions of service, on receipt of a certificate issued by the Director(s) concerned, certifying that the employee did in fact fully act in the post concerned;
- 11) In consultation with the Director(s) concerned may extend the validity of non-accumulative leave of an employee, subject to collective agreement on conditions of service;
- 12) In consultation with the Director(s) concerned may make the annual adjustment of the schedule of uniforms and protective clothing;
- 13) In consultation with the Municipal Manager, to authorise consultants that were appointed by the Council to appoint site staff to supervise contract works.
- 14) The authority to perform the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council;

- 15) In consultation with the Municipal Manager to administer the Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006;
- 16) Takes the necessary steps to secure a suitable court order which obliges the owner or occupier of land or premises to meet the requirements of the Town Planning Scheme in the event that owners or occupiers of land or premises fail to meet the requirements of the said Town Planning Scheme;
- 17) Performs all functions in relation to Communications and Telecommunications;
- 18) As manager of PAIA facilitates Customer Care and Customer Oriented Service;
- 19) Responsible for secretariat and committee management functions;
- 20) Responsible for PAIA management and general legislative and policy compliance;
- 21) Advertises staff vacancies after approval by the Municipal Manager.

18.2 Line of accountability and reporting

The Director Corporate Services reports to the Municipal Manager

19. DIRECTOR: TECHNICAL SERVICES

19.1 Powers delegated to the Director: Technical Services

- 1) The Director has authority to sign the following documents:
 - (a) Contracts concluded by the Council for building and civil works;

(c) Contracts concluded by the Council with consultants in respect of projects executed by her/his department;

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- (c) All documents and contracts in respect of applications for exploitation authority (mining licences) to excavate gravel and stone within the municipal area, in terms of the provisions of the relevant minerals legislation;
- (d) Purchasing and leasing contracts in respect of buildings which were built with state funds or other housing leased by the Council.
- 2) The authority to approve the appointment of consultants by private township developers;
- 3) The authority to permit private persons or organizations to perform work on Council property : Provided that-
- ~ this does not prejudice the Council's interests; and
- ~ the Council is indemnified in writing against any damages and
- claims which may arise or result from such activities;
- 4) Recommends the adjustment of the tariffs contained in the contracts concluded with consultants from time to time, in accordance with the applicable tariffs as published in the Government Gazette in terms of the legislation concerned, in consultation with the Municipal Manager;
- 5) In consultation with the Chief Financial Officer, the Director enforces the penalty clauses contained in Council's contracts for the late delivery of goods and services;

- 6) Approves or rejects all building plans and decide on building line concessions, lateral and rear spaces as set out in the Town Planning Scheme;

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- 7) Consider and finalise all applications for permanent advertisements in accordance with the provisions of the regulation for the display of advertisements jointly with the Planning Committee;

- 8) Performs the functions and exercise the powers vested in the Council in terms of the provisions of ;

~ the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998, (Act 19 of 1998);

~ the lease contracts for municipal housing;

~ the National Building Regulations and Building Standards Act (Act No. 103 Of 1997); and

~ the provisions of regulations in respect of the numbering and re-numbering of buildings and places, and the assignment of names to and the display thereof on flats;

- 9) Approves or rejects requests for the use of servitude areas created for municipal purposes, for building purposes or for the erection of other structures: Provided that such use of the servitude area does not prejudice the purpose for which the servitude was registered;

- 10) Grants permission for a deviation or relaxation in terms of the National Building Regulations and Building Standards Act, (Act No. 103 of 1997) except for a regulation concerning the strength and stability of buildings;

- 11) Authorises to the relaxation of height restrictions of buildings to a maximum of 10 (ten) metres, where relevant;

- 12) In consultation with the Chief Financial Officer, the Director enforces the penalty clauses contained in Council's contracts for the late delivery of goods and services;
- 13) Makes recommendations to the relevant government departments concerned in respect of the approval of or rejection of applications to demolish or reconstruct houses;
- 14) Grants the necessary sanction, until a professional surveyor is appointed, to give out cadastral work on a portion basis to surveying firms, subject thereto that the fees concerned shall be as stipulated in the statutory prescribed scales, and provided that no single appointment exceeds a prescribed amount;
- 15) When applications are made to relax street building lines in respect of single residential stands within the area the Director finalises such applications administratively provided that the mentioned building lines are relaxed to a prescribed maximum, in which case this is adequately provided for by the scheme;
- 16) Considers applications for home industries and house cafes in terms of the Town Planning Scheme. In cases, which he/she considers, the application to be of a controversial nature or that might have a significant impact on the surrounding community, or must, in the case of objections being lodged by surrounding property owners, refer it to the Council for a decision;
- 17) Issues a certificate, in compliance with the requirements of the Provincial Township Board, that an applicant who has applied for township establishment, has in fact provided services to the satisfaction of the Council;

- 18) Issues building clauses and waiver certificates as well as certificates for the raising of property title conditions to comply with the provisions of Council's Town Planning Scheme; and
- 19) Authorises the erection of traffic signs, road marking and effect traffic measurements;
- 20) Performs all the functions related to the social aspects of housing delivery in terms of housing development, discount benefits scheme and rental stock;
- 21) Grants approval for the erection of a second residential unit on a stand or premises in terms of the Town Planning Schemes and other relevant legislation;
- 22) Issues certificates of condonation in terms of the provisions of the Sectional Titles Act, 2003 (Act 29 Of 2003);
- 23) Approves applications for the consolidation and sub-division of land which does not belong to the municipality and, where necessary, the setting of building-clause conditions to be registered against the titles of the stands concerned, as well as the determination of servitudes for the protection of services and their application in cases in which subdivisions are made;
- 24) Makes recommendations and commentary in respect of applications for the cancellation, suspension or amendment of the conditions which are restrictive, to bring the title deed of premises into line with the Town Planning Scheme, except in cases in which a reversionary clause in favour of the Council exists in the title deed;

25) Issues a certificate, in compliance with the requirements of the Provincial Township Board that an applicant who has applied for township establishment, has in fact provided services to the satisfaction of the Council;

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26) Issues building clauses and waiver certificates as well as certificates for the raising of property title conditions to bring it in line with the provisions of Council's Town Planning Scheme;

27) Considers applications for special consent use in terms of the Town Planning Scheme. In cases, which he/she considers, the application to be of a controversial nature or that might have a significant impact on the surrounding community, or must, in the case of objections being lodged by surrounding property owners, refer it to the Council for a decision;

28) Manages the Land Use Management System.

19.2 Electrical Services

1) The authorises the extension of the electricity supply network of the Council, to make connections thereto in terms of the electricity supply regulations and to authorise repayments in connection therewith;

2) In consultation with the Municipal Manager, approves the services of a consultant, in terms of the supply chain management policy, with regard to any of the matters under his or her control, where the consultant's fees and expenses do not exceed a prescribed amount per project or occasion;

3) Grants permission to consumers to resell electricity on conditions as contained in the electricity supply regulations;

4) Signs the following documents: -

- (a) Contracts concluded by the Council for electrical and electro- technical works;
- (b) Contracts concluded by the Council with consulting engineers for mechanical, electrical and electro-technical works;

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5) Performs the functions and exercise the powers that vest in the Council in terms of the provisions of .

- ~ the electricity supply regulations;
- ~ the Electricity Act; and
- ~ the Occupational Health and Safety Act, 1993, as supplier of electricity within the municipal area.

6) In consultation with the Municipal Manager, provides technical assistance and train private persons and organizations that are deemed necessary and essential, without prejudice to the training of the Council's own personnel;

7) Sanctions relaxations in respect of any structural changes to buildings in terms of the provisions of the regulations governing crèches and crèches-cum-nursery schools: Provided that the provisions of the National Building Regulations are not contravened;

8) Performs the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council.

19.3 Line of accountability and reporting

The Director Technical Services reports to the Municipal Manager.

20. DIRECTOR: COMMUNITY SERVICES

20.1 Powers delegated to the Director: Community Services:

1) Perform the functions and exercise the powers that vest in the Council in terms of, for example, the provisions of .

- the regulations regarding cleanliness of plots;
- the regulations regarding crèches-cum-nursery schools;
- the regulations regarding milk and dairies;
- the regulations regarding public health and sanitation;
- regulations relating to cemeteries, crematoria and exhumations;
- the Health Act (Act No. 61 of 2003);
- the Library by-laws; and
- the by-laws for the Control of Street Trading and Collections;

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2) Issue all statutory notices for the elimination of nuisances;

3) Grants permission for and to make all arrangements and approval with regard to indigents and pauper burials;

4) Considers applications for the licensing of businesses in accordance with the provisions of the Business Act (Act No. 71 of 1991);

5) Performs all the functions related to Sport; Parks and Recreation;

6) Performs all the functions related to youth and gender development;

7) Performs all the functions related to the AIDS and communicable diseases desk;

8) Performs all functions related to refuse removal, refuse dumps and solid waste disposal;

9) Performs and ensures cleanliness of all public facilities and public places;

10) Performance of all functions relating to the provision of facilities for the accommodation of, care and burial of animals;

11) Performs and serves as a responsible officer for the Office of Rights of Children;

12) Performs all functions related to the Child Care and Amusement Facilities;

13) Performance of all licensing functions, including licensing of dogs;

14) Performs all functions relating to fencing and fences;

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15) Regulation of Passenger Transport.

20.2 Line of accountability and reporting

The Director Community Services reports to the Municipal Manager.

21. DIRECTOR: PROTECTION SERVICES

21.1 Powers delegated to the Director

- 1) Authorises the removal metered parking bays in urgent cases;
- 2) Considers and finalise applications for temporary advertisements and posters, the placing of banners and posters in respect of functions and other events, as well as other ways of advertisement, amongst other things, by using balloons, in accordance with the provisions of the regulations for the display of advertisements;
- 3) Authorises the granting of permission for the use of loudspeakers in the streets to advertise functions and events, which may take place in terms of Council policy;
- 4) Acts on complaints received from members of the public or a police officer about an alleged irregularity in respect of fund raising, to request any person who is raising funds to produce the concession or special concession in terms of which the raising of funds is taking place in compliance with the provisions of relevant legislation;
- 5) Recovers payments for removal and storage costs in respect of motor vehicles impounded by the Municipality;

- 6) Decides on the placement of legal, exclusive parking bays;
- 7) In consultation with the Municipal Manager grants permission for parades, athletic and other events to be conducted in streets within the municipal area, as well as for the temporary closing of a street;

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- 8) Acts as a responsible officer in terms of the provisions of the Regulation of Gatherings Act, 1993 (Act 205 of 1993);
- 9) Performs the functions and exercise the powers that vest in the Council in respect of the use or discharge of fireworks, firearms or similar devices as contained in the provisions of the Explosives Act, 1956 (Act 27 of 1956) and the provisions of the noise control regulations, promulgated in terms of the Environment Conservation Act, 1998 (Act 107 of 1998); as well as regulations pertaining to Councils Armoury Y in terms of the Fire Arms Control Act;
- 10) Performs the functions and exercise the powers that vest in the Council in terms of the provisions of:
 - ~ the regulations regarding display of advertisements;
 - ~ the regulations regarding petroleum liquid and other substances; and
 - ~ the regulations regarding traffic.
- 11) Allocates or re-allocate dates for street collections for which formal applications have been received;
- 12) Performs traffic law enforcement programmes;
- 13) Carries out complete investigations on all traffic matters that require investigation and taking the required legal action where necessary;
- 14) Co-ordinates joint law enforcement operations with other law enforcement agencies;

- 15) Performs the functions and exercise the powers that vest in the Council in terms of the provisions of any by-laws the administration of which has been assigned to the incumbent by the municipal Council.
- 16) Firefighting and liaises with the District Municipality to decide whether the fire brigade may be used for firefighting purposes outside the boundaries of the municipal area;
- 17) Performs all necessary and relevant functions related to the impounding of stray animals in keeping with the Act

22. Line of accountability and reporting

The Director Protection Services reports to the Municipal Manager.

23. PROCUREMENT DELEGATIONS

The procurement delegations regarding financial threshold values shall be as contained in the SCM Policy. The SCM Policy of Council shall be in line with Supply Chain Management Regulations (Government Gazette No. 27636/2005, Notice 868 of 2005 dated 30 May 2005).

24. LEGISLATIVE CROSS REFERENCE

In terms of sections 79 and 106 of the MFMA, the roles and responsibilities of Accounting Officers with respect to delegations, are clearly outlined. The permissible delegations in terms of Section 82 of the MFMA shall operate as and when required.

25. CONTACT DETAILS [PAIA section 14 (1) (b)]

Information Officer:
MUNICIPAL MANAGER
Princess S.A. Buthelezi
Tel No. +27 (035) 874 5100 ext 5810
e-mail address: sabuthelezi@ulundi.gov.za

Deputy Information Officer:
MANAGER: COMMUNICATIONS AND PUBLIC RELATIONS
Mrs Thandeka A Ntombela
Tel. No. +27 (035) 874 5100 ext 5835
e-mail address: tntombela@ulundi.gov.za

ASSISTANT INFORMATION OFFICER
Ms L. Mathe (CUSTOMER CARE DIVISION)
Tel. No. +27 (035) 874 5100
Fax: 035 874 5176
e-mail address: lmathe@ulundi.gov.za

CUSTOMER CARE CENTRE
Call Centre No: +27 (035) 874 5100 ext 5154/5177
Report illegal tampering: 0800 204 564
Emergency Number
Tel No. +27 (035) 8700 188
Fax No. +27 (035) 874 5831 or (035) 874 5833

Physical address:
ULUNDI MUNICIPALITY
Lot BA 81
Corner of King Dinuzulu Highway and Prince Mangosuthu Street
ULUNDI
3838

Postal Address:
Private Bag X17
ULUNDI
3838

TOURISM INFORMATION:
Tourism Office: Lot BA 81, Civic Centre
Telephone : +27 (035) 874 5100 ext 5811

26. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

In terms of section 10 of the Promotion of Access to Information Act the Human Rights Commission must within 18 months after the commencement of this section, compile in each official language a guide containing such information, in an easily comprehensible form and manner, as may reasonable be required by a person who wishes to exercise any right contemplated in this Act.+

The guide will be available from the South African Human Rights Commission by not later than September 2013 and queries are to be directed to:

The South African Human Rights Commission: PAIA Unit: The Research and Documentation Department.

Postal address : Private Bag X2700, Houghton, 2041

Telephone: +27 (011) 484-8300

Facsimile: +27 (011) 484-1360

E-mail: PAIA@sahrc.org.za

Website: www.sahrc.org.za

27. ACCESS TO THE RECORDS HELD BY ULUNDI MUNICIPALITY (INCLUDING CONFIDENTIAL RECORDS) [SECTION 14(1) (d) & (e)]

27.1 Records that may be requested:

Municipal Code

- Anti-Fraud and Anti-Corruption Policy
- Banking and Investment Policy
- Cellular-phone Policy for Municipal Employees
- Cellular-phone Policy for Municipal Councillors
- Code of Conduct for Councillors
- Code of Conduct for Officials
- Communication Strategy
- Communication and Inter-phasing with Zululand FM
- Community Facilities By-Laws
- Councillor Oversight Policy
- Customer Care Policy
- Customer Care, Credit Control and Debt Collection Policy
- Policy on dress code, uniforms, protective clothing
- Employment Assistance Policy
- Establishment and Functioning of Ward Committees
- Ulundi Municipality . Fixed Asset Policy
- Grants-in-Aid and Donations Policy
- In-service training Policy
- Local Economic Strategy
- Municipal Property Rates Policy

- Overtime Compensation Policy
- Performance Management System
- Records Management Policy
- Recruitment and Appointment Policy
- Relief Staff Policy
- Risk Management Policy
- Roles and Responsibilities of the Whip Policy
- Rules and Orders (Gazetted 22/11/2011)
- Sexual Harassment Policy
- Smoking Policy
- Study Assistant Policy
- Supply Chain Management Policy
- Tariff Policy
- Tourism Plan and Marketing Strategy

Information Technology Policies:

- Disaster Recovery Plan and Business Continuity Plan
- Information Technology and Password Management Plan
- Information Communication and Technology Policy
- Information Technology Strategy
- Information Technology Email Policy
- Information Technology Internet Usage Policy

- Staff Retention Policy
- Organisational Performance Management System
- Town Planning Scheme
- Moratorium on Cash Flow
- Assets Management Policy

- Animal By-Laws
- Cemetery By-Laws
- Council Owned Motor Vehicle Policy
- Disaster Management Plan
- Electricity Supply By-Laws (Gazetted :22/08/2011)
- Environmental Health By-Laws
- Fire Prevention By-Laws
- Flammable Liquid By-Laws
- Funeral Undertakers By-Laws
- HIV/AIDS Policy
- Document and Framework Plan
- Immovable Property Disposal
- Keeping of dogs and cats By-Laws
- Lease of Halls and Conference Facilities By-Laws
- Library By-Laws
- Manufacture, storage and sale of foodstuffs
- Nuisance By-Laws
- Municipal Housing Sector Plan
- Offence Trades
- Pound By-Laws
- Outdoor Advertising By-Laws (Gazetted : 22/08/2011)
- Public Transport By-Laws
- Refuse Removal By-Laws

- Road By-Laws
- Solid Waste By-Laws
- Standing Orders . Protection Services
- Supervision and control of the carrying of the business of a vendor pedlar or hawker By-Laws
- Supervision and control of food and non-food handling premises By-Laws
- Traffic Personnel Motor Vehicle Policy

- Property Encroachment By-Laws (Gazetted 2/08/2011)
- Public Roads By-Laws (Gazetted 22/08/2011)
- storm water Management By-Laws (Gazetted 22/08/2011)
- Delegation System
- Delegation System: Further Amendments

- Fixed Assets Policy
- Grants-In-Aid and Donations Policy
- Information Manual 2012/2013
- In . service training Policy for Tertiary Students from Ulundi Municipality
- Local Economic Development
- Municipal Property Rates Policy
- Overtime Compensation Policy
- Performance Management System
- Records Management Policy
- Recruitment and Appointment Policy
- Relief Staff Policy
- Risk Management Policy
- Roles and Responsibilities of the Whip Policy
- Rules of Order
- Street Trading By-Laws
- National Building Regulations Act
- Skills Development Plan
- Skills Development Act
- Employment Equity Plan
- Conditions of service
- Conditions of employment
- Occupational Safety and Health Act
- Labour Relations Act
- Basic Conditions of Employment Act
- Employment Equity Act
- Unemployment Insurance Act
- Municipal Asset Management Policy
- Traffic By-Laws to regulate municipal parking
- Ulundi Travelling Allowance and Out-of-Pocket Expenses
- **Council Matters**
 - Public notices
 - Advertisements
 - Council agendas and minutes

28. GROUNDS FOR REFUSAL OF A REQUEST (CHAPTER 4)

- Mandatory protection of privacy of a natural person
- Mandatory protection of commercial information of a third person
- Mandatory protection of certain confidential information of third party
- Mandatory protection of safety of individuals, and protection of property
- Mandatory protection of records privileged from production in legal Proceedings
- Commercial information of private body
- Mandatory protection of research information of third party
- Mandatory disclosure in public interest

29. WHO CAN APPLY FOR DOCUMENTS HELD BY ULUNDI MUNICIPALITY?

Any juristic or natural person

30. FEES IN RESPECT OF INFORMATION

- Information Manual [save for copies made in terms of sub regulation (1) or (2), as contemplated in regulation 5 (c)] is R0,82 per photocopy of an A4-size page or part thereof.
- The schedule of tariffs and charges for 2015/2016 financial year are attached on a separate page.

31. PROCEDURE FOR REQUESTING A RECORD

A requester shall use the form that is published in *Government Gazette* (Notice R187 of 15 February 2002), annexed to this manual as ~~%~~*Annexure B.*"

The requester shall also state whether he or she requires a copy of the record or only wants to view the record at the offices of Ulundi Municipality [(Section 29(2)].

The requester shall receive the information in the manner he or she has asked for. However, making available the information will depend on whether the request will not unreasonably interfere with the daily running of business of Ulundi Municipality or damage the record, or infringe a copyright not owned by the State [Section 29 (3)]. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee will be calculated according to the way that the requester has opted for [Section 29(4)].

If, in addition to a written reply to his/her request for the record, the requester wants to be told about the decision in any other way, e.g. by telephone, this must be specified [Section 18(2)(e)].

If a requester is asking for the information on behalf of someone else, he or she must show in what capacity a request is being made [Section 18(2)(f)].

If a requester is unable to read or write, or if he/she has a disability, then he/she or they can make the request for the record orally. The information officer must then fill in the form on their behalf and give them a copy of the completed form [Section 18 (3)]

The information officer will deal with the requests for information within 30 days after receipt of the request or as soon as is reasonable [Section 25].

In certain instances the period of 30 days may be extended once for a further 30 days [Section 26].

The requester will be notified of the prescribed fee payable prior to the request for information is further processed [Section 22].

The requester may lodge an internal appeal against payment of the prescribed appeal fee [Section 74 and 75] or bring an application to Court for the appropriate relief, after the aforesaid procedure has been exhausted [Section 78].

The requester will be notified whether or not he or she will be granted access to the information requested [Section 25].

32. SERVICES AVAILABLE [Section 14 (1) (f)]

The Ulundi Municipality offers the services as anticipated in terms of Section 156 and 229 of the Constitution and as provided for in any legislation and appropriate directive. The services available to local communities include and are not limited to the following:

- Purchase and distribution of electricity to local commercial, residential, industrial consumers (pre-paid and conventional) etc.
- Repairs and maintenance of electricity reticulation infrastructure
- Customer Care
- Building regulations
- Child care facilities
- Fencing and fences
- Firefighting services
- Local tourism
- Municipal planning
- Storm water management
- Trading regulations
- Municipal parks, recreation and amenities
- Municipal roads
- Billboards and the display of advertisement in public places
- Cemeteries

- Cleansing
- Control of public nuisance
- Control of undertakings that sell liquor to the public
- Licensing of dogs
- Local sports facilities
- Markets
- Municipal abattoirs
- Pounds
- Public places
- Refuse removal, refuse dumps and solid waste disposal
- Street trading
- Street lighting
- Traffic and parking
- Integrated Development Planning
- Local Economic Development

33. **How to gain access to these services?**

These services are readily available to local communities either as a legal requirement or on application as prescribed by the legislation from time to time. For more information contact the Information Officer.

34. **ARRANGEMENT FOR PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND ON GENERAL MATTERS OF ULUNDI MUNICIPALITY [section 14 (1) (g)]**

Ulundi involves communities in its processes and procedures through the following mechanisms:

- i. The residents have to be informed on the integrated development planning process as a whole, and on crucial public events related to that process through:
 - public announcements (appropriate media to be determined in the "work plan"); and
 - ward committees and stakeholder associations.
- ii. Councillors have to inform the communities within the area of the ward, through a public ward-level meeting.
- iii. The community and stakeholder representatives have to be given adequate time (2-4 weeks) to conduct meetings or workshops with the groups, communities or organisations they represent, before the issue is dealt with by the Representative IDP Forum. This is to give a fair opportunity for legitimate representative participation, but it does not necessarily involve the municipal governments in community- or stakeholder level workshops.
- iv. Draft planning documents have to be accessible for every resident, and everybody has the right to submit written comments. There must be a time

period of at least four weeks for ward committees, stakeholder associations and interested groups and residents to discuss the draft document publicly, and to comment on it before the Representative IDP Forum deals with the draft.

- v. The IDP committee has to inform the ward committees and stakeholder associations on the way the comments were considered, or on reasons why they were not considered by the Representative IDP Forum, before the draft is submitted to the council for approval.
- vi. Council meetings on the approval of integrated development planning must be public meetings.

We also use the following means of communication to communicate with communities:-

- EZASEKHAYA- this is municipal newsletter which allows for the flow of information from both ends
- Public meetings- Councillors as public representatives have an obligation to refresh mandate stipulations and inform the public about municipal processes
- For budget, Integrated Development Plan, Performance Management System, Tenders and Contracts and strategic decisions, Ulundi subscribe to all legislations on public participation regarding the discussion, implementation and monitoring of the said processes
- Public notices are timeously sent out to communities in terms of legislation
- Advertisements are made in circulars, locally utilised newspapers such as; Ilanga, Isolezwe, Mercury and the Sunday Times, City, Press, Ukhozi FM, Gagasi FM, and local Radio Stations like Zululand F.M, Ulundi Nguna FM and Vuma FM.
- The right of acceptance to Portfolio Committee and Council meetings is as regulated by Chapter 4 of the Systems Act.

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- Representations and petitions are as regulated by legislation
- For social oriented queries and complains, outside Ward Committee structures, measures mentioned here-above and any suggestion to improve the service are welcome and can be either deposited in the suggestion box at the physical address of Ulundi, or by means of any of the outlined mechanism.

- Performance Appraisal questionnaires where the community appraise the performance of the municipality.

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35. THE REMEDIES AVAILABLE IN THE EVENT OF NON-COMPLIANCE WITH THE PAIA [SECTION 14 (1) (h)]

The remedies available to the requester in the event that provisions of the PAIA not complied with are:

- Lodge an appeal to the Information Officer in case of a decision taken by the Deputy Information Officer
- Should the requester still be aggrieved, a further appeal can be lodged to the Executive Committee by representation
- Should this not suffice an appeal could be lodged to Council; and if the requester is not satisfied an application could be made to Court for the appropriate relief

“ The City of Heritage ”



ULUNDI MUNICIPALITY SCHEDULE OF TARIFFS AND CHARGES FOR 2015/2016 FINANCIAL YEAR

DESCRIPTION	CURRENT TARIFF	% INCREASE		NEW TARIFFS 2015/2016
		01/07/2014	01/07/2015	
COMMUNITY SERVICES				
Community Hall where entrance is free	R508.20 & R102.27/hour	6.20%	4.80%	R533 & R107/hour
Where entrance fee is charged	R674.90 & R169.08	6.20%	4.80%	R707 & R177
Tournaments	R 338.78 refundable and R 239.41 per day	6.20%	4.80%	R 355 refundable and R 251 per day
Examnations	R508.20 & R102.27/hour	6.20%	4.80%	R529 & R107/hour
Library photocopies	R0.82 / R1.53	0.00%	4.80%	R1 / R2
Library fax	R 3.43 (National) / R 4.98(International) per page	0.00%	4.80%	R 3 (National) / R 5(International) per page
Library activity room	R 40.60 per hour	0.00%	4.80%	R 41 per hour
			4.80%	
Cemetary - 12 years and older	R 670.99	6.20%	4.80%	R 703.00
Cemetary - under 12 years	R 402.58	6.20%	4.80%	R 422.00
Approval of tombstone	R 97.26	6.20%	4.80%	R 102.00
Community Hall (Wedding Services)				R 1 500
Community Hall (Memorial Services/Funeral Services)				R710 (R355 Refundable)
Sports stadium				R710 (R355 Refundable)
Sports stadium (PSL League Game)				R 5 000.00
Open Space (Next to Multipurpose)				R 2 000.00
INFORMAL TRADERS				
Permit fees: Annually	R 100.00			R 100.00
Business Licenses (Formal Traders): Annually	R 500.00			R 500.00
Business Licenses (Informal Traders): Annually	R 100.00			R 100.00
Rent (tent): Monthly				R 50.00
Rent (Pemanent structure): Monthly				R 250.00
TECHNICAL SERVICES				
Pre-paid meter installation	R 926.38 / R 2273.85			R 926 / R 2274
Reconnection fee (RES)	R 50			R 50
Disconnection fee (RES)	R 250			R 250
Reconnection fee (BUS)	R 100			R 100
Disconnection fee (BUS)	R 500			R 500

Temporary connection	R 887.41	5.60%		R 888.00
Taxi permit fees	R 237.75 per taxi annually	5.60%	4.80%	R 249 per taxi annually
Bus permit fee	R 416.07 per bus annually	5.60%	4.80%	R 436 per bus annually
Formal Business - Market stall fee	R 594.38 per month	5.60%	4.80%	R 623 per month
Informal Business - Market stall fee	R 594.38 per month	5.60%	4.80%	R 623 per month
BUILDING PLANS				
Sidewalk deposit	R 599.74			R 1 000.00
Application fee	12.73 pm ²	5.60%	4.80%	13 pm ²
ALL OTHER BUILDING WORK				
0 - 500m	R 762.29/ R 13.61 pm ²	5.60%	4.80%	R 762/ R 14 pm ²
500m - 2000m	R 2540.86 / R 14.38 pm ²	5.60%	4.80%	R 2541 / R 14 pm ²
2000m - 5000m	R 4234.69/ R 14.44 pm ²	5.60%	4.80%	R 4235/ R 14 pm ²
Above 5000m	R 6775.54 / R16.10 pm ²	5.60%	4.80%	R 6776 / R16 pm ²
Fences	R 135.05 / R 254.06 pm ²	5.60%	4.80%	R 135 / R 254 pm ²

DESCRIPTION	CURRENT TARIFF	%	%	NEW TARIFFS 2015/2016
		INCREASE 01/07/2014	INCREASE 01/07/2015	
ELECTRICITY SUPPLIED THROUGH				
A CONVENTIONAL METER				
Domestic electricity consumption	102.30c/kWh	7.00%	7.39%	102.30c/kWh
Domestic electricity basic charge	208.15 / month	7.00%	7.39%	208.15 / month
Commercial basic charge <40KVA	744.77 / month	7.00%	7.39%	744.77 / month
Commercial basic charge >40KVA	974.40/ month	7.00%	7.39%	974.40/ month
Commercial demand charge >40KVA	Low Demand 185.73 /KVA	7.00%	7.39%	Low Demand 185.73 /KVA
Commercial demand charge >40KVA	(July - September) High Demand 191.90 /KVA	7.00%	7.39%	(July - September) High Demand 191.90 /KVA
Commercial electricity consumption <40KVA	Low Demand 107.53c/kWh	7.00%	7.39%	Low Demand 107.53c/kWh
Commercial electricity consumption <40KVA	(July - September) High Demand 111.46c/kWh	7.00%	7.39%	(July - September) High Demand 111.46c/kWh
Commercial electricity consumption >40KVA	Low Demand 55.03c/kWh	7.00%	7.39%	Low Demand 55.03c/kWh
Commercial electricity consumption >40KVA	(July - September) High Demand 62.09c/kWh	7.00%	7.39%	(July - September) High Demand 62.09c/kWh
Unmetered domestic electricity supply				
PREPAID ELECTRICITY				
All domestic customers	155.02c/ kWh	7.00%	7.39%	155.02c/ kWh

Indigent customers	103.88c/ kWh	7.00%	7.39%	103.88c/ kWh
All commercial customers	Low Demand 171.92 c/kWh	7.00%	7.39%	Low Demand 171.92 c/kWh
All commercial customers	(July -September) High Demand 176.86c/kWh	7.00%	7.39%	(July -September) High Demand 176.86c/kWh
FINANCIAL SERVICES				
RENTAL FOR MUNICIPAL HOUSES	R 597.08	5.60%	4.80%	R 634
REFUSE				
Domestic refuse removal	R 61.19	5.60%	4.80%	R 64
Refuse removal - commercial	R 378.31	5.60%	4.80%	R 396
Refuse removal - commercial bulk	R 3 152.59	5.60%	4.80%	R 3 304
RATES RANDAGES				
Rates Clearance Certificates	R 220			R 300
Public Service Infrastructure (PSI)		MPRA	MPRA	
Residential (RES)	Impermissible R15000.00, Rebate R45000.00, and Tariff R0.01272	MPRA	MPRA	
	0.01272	5.60%	4.80%	0.01333
Vacant Land (BUS+RES)	0.02543	5.60%	4.80%	0.02666
State Owned Properties (SOP)	0.02543	5.60%	4.80%	0.02666
Business (BUS)	0.02543	5.60%	4.80%	0.02666
State Owned Properties (SOP)	0.02543	5.60%	4.80%	0.02666
SpecialisedNon Market Properties (SPL)	0.01272	5.60%	4.80%	0.01333
Agricultural Properties (AG)	0.00319	5.60%	4.80%	0.00334
SUPPLY CHAIN MANAGEMENT				
TENDER DOCUMENTS > R 1million				R 350
TENDER DOCUMENTS < R 1million				R 500
Supply Chain Database Form	50.00			R 50
PROTECTION SERVICES				
LEARNERS LICENCE TESTING CENTRE				
Learners License Application	R 150.00	0.00%	0.00%	R 150.00
Learners License Issued	R 60.00	0.00%	0.00%	R 60.00
Duplicate Learners License	R 80.00	0.00%	0.00%	R 80.00
Driving License Issued and Renewals	R 250.00	0.00%	0.00%	R 250.00
Pr DP Application	R 150.00	0.00%	0.00%	R 150.00
Temporal Drivers License	R 90.00	0.00%	0.00%	R 90.00
Drivers License Application CODE C1, EC	R 300.00	0.00%	0.00%	R 300.00
PRDP Fingerprint	R 70.00	0.00%	0.00%	R 70.00
Drivers License Application CODE B and EB	R 250.00	0.00%	0.00%	R 250.00

NB: ELECTRICITY TARIFFS SUBJECT TO NERSA APPROVAL AND FURTHER INCREASE DUE TO ADDITIONAL INCREASE TO BE GRANTED TO ESKOM

NB: ALL TARIFFS WILL BE ROUNDED OFF TO THE NEAREST RAND VALUE (R)