



HESSEQUA MUNICIPALITY

DELEGATIONS REGISTER

**APPROVED BY COUNCIL ON: 26 MARCH 2026
COUNCIL RESOLUTION: 9.15**

HESSEQUA MUNICIPALITY: DELEGATIONS REGISTER

TABLE OF CONTENTS		Page
General principles and conditions of delegation		3-5
SCHEDULE 1: ACTS		
1.	Constitution of the Republic of South Africa, 1996	6-10
2.	Local Government: Municipal Demarcation Act, 1998 (Act No 20 of 1998)	11
3.	Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998)	12-30
4.	Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)	31-61
5.	Remuneration of Public Office-Bearers Act, 1998 (Act No 20 of 1998)	62
6.	Promotion of Access to Information Act, 2000 (Act No 2 of 2000)	62
7.	Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000)	63
8.	Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No 4 of 2000)	64
9.	Water Services Act, 1998 (Act No 107 of 1998)	65-66
10.	Housing Act, 1997 (Act No 107 of 1997)	67
11.	Regional Services Councils Act, 1985 (Act No 109 of 1985)	67
12.	Labour Relations Act, 1995 (Act No 66 of 1995)	68-71
13.	Basic Conditions of Employment Act, 1997 (Act No 75 of 1997)	71-79
14.	Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) (COIDA)	79
15.	Occupational Health and Safety Act, 1993	80-85
16.	Employment Equity Act, 1998 (Act No 55 of 1998)	85-89
17.	Skills Development Act, (Act No 97 of 1998)	89
18.	Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003)	90-189
19.	National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977)	189-190
20.	Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013)	191-193
21.	Regulations of Gatherings Act, 1993 (Act No 205 of 1993)	193
22.	National Environmental Management: Waste Act, 2008 (Act No 59 of 2008)	194
23.	National Land Transport Act, 2009 (Act No 5 of 2009)	194
24.	Disaster Management Act, 2002 (Act No 57 of 2002)	194-195
25.	Fire Brigade Services Act, 1987 (Act No 99 of 1987)	195
26.	Businesses Act 71 of 1991	195
SCHEDULE 2: REGULATIONS		
1.	Local Government: Municipal Planning and Performance Management Regulations, 2001	196-200
2.	General Machinery Regulations	200
3.	Local Government: Municipal Finance Management Act (56/2003): Municipal Asset Transfer Regulations	201
4.	Local Government: Municipal Staff Regulations	202-207
SCHEDULE 3: DELEGATION OF POWERS DEFINED IN COLLECTIVE AGREEMENTS		
1.	South African Local Government Bargaining Council: Constitution	208
2.	South African Local Government Bargaining Council: Main Collective Agreement (2015)	209-211
3.	South African Local Government Bargaining Council: Western Cape Division – Collective Agreement (2016) - Extended	212-214
4.	Disciplinary Regulations for Senior Managers 2010 Government Gazette No 34213	214-216
5.	Disciplinary Procedure Collective Agreement (2018)	216-218
6.	Scare Skills Policy	218
SCHEDULE 4: INCIDENTAL DELEGATION AND POWERS		
Incidental delegation of powers being powers not explicitly conferred by Acts		219-240
SCHEDULE 5: DELEGATION OF POWERS AND DUTIES: SUPPLY CHAIN MANAGEMENT		
SCHEDULE 6: DELEGATION OF POWERS IN TERMS OF BY-LAWS		261-302

GENERAL PRINCIPLES AND CONDITIONS OF DELEGATION

General principles of delegation

- 1.1 Delegation means the granting of power to take executive decisions and to perform duties in terms of the decision as contemplated in section 59 of the Systems Act.
- 1.2 A delegating authority has the right to demand accountability from the delegated body without divesting the delegating authority of the responsibility concerning the exercise of a power or the performance of the duty.
- 1.3 Responsibility is the obligation by the delegated body to carry out or to ensure the carrying out of the authority entrusted to it.
- 1.4 Authority is the sum-total of all the rights and powers that the delegated body needs to exercise its responsibilities. A delegated body is always answerable to the delegating authority and the delegated authority is never divested from accountability following the exercise of powers or performance of duties delegated.
- 1.5 As the delegating authority is accountable for the exercising of authority, the delegating authority may at any time instruct the delegated body not to exercise delegated authority on an unfinished task but submit it to the delegating authority for consideration.
- 1.6 The delegating authority accepts the outcome of any exercised authority by the delegated body and takes full responsibility together with the delegated body on the outcome of the action when the action has been implemented.
- 1.7 Any delegated authority is subject to Council's policy. The exercise of any delegated authority must not deviate from the policy. Any deviation from Council's policy due to an emergency must be sanctioned by the Executive Mayor or Municipal Manager as the case may be and afterwards be submitted to Council for condonation. In this instance "emergency" is defined as a situation where an urgent meeting of the Council cannot be convened according to the perception of the Executive Mayor or Municipal Manager.
- 1.8 All policies of Council must be in writing and if amended, amended in writing. Where no policy exists the duty to take a decision rests with Council.
- 1.9 ***Where no authority is delegated to any political structure, political office bearer and staff member or reserved for Council only, the Executive Mayor shall be regarded as having authority to exercise such power.***
- 1.10 Authority can only be delegated to the extent that the delegating authority can control it.
- 1.11 All delegations must be aimed at empowering the relevant executives to perform their functions effectively, taking into account the different levels of the decision making.
- 1.12 All delegations should be aimed at the improvement of good governance and allow for adequate checks and balances.
- 1.13 All delegations should be aimed at the enhancement of service delivery without sacrificing accountability.

1.14 All exercising of delegated authority should take place in the spirit of utmost good faith.

2. General conditions of delegation

All decision-making powers delegated by Council or any other delegating authority about sub-delegations are subject to the following:

- 2.1 Delegated powers are conferred upon positions (political or staff) in the organisation or Council and not to persons or to incumbents.
- 2.2 Delegations also apply to acting positions. Persons acting in such positions have the same delegated powers as persons appointed permanently in a position, provided that the competent authority has duly appointed such acting persons.
- 2.3 The system of delegation does not redefine Council's powers and functions.
- 2.4 The policies of Council, whether existing or future, will determine the parameters of any delegation and the delegating authority is bound to comply therewith. It is the duty of the delegating authority to ensure that clear and comprehensive policies are drafted and duly accepted.
- 2.5 In executing delegated authority, no expenditure may be incurred unless the delegated body is satisfied that the Council has budgeted for the expenditure and that the funds are still available on the relevant budget votes.
- 2.6 The chain of authority from the Council to the Executive Mayor to the Municipal Manager to officials below must not be jeopardised by any delegations.
- 2.7 A delegation may set out special circumstances in which a delegated body is prohibited from exercising his/her delegated power, e.g. the rejection of the most financially beneficial tender offered.
- 2.8 All decisions by a delegated authority affecting the rights of others must be in writing and reasons must be recorded for such decisions.
- 2.9 All decisions taken by a delegated authority must be available for audit purposes.
- 2.10 The delegation register will be reviewed as required by Section 59(2)(f) of the Local government: Municipal Systems Act 32 of 2000 or when required by Council.

(a) Introduction

A *municipal council* must develop a system of delegation that will maximise administrative and operational efficiency. The following powers may, however, not be delegated and must be exercised by the *council*:

- 1. The passing of by-laws.
- 2. The approval of budgets.
- 3. The impositions of rates, taxes, levies and duties.
- 4. The raising of loans.¹

¹ Numbers 1-4 are regulated by section 160(2) of the Constitution.

5. A decision to enter into a service delivery agreement in terms of section 76(b) of the Municipal Systems Act.
6. To approve or amend an integrated development plan.²

Council may *withdraw* any delegation and any delegation and withdrawal must be in *writing*. Council may impose *limitations, conditions and directions* when a power is delegated, and it may include the power to *sub-delegate*.

Delegations must be reviewed when a new council is elected.

The following powers may be delegated to an executive committee or executive mayor only (it may not be sub-delegated):³

1. Decisions to expropriate immovable property or rights in immovable property.
2. The determination or alteration of the remuneration of the municipal manager and managers directly responsible to the municipal manager.

All delegates must report to the delegating authority at such intervals as may be required by the delegated authority.

(b) Use of the register and delegation of powers

Council hereby delegates the following powers to the bodies indicated in column 4, subject to the conditions set out in column 5. In column 6 it is indicated whether a power can be sub-delegated by the body in column 4 and the receiver of the sub-delegation is set out in column 7.

POSSIBLE REVIEW POSSIBILITIES

MM
CORPORATE
FINANCE
TECHNICAL
SOCIAL
PLANNING

² Section 59(1)(a) of the Municipal Systems Act.

³ Section 60 of the Municipal Systems Act.

SCHEDULE 1
DELEGATION OF POWERS DEFINED IN ACTS
(SECTION 17(1))

1. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT NO 108 OF 1996)						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
6(3)(b)	Determination of a language policy	Council	None	Must receive and consider report and recommendations from the Executive Mayor and take into account the language preferences and usage in the municipal area	N	
23(3)	Forming/joining an employer's organisation	Council	None	Subject to receiving and considering a report of the Executive Mayor	N	
25(2)	Expropriation of property and rights in, to or over property	Council	None	Together with the other members of the Mayoral Committee	N	
25(3)	Determining the amount of compensation payable for expropriated property	Council		Together with the other members of the Mayoral Committee	N	
43(c)	To make by-laws	Council	None	None	N	
99	Concluding an agreement with a Cabinet member to receive a function or power assigned to the municipality	Council	Executive Mayor	Subject to the agreement having been approved by the Council	N	
126	Concluding an agreement with a member of the provincial executive	Council	Executive Mayor	Subject to the agreement having been approved by the Council	N	

1. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT NO 108 OF 1996)						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	council to receive a function or power assigned to the municipality					
139	Considering a directive issued by the provincial government pursuant to the municipality failing to fulfil an executive obligation in terms of legislation	Council	None	Subject to receiving and considering a report of the Executive Mayor	N	
152	Deciding the actions that must be taken to achieve the objects of local government	Council	None	Subject to receiving and considering a report of the Executive Mayor	N	
153	Deciding on the structure and management of the municipality's administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of the community	Council	Municipal Manager	Subject to a policy framework determined by the Council after receiving and considering a report and recommendations from the Executive Mayor	N	
153	Deciding on the nature and scope of the municipality's participation in national	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	

1. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT NO 108 OF 1996)						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	and provincial development programmes					
154(2)	Making representations regarding draft legislation affecting the status, institutions, powers, or functions of local government	Council	None	Subject to receiving and considering a report from the Executive Mayor	N	
156(1)	Deciding which of the local government matters assigned to the municipality must be performed	Council	None	Subject to receiving and considering a report from the Executive Mayor	N	
156(4)	Concluding an agreement for the assignment of a matter to the municipality by the national or provincial government	Council	Executive Mayor	Subject to the agreement having been approved by the Council	N	
160(1)(b)	Electing a chairperson (speaker)	Council	None	None	N	
160(1)(c)	Electing an executive and other committees	Council	None	In the case of a- ▲ section 79-committee, after receiving the report and recommendations of the Speaker ▲ section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to	N	

1. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT NO 108 OF 1996)						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
				receiving and considering a report and recommendations from the Executive Mayor		
160(6)	Making bylaws that prescribe rules and orders	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
160(7)	Deciding to close a meeting of the Council or those of its committees	Council	The councillor/ person presiding at the meeting	Taking into account the reasonableness of the motion having regard to the nature of the business being transacted	N	
163	Deciding to become and remain a member of an organisation representing municipalities	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
217	Determining a procurement system that is fair, equitable, transparent, competitive, and cost-effective when it contracts for goods or services	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
227(1)	Deciding on the allocation of the equitable share of revenue raised nationally accruing to the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
229(1)	Imposing rates on property and surcharges on fees for	Council	None	Subject to receiving and considering a report and	N	

1. CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT NO 108 OF 1996)						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	services provided by or on behalf of the municipality and other taxes, levies and duties appropriate to local government			recommendations from the Executive Mayor in the form of a draft annual budget or adjustments budget		
229(4)	Deciding to share revenue raised by the municipality with municipalities that have fiscal power and functions in the municipality's area	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in the form of a draft annual budget or adjustments budget	N	
230	Deciding to raise loans for capital or current expenditure	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

2. LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998 (ACT NO 20 OF 1998)					
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate
21(4)	Submitting an objection regarding the determination or re-determination of the municipality's boundaries to the Demarcation Board	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
26(3)	Considering a written invitation by the Demarcation Board to make representations regarding the intended demarcation of the municipality's boundaries	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
12(4)	Participating in any consultations regarding the establishment of a municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
15	Reviewing and rationalising the by-laws and resolutions (including standing delegations) of any preceding municipalities that binds the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
16(3)	Participating in any consultation regarding an amendment to the notice establishing the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
18(4)	Designating councillors determined by the MEC for local government to be full-time councillors	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
19(2)	Annual reviewing of the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in terms of the municipality's integrated development plan or a proposed amendment thereto	N	
19(2)	Annual reviewing of the municipality's priorities to meet those needs	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in terms of	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				the municipality's integrated development plan or a proposed amendment thereto		
19(2)	Annual reviewing of the municipality's processes for involving the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
19(2)	Annual reviewing of the municipality's organisational and delivery mechanisms for meeting the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
19(2)	Annual reviewing of the municipality's overall performance in achieving the objects of local government set out in the Constitution	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
19(3)	Developing mechanisms to consult the community and community organisations in performing its functions and exercising its powers	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
25(2A)	Inform the MEC for local government in the province and the Electoral Commission of a vacancy in a ward within 14 days from the date on which the vacancy occurred	Municipal Manager	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
29(1)	Deciding when and where a council meets	Speaker	None		N	
29(1)	Convening special council meetings at a place and time set out in a request received in terms of section 29(1) of the Structures Act	Speaker	None		N	
29(2)	Determining the time, date, and place of the first council meeting after a Council has been declared elected	Municipal Manager	None		N	
29A	Give notice to the public, in a manner determined by the municipal council of every ordinary and or special council meeting	Municipal Manager	None		N	
30(4)	Casting a casting vote when there is an equality of votes	Councillor presiding at a meeting	None		N	
30(5)	Submitting the report and recommendation of the Executive Mayor before the Council considers- - any matter mentioned in section 160 (2) of the Constitution; ⁴ - the approval of an integrated development plan and any	Executive Mayor	None	Subject to the report and recommendations having been prepared together with the other members of the mayoral committee. In the case of appointments and conditions of service of the Municipal Managers and Senior Managers, subject to the Local Government:	N	

⁴ These are the functions that Council may not delegate: Passing of by-laws, approval of budgets, imposition of rates, taxes and levies and the raising of loans

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	amendment to that plan; and the appointment and conditions of service of the Municipal Manager and departmental heads of the municipality.			Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)		
33	Determining whether the establishment of a particular committee is necessary	Council	None	In the case of a- ▲ section 79-committee, subject to receiving the report and recommendations of the Speaker ▲ section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to receiving and considering a report and recommendations from the Executive Mayor	N	
34	Deciding to dissolve the Council	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report, and recommendations must have been prepared together with the other members of the mayoral committee	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
36(2)	Electing a Speaker to fill a vacancy in the position of speaker	Council	None	None	N	
37(e)	Ensure compliance in the council and council committees with the Code of Conduct	Speaker	None	None	N	
37(f)	Ensure that council meetings are conducted in accordance with the rules and orders of the council	Speaker	None	None	N	
37(g)	Ensure that the legislative authority of the municipality functions effectively	Speaker	None	None	N	
37(h)	Responsible for the effective oversight over the executive authority of the municipality	Speaker	None	None	N	
37(i)	Ensure the effectiveness of the committees of the municipal council established in terms of section 79	Speaker	None	None	N	
37(j)	Responsible for the ethics and accountability of the municipal council	Speaker	None	None	N	
37(k)	Ensure the effectiveness and functionality of ward committees and the public participation processes	Speaker	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
40	Deciding to remove the Speaker from office	Council	None	Provided that notice of the motion to remove the speaker has been given to all councillors	N	
41	Electing an acting Speaker	Council	None	None	N	
43	Determine a number of councillors necessary for effective and efficient government (executive committee), provided that no more than 20 per cent of the councillors (fractions to be disregarded) or 10 councillors, whichever is the least	Council	None	None	N	
44(1)(b)	Receives reports from the committees of the council referred to in section 80, and which must forward these reports together with its recommendations to the council when it cannot dispose of the matter in terms of its delegated powers	Executive Committee	None	None	N	
44(2)(a)	Identify the needs of the municipality	Executive Committee	None	None	N	
44(2)(b)	Review and evaluate those needs in order of priority	Executive Committee	None	None	N	
44(2)(c)	Recommend to the municipal council strategies, programmes	Executive Committee	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	and services to address priority needs through the integrated development plan and estimates of revenue and expenditure, taking into account any applicable national and provincial development plans					
44(2)(d)	Recommend or determine the best methods, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community	Executive Committee	None	None	N	
44(3)(a)	Identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services referred to in subsection (2) (c) can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general	Executive Committee	None	None	N	
44(3)(b)	Evaluate progress against the key performance indicators	Executive Committee	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
44(3)(c)	Review the performance of the municipality in order to improve- (i) the economy, efficiency and effectiveness of the municipality; (ii) the efficiency of credit control and revenue and debt collection services; and (iii) the implementation of the municipality's by-laws	Executive Committee	None	None	N	
44(3)(d)	Monitor the management of the municipality's administration in accordance with the policy directions of the municipal council	Executive Committee	None	None	N	
44(3)(e)	Oversee the provision of services to communities in the municipality in a sustainable manner	Executive Committee	None	None	N	
44(3)(f)	Perform such duties and exercise such powers as the council may delegate to it in terms of section 32;	Executive Committee	None	None	N	
44(3)(g)	Annually report on the involvement of communities and community organisations in the affairs of the municipality	Executive Committee	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
44(3)(h)	Ensure that regard is given to public views and report on the effect of consultation on the decisions of the council	Executive Committee	None	None	N	
44(4)	Report to the municipal council on all decisions taken by the committee.	Executive Committee	None	None	N	
54	Deciding to have an Executive Mayor	Council	None	Subject to receiving a report from the Municipal Manager	N	
55	Electing an Executive Mayor	Council	None	None	N	
56(1)	Receiving reports from committees of the Council referred to in section 80 and forwarding such reports together with a recommendation to the council when the matter cannot be disposed of by the Executive Mayor in terms of her/his delegated powers	Executive Mayor	None	None	N	
56(2)	Identifying the needs of the municipality	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(2)	Reviewing and evaluating the identified needs of the municipality in order of priority	Executive Mayor	None	Together with the other members of the mayoral committee	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
56(2)	Recommending to the Council strategies, programmes and services to address priority needs through the integrated development plan and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(2)	Recommending or determining the best way, including partnership and other approaches, to deliver the strategies, programmes and services that were recommended to the maximum benefit of the community	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(3)	Identifying and developing criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general	Executive Mayor	None	Together with the other members of the mayoral committee	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
56(3)	Evaluating progress against the key performance indicators determined by the Council	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(3)	Reviewing the performance of the municipality in order to improve the economy, efficiency and effectiveness of the municipality; the efficiency of credit control and revenue and debt collection services and the implementation of the municipality's by-laws	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(3)	Monitoring the management of the municipality's administration in accordance with the directions of the Council	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(3)	Overseeing the provision of services to communities in a sustainable manner	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(3)	Annual reporting on the involvement of communities and community organisations in the affairs of the municipality	Executive Mayor	None	Together with the other members of the mayoral committee	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
56(3)	Ensuring that regard is given to public views and report on the effect of consultation on the decisions of the Council	Executive Mayor	None	Together with the other members of the mayoral committee	N	
56(4)	Determining the ceremonial role, if any, to be performed by the Executive Mayor	Council	Council	None	N	
56(4)	Performing a ceremonial role as determined by the Council	Council	None	None	N	
56(5)	Reporting to the council on decisions taken by the Executive Mayor	Executive Mayor	None	None	N	
58	Removing the Executive Mayor from office	Council	None	Providing that notice of the motion to remove the Executive Mayor from office has been given to all councillors	N	
60(1)	Appointing a mayoral committee from among the councillors to assist the Executive Mayor	Executive Mayor	None	None	N	
60(1)	Delegating of specific responsibilities to members of the mayoral committee	Executive Mayor	None	None	N	
60(1)	Dismissing members of the mayoral committee	Executive Mayor	None	None	N	
60(2)	Determining the size of the mayoral committee	Executive Mayor	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
60(3)	Designating the powers and functions of the Executive Mayor that must be performed and exercised together with the other members of the mayoral committee	Council	Council	None	N	
73(1)	Establish a ward committee for each ward in the municipality within 120 days after the election of the municipal council, in accordance with section 22	Council	Council	None	N	
73(1A)	If a metropolitan or local council is unable to establish a ward committee or ward committees in accordance with subsection (1), the speaker must, prior to the expiry of the 120 days after the elections, in writing and on good cause shown, request the MEC, responsible for local government in the province concerned, for an extension	Speaker	None	None	N	
79(1)(a)	Establishing committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
79(1)(b)	Appointing members of committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N	
79(1)(c)	Dissolving committees	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N	
79(2)(a)	Determining the functions of a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N	
79(2)(b)	Appointing the chairperson of a committee	Council	None	None	N	
79(2)(c)	Authorising a committee to co-opt advisory members who are not members of the Council and setting limits on such co-option	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N	
79(2)(d)	Removing a member of a committee	Council	None	None	N	
79(2)(e)	Determining a committee's procedures	Council	None	None	N	
79A (1)	Establish a committee called the municipal public accounts committee.	Council	None	None	N	
79A (3)(a)	Review the Auditor-General's reports and comments of the management committee and the audit committee and make	MPAC	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	recommendations to the municipal council					
79A(3)(b)	Review internal audit reports together with comments from the management committee and the audit committee and make recommendations to the municipal council	MPAC	None	None	N	
79A(3)(c)	Initiate and develop the oversight report on annual reports contemplated in section 129 of the Local Government: Municipal Finance Management Act	MPAC	None	None	N	
79A(3)(d)	Attend to and make recommendations to the municipal council on any matter referred to it by the municipal council, executive committee, a committee of the council, a member of this committee, a councillor and the municipal manager	MPAC	None	None	N	
79A(3)(e)	On its own initiative, subject to the direction of the municipal council, investigate and report to the municipal council on	MPAC	None	None	N	

3. LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO 117 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	any matter affecting the municipality					
80(1)	Appointing committees to assist the Executive Mayor	Council	None	Subject to receiving and considering a report and recommendations from the Speaker after consultation with the Executive Mayor	N	
80(3)(a)	Appointing the chairperson of a section 80 committee	Executive Mayor	None	None	N	
80(3)(d)	Varying or revoking decisions of a section 80 committee	Executive Mayor	None	None	N	
81(3)	Determining a procedure for consulting traditional leaders on any matter directly affecting the area of a traditional authority	Council	Executive Mayor	None	N	
87(2)	Deciding whether to object to the temporary assignment of a functional competency of another municipality to the municipality	Council	Executive Mayor	Together with the full Executive Mayoral Committee	N	
88(1)	Deciding on the nature and scope of the assistance to be provided to another municipality	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
88(2)	Deciding to request another municipality for financial, technical and administrative assistance	Council	Executive Mayor	Together with the other members of the Mayoral Committee after consultation with the MM	N	

Sch 7(4)(a)	Considering applications submitted by councillors for leave of absence from meetings they are required to attend	Council	Speaker or Chairperson of the meeting concerned	None	N
Sch 7(5)(1)	Imposing a fine as determined by the standing rules and orders on a councillor for not attending a meeting which that councillor is required to attend or failing to remain in attendance at such a meeting	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(5)(3)	Adopting a uniform standing procedure for the imposition of a fine or the removal of a councillor	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(6)(1)(b)	Determining whether a councillor declared personal or private business interest in any matter before the Council or a committee is trivial or irrelevant	Council	The body at which the councillor concerned makes the declaration	Taking into account a policy framework determined by the Council	N
Sch 7(6)(2)	Considering an application by a councillor to be a party to or beneficiary under a contract for the provision of goods or services to the municipality or the performance of any work otherwise than as a councillor for the municipality, or to obtain a financial interest in any business of the municipality or to appear on behalf of any other person before the Council or a committee for a fee or other consideration	Council	None	Subject to receiving and considering a report from the Speaker	N

Sch 7(8)(4)	Determining which of the financial interests of councillors must be made public having regard to the need for confidentiality and the public interest for disclosure	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(9)	Considering and refusing or consenting to an application of a full-time councillor to undertake other paid work	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(11)	Granting permission to a councillor to disclose privileged or confidential information of the Council or committee to an unauthorised person	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(12)	Mandating a councillor to interfere in the management or administration of any department or give an instruction to an employee	Council	None	Subject to receiving and considering a report from the Speaker	N
Sch 7(15)	Authorising and/ or conducting an investigation into an alleged breach of the code of conduct for councillors	Speaker		None	N
Sch 7(16)(1)	Investigating and making a finding on any alleged breach of a provision of the code of conduct for councillors or establishment of a special committee to investigate and make a finding on any alleged breach of the code and to make appropriate recommendations to the Council	Council	None	None	N
Sch 7(16)(2)	Imposing a penalty on a councillor having been found guilty of a breach of the code of conduct for councillors	Council	None	None	N

Sch 7 (16)(3)	Inform the MEC for local government in the province concerned within 14 days of the finding and sanction decided on by the council	Speaker	None	None	N
Sch 7(16)(4)	Making representations to the MEC regarding an appeal of a councillor that has been found guilty of a breach of the code of conduct form councillors	Council	Speaker	None	N
Sch 7(17)(3)	Imposing a penalty on a traditional leader having been found guilty of a breach of the code of conduct for councillors	Council	None	None	N

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
4(2)(e)	Determining processes, mechanisms, and procedures for consulting the local community about the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider and the available options for service delivery	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
4(2)(c)	Determining processes, mechanisms, and procedures for encouraging the involvement of the local community	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
4(2)(d)	Determining processes, mechanisms, and procedures for ensuring that municipal services are provided to the local community in a financially and environmentally sustainable manner	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
4(2)(h)	Determining processes, mechanisms, and procedures for promoting gender equity in the exercise of the municipality's executive and legislative authority	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
4(2)(j)	Determining the contribution to be made by the municipality, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution ⁵	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
5(1)(a)	Determining the processes, mechanisms, and procedures for the local community to contribute to the decision-making processes of the municipality and submit written or oral recommendations, representations and complaints to the Council or to another political structure or a political office bearer or the administration of the municipality ⁶	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
5(1)(b)	Determining the processes, mechanisms, and procedures to provide to the local community prompt responses to their written or oral	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

⁵ The following rights are contained in the sections:

24: Environment

25: Property

26: Housing

27: Health care, food, water and social security

29: Education

⁶ Petitions system and communication policy and strategy

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	communications, including complaints, to the Council or to another political structure or a political office bearer or the administration of the municipality					
5(1)(c)	Determining the processes, mechanisms, and procedures for informing the local community of decisions of the Council, or another political structure or any political office bearer of the municipality, affecting their rights, property and reasonable expectation	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
5(1)(d)	Determining the processes, mechanisms, and procedures for regularly disclosing to the local community to regular disclosure of the state of affairs of the municipality, including its finances	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
5(1)(e)	Determining the processes, mechanisms, and procedures through which the local community may demand that the proceedings of the Council and those of its committees must be open to the public, conducted impartially and without prejudice and untainted by personal self-interest	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
6(2)(a)	Determining the processes, mechanisms, and procedures for the administration to be responsive to the needs of the local community	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N	
6(2)(b)	Determining the processes, mechanisms, and procedures for facilitating a culture of public service and accountability amongst staff	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N	
6(2)(c)	Determining the processes, mechanisms, and procedures for preventing corruption	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N	
6(2)(d)	Determining the processes, mechanisms, and procedures for establishing clear relationships, and facilitating co-operation and communication, between it and the local community	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N	
6(2)(e)	Determining the processes, mechanisms, and procedures for giving members of the local community full and accurate information about the level and standard of municipal services they are entitled to receive	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N	
6(2)(f)	Determining the processes, mechanisms, and procedures for informing the local	Municipal Manager	None	After consultation with the managers directly	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	community how the municipality is managed, of the costs involved and the persons in charge			accountable to the Municipal Manager		
8(1)	A municipality has all the functions and powers conferred by or assigned to it in terms of the Constitution and must exercise them subject to Chapter 5 of the Municipal Structures Act.	Council	None	N/A	N	
8(2)	A municipality has the right to do anything reasonably necessary for, or incidental to, the effective performance of its functions and the exercise of its powers.	Council	None	N/A	N	
11(2)	Entering into a written agreement with another municipality to exercise executive authority in the area of that other municipality	Council	Executive Mayor	Subject to the agreement being approved by the Council	N	
13(a)	Determining a practical way to bring the contents of by-laws to the attention of the local community	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	N	
14(3)	Deciding whether to adopt a standard bylaw promulgated by the Minister for Provincial and Local Government or the MEC for local government, the extent of such adoption and	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	any modifications and qualifications to such standard bylaw					
15(1)	Compiling and maintaining in bound or loose-leaf form, and when feasible also in electronic format, a compilation of all the by-laws	Council	Municipal Manager	None	N	
15(3)	Determining a reasonable fee for a copy of or an extract from the municipal code of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
16(1)(a)	Determining the processes, mechanisms and procedures for encouraging, and creating conditions for, the local community to participate in the affairs of the municipality, including in the preparation, implementation and review of its integrated development plan, the establishment, implementation and review of its performance management system, the monitoring and review of its performance, including the outcomes and impact of such performance, the preparation of its budget and strategic decisions relating to the provision of municipal services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
16(1)(b)	Determining the processes, mechanisms, and procedures for contributing to building the capacity of the local community to enable it to participate in the affairs of the municipality and councillors and staff to foster community participation	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
16(1)(c)	Determining the annual allocation of funds in the budget, as may be appropriate for the purpose of implementing a culture of municipal governance that complements formal representative government with a system of participatory governance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
17(2)	Determining appropriate mechanisms, processes, and procedures:					
17(2)(a)	to enable the local community for the receipt, processing and consideration of petitions and complaints lodged by members of the local community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
17(2)(b)	for notification and public comment procedures, when appropriate	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
17(2)(c)	for public meetings and hearings by the Council and other political structures and political office bearers of the municipality, when appropriate	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
17(2)(d)	for consultative sessions with locally recognised community organisations and traditional authorities	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
17(2)(e)	for report-back to the local community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
17(4)	Establishing and appointing the members of one or more advisory committees consisting of persons who are not councillors to advise the Council on any matter within the Council's competence	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
18(1)	Determining appropriate mechanisms, processes, and procedures for communicating to its community information concerning the available mechanisms, processes and procedures to encourage and facilitate community participation, the matters with regard to which community	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	participation is encouraged, the rights and duties of members of the local community and municipal governance, management and development					
19	Determining the manner in which the Municipal Manager must give notice to the public of the time, date and venue of every ordinary meeting of the Council and every special or urgent meeting of the Council, except when time constraints make this impossible	Council	Municipal Manager	None	N	
20(3)	Deciding to the close a meeting of the mayoral committee	Mayoral committee	Executive Mayor	Taking into account the reasonableness of the motion having regard to the nature of the business being transacted	N	
20(4)(b)	Determining reasonable steps to regulate public access to, and public conduct at, meetings of the Council and its committees	Council	The councillor or person presiding at a meeting	After consultation with the Municipal Manager	N	
21(1)(b)	Determining newspapers circulating in the area as newspapers of record	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
21(2)	Determining the official languages in which municipal notices must be published	Council	None	Subject to receiving and considering a report and	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				recommendations from the Executive Mayor		
21B(1)(a)	Deciding whether it is affordable for the municipality to establish its own official website	Council	Municipal Manager	None	N	
21B(3)	Regularly updating the municipality's website	Municipal Manager	Media Officer	Subject to the provisions of the approved policy	N	
25(1)	Adopting an integrated development plan for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
26(a)	Determining the Council's vision for the long-term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in terms of the municipality's integrated development plan or a proposed amendment thereto	N	
26(c)	Determining the Council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in terms of the municipality's integrated development plan or a proposed amendment thereto	N	
26(f)	Determining the Council's operational strategies to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in terms of	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				the municipality's integrated development plan or a proposed amendment thereto		
28(1)	Adopting a written process to guide the planning, drafting, adoption and review of the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
28(2)	Determining appropriate mechanisms, processes, and procedures for consulting the local community before adopting a process to guide the planning, drafting, adoption and review of the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
30	Managing the drafting of the municipality's integrated development plan, assignment of responsibilities in this regard to the Municipal Manager and submitting the draft plan to the council for adoption	Executive Mayor	None	Together with the other members of the mayoral committee	N	
32(1)(a)	Submitting the approved IDP to the MEC	Municipal Manager	None		N	
32(3)	Considering the MEC's request to reconsider the IDP or to follow the approved process/work plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
34	Annual reviewing and amending of the IDP	Council	None	Subject to receiving and considering a report and	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				recommendations from the Executive Mayor		
39	Managing the development of the municipality's performance management system, assignment of responsibilities in this regard to the Municipal Manager and submission of the proposed system to the municipal council for adoption.	Executive Mayor	None	Together with the other members of the mayoral committee	N	
40	Establishing mechanisms to monitor and review the municipality's performance management system	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
42	Determining mechanisms, processes, and procedures to involve the local community in the development, implementation and review of the municipality's performance management system, the setting of appropriate key performance indicators and performance targets for the municipality	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	
44	Determining the manner to make known, both internally and to the general public, the key performance indicators and performance targets the Council set for purposes of its performance management	Council	Executive Mayor	Together with the other members of the Mayoral Committee	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	system					
46	Preparing the municipality's annual performance report	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
46(4)(a)	Determining a reasonable price for a copy of the municipality's annual performance report	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
53(1)	Defining the specific role and area of responsibility of each political structure and political office-bearer of the municipality and of the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
53(5)	Determining the relationships among the political structures and political office bearers and the Municipal Manager, and the manner in which they must interact	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
53(5)	Determining the appropriate lines of accountability and reporting for the political structures and political office-bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
53(5)	Determining the mechanisms, processes and procedures for minimising cross-referrals and unnecessary overlapping of responsibilities between the political structures and political	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	office-bearers and the Municipal Manager					
53(5)	Determining the mechanisms, processes, and procedures for resolving disputes between the political structures and political office-bearers and the Municipal Manager	Council	None		N	
53(5)	Determining the mechanisms, processes, and procedures for interaction, between the political structures and political office-bearers and the Municipal Manager and other staff members of the municipality and councillors and the Municipal Manager and other staff members of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
54A	Appointing a Municipal Manager	Council	Council	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
	Appointing an Acting Municipal Manager	Council	Council	Subject to the provisions of any collective agreement when applicable to any non-section 56 employee	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
55(1)(a)	Forming and developing an economical, effective, efficient, and accountable administration equipped to carry out the task of implementing the municipality's integrated development plan, operating in accordance with the municipality's performance management system and responsive to the needs of the local community to participate in the affairs of the municipality	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(b)	Managing the municipality's administration in accordance with legislation applicable to the municipality	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(c)	Implementing the municipality's integrated development plan, and monitoring progress with implementation of the plan	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(d)	Managing the provision of services to the local community in a sustainable and equitable manner	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(e)	Appointing staff other than Managers directly accountable to the Municipal Manager subject to the Employment Equity Act, 1998	Municipal Manager	None	Subject to the Municipal Staff Regulations.	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
55(1)(f)	Management and effective utilisation and training of staff	Municipal Manager	Relevant Directors	Subject to the policy directions of the Council	Y	Relevant Manager
55(1)(g)	Maintaining discipline of staff	Municipal Manager	Relevant Director	Subject to the Labour Relations Act (66 of 1995), and the Disciplinary Procedure Collective Agreement.	Y	Relevant Manager
55(1)(h)	Promoting sound labour relations and compliance by the municipality with applicable labour legislation	Municipal Manager	None	Subject to the policy directions of the Council, South African Local Government Bargaining Council Collective Agreements and the Labour Relations Act (66 of 1995)	N	
55(1)(i)	Advising the political structures and political office bearers of the municipality	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(j)	Managing communications between the municipality's administration and its political structures and political office-bearers	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(k)	Carrying out the decisions of the political structures and political office- bearers of the municipality	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(l)	Administering and implementing of the municipality's by-laws and other legislation	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(n)	Facilitating participation by the local community in the affairs	Municipal Manager	None	Subject to the policy directions of the Council	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	of the municipality					
55(1)(o)	Developing and maintaining a system whereby community satisfaction with municipal services is assessed	Municipal Manager	None	Subject to the policy directions of the Council	N	
55(1)(p)	Implementing national and provincial legislation applicable to the municipality	Municipal Manager	None	Subject to the policy directions of the Council	N	
56(1)(a)	Determining the manner in which to consult the municipal manager regarding the appointment of managers directly accountable to the Municipal Manager	Council	None	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
56(1)(a)(i)	Appointing managers directly accountable to the Municipal Manager	Council	None	In consultation with the Municipal Manager	N	
56(1)(a)(ii)	Appointing an acting manager directly accountable to the Municipal Manager	Council	None	In consultation with the Municipal Manager and subject to prescribed conditions of the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
56(1)(b)	Determining the relevant skills and expertise to perform the	Council	None	Subject to the Local Government: Regulations	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	duties associated with a post of manager directly accountable to the Municipal Manager			on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)		
56(7)	Apply to the Minister to waive skills, competencies and/or qualification as prescribed prior to appointment if suitable candidates cannot be recruited	Council	None		N	
56(A)	Ensure that the Municipal Manager and the Managers reporting directly to the Municipal Manager do not hold political office on a permanent, temporary, or acting capacity	Council	None		N	
57(1)	Approving the employment contract between the municipality and the Municipal Manager and a Manager directly accountable to the Municipal Manager	Executive Mayor	Executive Mayor	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
57(1)	Approving the employment contract between the municipality and a Manager directly accountable to the Municipal Manager	Municipal Manager	None	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				Systems Act, 200 (Act 32 of 2000)		
57(1)	Signing an employment contract with the Municipal Manager	Executive Mayor	Executive Mayor	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
57(1)	Signing an employment contract with a manager directly accountable to the Municipal Manager	Municipal Manager	None	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
57(2)	Approving the first and annual performance agreement between the Municipality and the Municipal Manager	Council	Executive Mayor	None	N	
57(2)	Approving the first and annual performance agreement between the Municipal Manager and a Manager directly accountable to the Municipal Manager	Municipal Manager	None	None	N	
57(4B)	Conducting an evaluation of the performance of the Municipal Manager in respect of a financial year	Council	Executive Mayor		N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	Conducting an evaluation of the performance of the managers directly accountable to the Municipal Manager in respect of a financial year	Municipal Manager	None		N	
	Consideration and approval of an evaluation of the performance of the Municipal Manager and managers directly accountable to the Municipal Manager	Council			N	
57(6)(a)	Determining the term of employment of the Municipal Manager	Council	None	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
57(6)(b)	Determining a provision for the cancellation of a contract of employment or performance agreement between the municipality and a Municipal Manager or manager directly accountable to a Municipal Manager for non-compliance with the employment contract or performance agreement	Council	None	Subject to the Disciplinary Regulations for Senior Managers, 2010 and the labour Relations Act, 1995	N	
59(1)	Developing a system of delegation that will maximise administrative and operational	Council	None	Subject to receiving and considering a report and	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	efficiency and provide for adequate checks and balances			recommendations from the Executive Mayor		
60(1)	Determining a policy framework for taking decisions to expropriate immovable property or rights in or to immovable property	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
60(1)	Determining a policy framework for taking decisions regarding 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	Council	None	Subject to the Local Government: Regulations on appointment and conditions of employment of Senior Managers read with Section 72 of the Municipal Systems Act, 200 (Act 32 of 2000)	N	
62(4)(c)	Appointing an appeal authority consisting of a committee of councillors who were not involved in the decision, for considering appeals against a decision taken by a political structure, political office-bearer, councillor or staff member of the municipality in terms of a power delegated or sub-delegated that affects the rights of a person	Council	Speaker	None	N	
65(1)	Considering a report of the Municipal Manager regarding the review of the municipality's delegated powers	Council	None	None	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
66(1)	Determining a policy framework for a staff establishment for the municipality, a job description for each post on the staff establishment, the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation attached to posts in the establishment and a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service	Council	None	Subject to the Municipal Staff Regulations	N	
66(1) (a)	Develop a staff establishment for the Municipality and submit the staff establishment to the Council for approval	Municipal Manager	None	Subject to the Municipal Staff Regulations		
66(1)(b)	Provide a Job Description for each post on the staff establishment	Municipal Manager	Relevant Director	Subject to the Municipal Staff Regulations	Y	Relevant Manager
66(1)(c)	Attach remuneration and other conditions of service	Municipal Manager	None	Subject to the Municipal Staff Regulations	N	
66(1)(d)	Establish a process or mechanism to regularly evaluate the staff	Municipal Manager	None	Subject to the Municipal Staff Regulations	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	establishment and if necessary and if necessary, review the staff establishment and conditions of service					
66(3)	Prevent the employment of any person unless the post is provided for in the staff establishment of the Municipality	Municipal Manager	None	Subject to the Municipal Staff Regulations	N	
67(1)	Developing and adopting systems and procedures to ensure fair, efficient, effective, and transparent personnel administration	Council	Municipal Manager	Subject to Labour Legislation and Collective Agreements and uniform standards in terms of section 72 Subject to the Municipal Staff Regulations	N	
68(2)	Determining the allocation provided for in the budget for the development and implementation of training programmes	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
71	Establishing mechanisms, procedures, and processes for compliance with collective agreements concluded in the South African Local Government Bargaining Council	Council	Municipal Manager		N	
74(1)	Adopting and implementing a tariff policy on the levying of fees for municipal services provided by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	itself or by way of service delivery agreements					
75(1)	Adopting by-laws to give effect to the implementation and enforcement of the tariff policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
77	Reviewing current and determining appropriate mechanisms to provide municipal services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
85(1)	Establishing a part of the municipality as an internal municipal service district to facilitate the provision of a municipal service in that part of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
86(1)	Developing and adopting a policy framework for the establishment, regulation, and management of an internal municipal service district	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
86C (1)	Deciding whether to establish or participate or acquire an interest in a private company.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
86G	Deciding to transfer ownership or otherwise dispose of a wholly owned private company or an interest in a private company	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
86H	Passing a by-law establishing a service utility	Council	None	Subject to receiving and considering a report and	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
				recommendations from the Executive Mayor		
86K	Passing a by-law disestablishing a service utility	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
87	Deciding to establish, together with another municipality a multi-jurisdictional service utility to facilitate the provision of a municipal service in the relevant municipal areas or parts of those municipal areas	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
93D (1)	Designating, if the municipality is a parent municipality, a councillor or official, or both, as the municipality's representative(s) of the parent municipality	Council	None	None	N	
93D (2)	Calling or convening a meeting of the shareholders or board of directors of the municipal entity of which the municipality is a parent municipality in order for the board of directors to give account for actions taken by it	Executive Mayor	None	None	N	
93E	Determining the process for recruiting, selecting and appointing directors of the board of a municipal entity of which the municipality is a parent municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
93G	Deciding to recall and remove a director appointed by the municipality to the board of directors of a municipal entity	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
95(a)	Establishing a customer management system	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	Y	Director: Corporate Management
95(b)	Establishing mechanisms for users of services and ratepayers to give feedback to the municipality or other service provider regarding the quality of the services and the performance of the service provider	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(c)	Stipulating the reasonable steps that must be taken to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(d)	Stipulating the reasonable steps that must be taken to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems where the	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	consumption of services has to be measured					
95(e)	Stipulating the steps that must be taken to ensure that persons liable for payments, receive regular and accurate accounts that indicate the basis for calculating the amounts due	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(f)	Establishing accessible mechanisms for persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(g)	Establishing accessible mechanisms for dealing with complaints from persons, for promptly replying to complaints and corrective action	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(h)	Establishing mechanisms to monitor the response time and efficiency in complying with complaints from persons, for promptly replying to complaints and corrective action	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
95(i)	Determining the number and location of pay points and other mechanisms for settling accounts or for making pre-	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	payments for services					
96(b)	Adopting, maintaining, and implementing a credit control and debt collection policy which is consistent with the municipality's rates and tariff policies	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
98(1)	Adopting by-laws to give effect to the credit control and debt collection policy, its implementation and enforcement	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
99(c)	Determining the frequency during which the Executive Mayor must report to the Council on the implementation and enforcement of the municipality's credit control and debt collection policy and by-laws, the performance of the Municipal Manager in implementing the policy and by-laws and the evaluation or review of the policy and by-laws or the implementation of the policy and by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures	Council	None	None	N	
101	Issuing written authorisation to an employee to access at all	Council	Municipal Manager	After consultation with the directors directly	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	reasonable hours' premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service			accountable to the Municipal Manager		
102(1)	Deciding to consolidate separate accounts of persons liable for payments to the municipality and to credit a payment by such a person against any account of that person	Council	Municipal Manager	After consultation with the Chief Financial Officer	Manager: Income	
103(1)	Obtaining the consent of employees of other employers to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
103(1)	Entering into agreement with the employers of other employees to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
103(2)	Determining special incentives for employers to enter into agreements with the municipality to deduct any payment of rates or other	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	taxes, or fees for municipal services from the salaries and wages of such employees					
103(2)	Determining special incentives for employees of other employers to enter into agreements with the municipality to deduct any payment of rates or other taxes, or fees for municipal services from their salaries and wages	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
109(2)	Deciding to compromise or compound any action, claim or proceedings and submission to arbitration of any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws.	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
110	Issuing a certificate, to be used in legal proceedings involving the municipality, that the municipality used the best known, or the only, or the most practicable and available methods in exercising any of its powers or performing any of its functions	Council	Municipal Manager	After consultation with the directors directly accountable to the Municipal Manager	N	
112	Obtaining the approval of the national prosecuting authority to enable an employee to	Council	Municipal Manager	After consultation with the directors directly	N	

4. LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (ACT NO 32 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	institute criminal proceedings and conduct prosecutions in respect of bylaws and other legislation applicable to the municipality			accountable to the Municipal Manager		
117	Custody of all records and documents of the municipality	Municipal Manager	Director: Corporate Management	None	Y	Manager: Legal and Administration Services
118	Issuing of a rates clearance certificate	Council	CFO	None	Y	Manager: Income

Sch2 (4)(2)(c)	To consider applications from employees (other than employees reporting directly to the Municipal Manager) for permission to perform remunerative work external to the Municipality in line with the Municipal Policy.	Council	Municipal Manager	Subject to receiving a completed application from the applicant and a recommendation from the relevant line director. All approvals granted will lapse annually. Applicants need to re-apply annually.	N
Sch 2 (4)(2)(c)	To consider applications from employees reporting directly to the Municipal Manager for permission to perform remunerative work external to the Municipality in line with the Municipal Policy.	Council	Executive Mayoral Committee	Subject to receiving a completed application from the applicant and a recommendation from the relevant line director. All approvals granted will lapse annually. Applicants need to re-apply annually.	N

5. REMUNERATION OF PUBLIC OFFICE-BEARERS ACT, 1998 (ACT NO 20 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
7(4)	Determining the salary, allowances and benefits payable to councillors	Council	None	Subject to the Remuneration of Office Bearers Act, Cost Containment Regulations and Policy	N	

6. PROMOTION OF ACCESS TO INFORMATION ACT 2000 (ACT NO 2 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
17(1)	Designating such number of persons as deputy information officers as are necessary to render the municipality as accessible as reasonably possible for requesters of its records	Municipal Manager	Manager: Legal and Administration Services		N	
17(3)	To delegate powers or duties to the Deputy Information Officer	Municipal Manager	Manager: Legal and Administration Services		N	
74	A requester may lodge an internal appeal against a decision of the Information Officer of a public body	Speaker	None	In consultation with Legal and Administration Services	N	

7. PROMOTION OF ADMINISTRATIVE JUSTICE ACT, 2000 (ACT NO 3 OF 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
3(3)	Granting to a person whose rights or legitimate expectations may be materially affected by intended administrative action by the municipality, an opportunity to obtain assistance and, in serious or complex cases, legal representation, present and dispute information and arguments and appear in person.	Council	Executive Mayor	After consultation with the Speaker	N	
4(1)	Deciding, in cases where an administrative action materially and adversely affects the rights of the public, whether to hold a public inquiry or to follow a notice and comment procedure, or to hold a public enquiry and follow a procedure of notice and comment in order to give effect to the right to procedurally fair administrative action	Council	Speaker	After consultation with the Executive Mayor	N	

8. PROMOTION OF EQUALITY AND PREVENTION OF UNFAIR DISCRIMINATION ACT, 2000 (ACT NO 4 OF 2000)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
26	Adopting appropriate equality plans, codes, regulatory mechanisms, and other appropriate measures for the effective promotion of equality in the spheres of the municipality's operation, enforcing and monitoring the enforcement of the equality plans, codes and regulatory mechanisms developed by the municipality and making regular reports to the relevant monitoring authorities or institutions as may be provided in regulations, where appropriate.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
28(3)	Determining mechanisms, processes, and procedures to eliminate discrimination on the grounds of race, gender and disability and promote equality in respect of race, gender and disability.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

9. WATER SERVICES ACT ,1998 (ACT NO 107 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
3	Determining the processes, mechanisms, plans and programmes for realising the right of access to basic water supply and basic sanitation.	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	
4	Determining conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	
7	Granting permission to obtain water for industrial use from any source other than the distribution system of a water services provider nominated by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	
11(6)	Determining reasonable limits on the use of water	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	

9. WATER SERVICES ACT ,1998 (ACT NO 107 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
19	Determining whether to perform the functions of a water services provider itself or to enter into a written contract with a water services provider or form a joint venture with another water services institution to provide water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	
21	Making bylaws which contain conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	
22	Considering applications to operate as water services provider within the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	

10. HOUSING ACT, 1997 (ACT NO 107 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
10	Deciding to apply for accreditation to administer national housing programmes	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor, which report must be prepared together with the other members of the mayoral committee	N	

11. REGIONAL SERVICES COUNCILS ACT, 1985 (ACT NO 109 OF 1985)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
4(3)(a)	Deciding whether to enter into an agreement with a local municipality or other person or body in terms of which that local municipality or other body undertakes to exercise a power or discharge a duty of the district municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
11(3)	Receiving an appeal from a local municipality against a resolution of the Council	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	

12. LABOUR RELATIONS ACT, 1995 (ACT NO 66 OF 1995)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
12(4)	Setting conditions as to time and place that are reasonable and necessary to safeguard life or property or to prevent the undue disruption of work when any office-bearer or official of a trade union enters the municipality's premises in order to recruit or communicate with members, or otherwise serve members' interests, to hold meetings with employees outside their working hours at the municipality's premises and to vote at the employer's premises in any election or ballot contemplated in that trade union's constitution.	Municipal Manager	Manager: Human Resources	Subject to the Main Collective Agreement of the South African Local Government Bargaining Council	N	
15(1)	Granting of leave to union representatives and office-bearers for union activities	Municipal Manager	Manager: Human Resources	Subject to the Main Collective Agreement of the South African Local Government Bargaining Council and Leave Policy	Y	Relevant Manager
16(2) and (3)	Deciding whether or not to disclose information to a union representative or union	Municipal Manager	Manager: Human Resources	Subject to the relevant provisions in the Labour Relations Act (66 of 1995)	N	

12. LABOUR RELATIONS ACT, 1995 (ACT NO 66 OF 1995)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
23	Ensuring compliance with collective agreements	Municipal Manager	Manager: Human Resources	Subject to the relevant provisions in the Labour Relations Act 66 of 1995	N	
69(2)	Considering an application by a trade union to picket inside the municipality's premises	Municipal Manager	Manager: Human Resources	Subject to the Labour Relations Act (66 of 1995) or any collective agreement, if any	N	
72	Entering into a minimum service level agreement in respect of essential services provided by the municipality	Municipal Manager	None	Subject to the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council, and the Labour Relations Act (66 of 1995).	N	
76	Deciding to take into employment one or more replacement workers during a strike or similar action and determining their conditions of employment	Municipal Manager	None	Subject to the Labour Relations Act (66 of 1995) or relevant collective agreement, if any, and after consultation with the managers directly accountable to the Municipal Manager	N	
142	Applying to the CCMA or SALGBC to subpoena a person to appear in proceedings before the CCMA or SALGBC	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council.	N	

12. LABOUR RELATIONS ACT, 1995 (ACT NO 66 OF 1995)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
142A	Applying to the CCMA or SALGBC to make a settlement agreement an arbitration award	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council.	N	
188A (1)	Seeking the consent of an employee accused of misconduct or poor work performance to consent to an inquiry by an arbitrator regarding the allegations	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council.	N	
188A (1)	Applying to the SALGBC or the CCMA to arbitrate any allegation relating to an employee's conduct or capacity	Municipal Manager	Manager: Human Resources	Subject to the Disciplinary Procedure and Code Collective Agreement and in the case of Senior Managers, the Disciplinary Regulations for Senior Managers, 2010	N	
189	Deciding whether to dismiss one or more employees based on the municipality's operational requirements	Municipal Manager	None	Subject to the provisions of the Labour Relations Act (66 of 1995) and the South African Local Government Main Collective Agreement	N	
189A (3)	Requesting the CCMA to appoint a facilitator to facilitate consultation between the municipality and other consulting	Municipal Manager	None	Subject to the provisions of the Labour Relations Act (66 of 1995) and the South African Local	N	

12. LABOUR RELATIONS ACT, 1995 (ACT NO 66 OF 1995)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	parties regarding the proposed dismissal of one or more employees based on the municipality's operational requirements			Government Main Collective Agreement		
191	Appointing a person or body to represent the municipality in any proceedings before the SALGBC or the CCMA	Municipal Manager	None	Subject to the provisions of the Labour Relations Act (66 of 1995) and the South African Local Government Main Collective Agreement	N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
7	Regulating the working time of each employee in accordance with the provisions of any Act governing occupational health and safety, with due regard to the health and safety of employees and the Code of Good Practice on the Regulation of Working Time and with due regard to the family responsibilities of	Municipal Manager	None	Subject to the South African Local Government Main Collective Agreement and the Collective Agreement on Conditions of Service for the Western Cape Division	N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	employees					
9(2)	Concluding an agreement to extend the working hours of an employee by up to 15 minutes in a day but not more than 60 minutes in a week to enable an employee whose duties include serving members of the public to continue performing those duties after the completion of ordinary hours of work	Municipal Manager	Relevant Director	Subject to the South African Local Government Main Collective Agreement and the Collective Agreement on Conditions of Service for the Western Cape Division	Y	Relevant Manager
10(1)(a)	Concluding an agreement with an employee to work overtime not exceeding 12 hours a day and a further agreement to extend such agreement	Municipal Manager	Relevant Director	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division and Council's Overtime Policy	Y	Relevant Manager
10(1)(b)	Ensuring that no employee works in excess of 10 hours' overtime per week.	Municipal Manager	Relevant Director	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division and Council's Overtime Policy	Y	Relevant Manager
10(3)	Determining, by way of agreement, whether an employee who works overtime will be paid in cash for such overtime work or time off in lieu of such pay	Municipal Manager	Relevant Director	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division and Council's Overtime Policy	Y	Relevant Manager

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
11(1)	Concluding an agreement in writing requiring or permitting an employee to work up to twelve hours in a day, inclusive of the meal intervals, without receiving overtime pay.	Municipal Manager	Relevant Director	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division and Council's Overtime Policy	Y	Relevant Manager
14(1)	Determining of meal intervals	Municipal Manager	Relevant Director	Subject to the South African Local Government Main Collective Agreement	Y	Relevant Manager
14(3)	Concluding an agreement in writing reducing the meal interval to not less than 30 minutes; and dispensing with a meal interval for an employee who works fewer than six hours on a day.	Municipal Manager	Relevant Director	Subject to the South African Local Government Main Collective Agreement	Y	Relevant Manager
17(2)	Concluding an agreement requiring or permitting an employee to perform night work, provided that the employee is compensated by the payment of an allowance, which may be a shift allowance, or by a reduction of working hours and transportation is available between the employee's place of residence and the workplace at the commencement and	Municipal Manager	Relevant Director	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division	Y	Relevant Manager

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	conclusion of the employee's shift.					
17(2)	Determining a night work allowance	Municipal Manager	None	Subject to the Collective Agreement on Conditions of Service for the Western Cape Division	N	
18(1)	Concluding an agreement requiring an employee to work on a public holiday	Municipal Manager	Relevant Manager	Subject to the South African Local Government Main Collective Agreement	N	
20(4)	Granting of annual leave not later than six months after the end of an employee's annual leave cycle	Municipal Manager	Manager: Human Resources	Subject to the Council's approved Leave Policy	N	
20(9)	Ensuring that an employee who has been granted leave does not work, or perform other remunerative work, without permission during such leave	Municipal Manager	Relevant Directors		Y	Relevant Manager
22(6)	Concluding an agreement to reduce an employee's pay during that employee's absence from work on sick leave	Municipal Manager	None	Subject to the Council's approved Incapacity Policy and section 47 of the Compensation for Occupational Injuries and Deceases Act, 1993 and after consultation with the Manager Human Resources	N	
23(1)	Deciding whether an employee who has been absent from work for more than two consecutive days	Municipal Manager	None	Subject to the Council's approved Leave Policy	N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	or on more than two occasions during an eight-week period and, on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury to not remunerate or convert such leave application to annual leave					
25	Granting of maternity leave	Municipal Manager	Relevant Director	Subject to the Council's approved Leave Policy and the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council	N	
26(1)	Making arrangements to ensure that a pregnant employee or an employee who is nursing her child does not perform work that is hazardous to her health or the health of her child	Municipal Manager	Relevant Director	Subject to Council's Leave Policy	Y	Relevant Manager
26(2)	Making arrangements during an employee's pregnancy, and for a period of six months after the birth of her child for suitable,	Municipal Manager	Relevant Director	Subject to the Council's approved Leave Policy and the provisions of the Main Collective Agreement of the South African Local	N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	alternative employment on terms and conditions that are no less favourable than her ordinary terms and conditions of employment, if the employee is required to perform night work or her work poses a danger to her health or safety or that of her child and it is practicable for the employer to do so			Government Bargaining Council		
27	Granting of paternity leave	Municipal Manager	Relevant Director	Subject to the Council's approved Leave Policy and the provisions of the Main Collective Agreement of the South African Local Government Bargaining Council	Y	Relevant Manager
27(1)	Granting of not more than 5 days' family responsibility leave to an employee during an annual leave cycle	Municipal Manager	Relevant Director	Subject to the Council's approved Leave Policy and the provisions of the Main Collective Agreement of the South African Local Government Bargaining	Y	Relevant Manager
27(5)	Deciding whether an employee who applied for or who has been granted family responsibility leave must submit reasonable proof of the event for which the leave was required	Municipal Manager	Relevant Director	Subject to the Council's approved Leave Policy	Y	Relevant Manager

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
29(1)	Supplying the written particulars of her/his employment to a newly appointed employee	Municipal Manager	Manager: Human Resources	Subject to the relevant collective agreement	N	
29(2)	Amending the written particulars of employment issued to an employee when any such particular changes occur	Municipal Manager	Manager: Human Resources	Subject to the Labour Relations Act (66 of 1995)	N	
29(3)	Explaining, in cases where an employee is not able to understand the written particulars of her/his employment to the employee the written particulars in a language and in a manner, that the employee understands.	Municipal Manager	Manager: Human Resources		N	
29(4)	Keeping the written particulars of an employee for a period of three years after the termination of employment	Municipal Manager	Manager: Human Resources		N	
30	Ensuring the display at the workplace where it can be read by employees a statement in the prescribed form of the employee's rights under Basic Conditions of Employment Act in the official languages	Municipal Manager	Manager: Human Resources		N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	which are spoken in the workplace.					
31(1)	Keeping of the following minimum records in respect of each employee: (a) The employee's name and occupation; (b) the time worked by each employee; (c) the remuneration paid to each employee; (d) the date of birth of any employee; and (e) any other prescribed information.	Municipal Manager	Director: Corporate Management		Y	Manager: Human Resources
38(1)	Deciding whether to require an employee who has resigned or has been dismissed to work during the notice period or whether the notice period is waived	Municipal Manager	None	Except in cases referred to in section 11 of the Disciplinary Procedure Collective Agreement	N	
41	Determining the severance pay payable to an employee dismissed due to the operational requirements of the municipality	Municipal Manager	None	Subject to the Main Collective Agreement of the South African Local Government Bargaining	N	
69(4)	Ensuring that a copy of a compliance order is displayed prominently at a place accessible to the	Municipal Manager	Manager: Human Resources		N	

13. BASIC CONDITIONS OF EMPLOYMENT ACT, 1997 (ACT NO 75 OF 1997)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	affected employees at each workplace named in it					
69(5)	Ensuring compliance with a compliance order within the time period stated in the order	Municipal Manager	Relevant Director		N	
71	Deciding to object to a compliance order	Municipal Manager	None		N	
72	Deciding to appeal against a decision of the Director-General of Labour regarding an objection of the municipality to a compliance order	Municipal Manager	None		N	

14. COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, ACT 130 OF 1993 (COIDA)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
42	Notify an employee to submit to a medical examination to the employer's designated medical practitioner	Municipal Manager	Manager: Human Resources	Subject to the Incapacity Policy	N	
47	Determine the total compensation payable by the employer in cases of temporary total disablement after three months	Municipal Manager	Manager: Human Resources	Subject to the provisions of Schedule 4 of COIDA	N	

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
7(1)	Ensuring compliance with a directive issued by notice in the Government Gazette, to prepare a written policy concerning the protection of the health and safety of employees at work and the arrangements for carrying out and reviewing that policy	Council	None		N	
7(3)	Ensuring that the municipality's health and safety policy is signed by the Municipal Manager and displayed in the workplace where employees normally report for service	Municipal Manager	Director: Corporate Management		Y	Manager: Camps and OHS
8(1)	Ensuring that, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees is provided and maintained.	Municipal Manager	Relevant Directors	In conjunction with the Occupational Health and Safety Officer	Y	Relevant Managers
9(1)	Ensuring, as far as is reasonably practicable, that persons other than employees who may be directly affected by the municipality's activities are not thereby exposed to hazards to their health or safety	Municipal Manager	Relevant Directors	In conjunction with the Occupational Health and Safety Officer	Y	Relevant Managers

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
10(1)	Ensuring that any article supplied for use at work is, as far as is reasonably practicable, safe and without risks to health when properly used and that it complies with all prescribed requirements	Municipal Manager	Relevant Directors	In conjunction with the Occupational Health and Safety Officer	Y	Relevant Managers
10(2)	Ensuring that, during the erection or installation of any article for use at work on or in any premises of the municipality is, as far as is reasonably practicable, nothing about the manner in which it is erected or installed makes it unsafe or creates a risk to health when properly used	Municipal Manager	Relevant Directors	In conjunction with the Occupational Health and Safety Officer	Y	Relevant Managers
13	Duty to inform- Every employer shall: (a) as far as is reasonably practicable, cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform, any article or substance which he has to produce, process,	Municipal Manager	Relevant Directors	In conjunction with the Occupational Health and Safety Officer	Y	Relevant Managers

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	use, handle, store or transport and any plant or machinery which he is required or permitted to use, as well as with the precautionary measures which should be taken and observed with respect to those hazards; (b) inform the health and safety representatives concerned beforehand of inspections, investigations, or formal inquiries of which he has been notified by an inspector, and of any application for exemption made by him in terms of section 40; and (c) inform a health and safety representative as soon as reasonably practicable of the occurrence of an incident in the workplace or section of the workplace for which such representative has been designated.					
16(1)	Ensuring that the duties of the municipality as contemplated in	Municipal Manager	Relevant Director	In consultations with the Occupational Health and Safety Officer	Y	Relevant Managers

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	Occupational Health and Safety Act are properly discharged					
16(2)	A chief executive officer may assign any duty contemplated in the said subsection, to any person under his control, which person shall act subject to the control and directions of the chief executive officer.	Municipal Manager	Relevant Director	In consultations with the Occupational Health and Safety Officer		Relevant Managers
17(1)	Designating, in writing for a specified period, health and safety representatives for every workplace where more than 20 employees work, or for different sections thereof.	Municipal Manager	Director: Corporate Management	Subject to the Hessequa Health and Safety Collective Agreement (2012)	Y	Manager: Camps and OHS
17(2)	Consulting with recognised representatives of employees in good faith regarding the arrangements and procedures for the nomination or election, period of office and subsequent designation of health and safety representatives	Municipal Manager	Director: Corporate Management	Subject to the Hessequa Health and Safety Collective Agreement (2012)	Y	Manager: Camps and OHS
17(6)	Complying with a directive of a labour inspector with regard to the appointment of	Municipal Manager	None		N	

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	additional health and safety representatives at a workplace					
18(3)	Providing such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of her/his functions	Municipal Manager	Manager: Human Resources	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	
19(1)	Establishing a health and safety committee for every workplace where two or more health and safety representatives has been appointed	Municipal Manager	Manager: Camps and OHS	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	
19(1)	Consulting with the health and safety committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work	Municipal Manager	Manager: Camps and OHS	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	
19(2)	Determining the number of members of a health and safety committee	Municipal Manager I	Relevant Directors	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	

15. OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
19(2)	Designating persons to represent the employer in a health and safety committee	Municipal Manager	Relevant Directors	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	
20(1)	Receiving and considering reports and recommendations of the health and safety committee	Municipal Manager	Relevant Directors	Subject to the Hessequa Health and Safety Collective Agreement (2012)	N	

16. EMPLOYMENT EQUITY ACT, 1998 (ACT NO 55 OF 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
5	Taking steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.	Municipal Manager	None	Subject to the relevant collective agreement if any	N	
7(1)	Deciding whether an employee or an applicant for employment must submit for medical testing	Municipal Manager	None	Subject to the relevant collective agreement if any	N	
8	Ensuring that any psychometric test or similar assessment has been scientifically shown to be valid and reliable, can be	Municipal Manager	None		N	

16. EMPLOYMENT EQUITY ACT, 1998 (ACT NO 55 OF 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	applied fairly to employees or applicants for employment and is not biased against any employee or applicant for employment or group					
13(1)	Implementing affirmative action measures (i.e., measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce) for people from designated groups in order to achieve employment equity	Municipal Manager	None	Subject to the Employment Equity Plan	N	
16	Taking reasonable steps to consult and attempt to reach agreement with a representative trade union representing members at the workplace for matters in sections 19, 20, 21	Municipal Manager	Director: Corporate Management		N	
19	Conducting an analysis of the municipality's employment policies, practices, procedures, and the working environment, in	Municipal Manager	Director: Corporate Management		N	

16. EMPLOYMENT EQUITY ACT, 1998 (ACT NO 55 OF 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
	order to identify employment barriers which adversely affect people from designated groups and a profile of the workforce within each occupational category and level in order to determine the degree of under representation of people from designated groups in various occupational categories and levels in the workforce.					
20	Preparing and implementing an employment equity plan which will achieve reasonable progress towards employment equity in the workforce.	Municipal Manager	Director: Corporate Management		N	
21	Preparing an annual report regarding employment equity	Municipal Manager	Director: Corporate Management		N	
24	Assigning one or more senior managers to take responsibility for monitoring and implementing an employment equity plan and providing such manager(s) with the authority and means to perform their functions	Municipal Manager	Director: Corporate Management		N	

16. EMPLOYMENT EQUITY ACT, 1998 (ACT NO 55 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
25(1)	Ensuring that a notice informing employees about the provisions of the Act is displayed at the workplace where it can be read by employees	Municipal Manager	Director: Corporate Management		Y	Manager: Human Resources Management
25(2)	Placing in prominent places that are accessible to all employees the most recent report submitted by the municipality to the Director-General of Labour and any compliance order, arbitration award or order of the labour court concerning the provisions of the Act in relation to the municipality	Municipal Manager	Director: Corporate Management		Y	Manager: Human Resources Management
27(1)	Submitting a statement to the Employment Conditions Commission on the remuneration and benefits received in each occupational category and level of that employer's workforce.	Municipal Manager	Director: Corporate Management		Y	Manager: Human Resources Management
36	Issuing a written undertaking to comply with the provisions of the Act when requested by a labour inspector	Municipal Manager	None		N	

16. EMPLOYMENT EQUITY ACT, 1998 (ACT NO 55 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
39	Objecting to a compliance order issued by a labour inspector in terms of section 38 of the Act	Municipal Manager	None		N	
40	Appealing against a compliance order issued by the Director-General of Labour in terms of section 39 of the Act	Municipal Manager	None		N	

17. SKILLS DEVELOPMENT ACT, 1998 (ACT NO 97 OF 1998)						
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	
17	Entering in to a learnership agreement	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Local Government Sector Education and Training Authority	N	
20	Entering into a skills programme agreement	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Local Government Sector Education and Training Authority	N	
36(k)	Prepare, adopt, and amend a workplace skills plan	Municipal Manager	Manager: Human Resources	Subject to Local Government Sector Education and Training Authority (LGSETA) directives	Y	Skills Development Facilitator

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
7(1)	Deciding to open a bank account for the Municipality	Council	Executive Mayor	With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
	Deciding at which bank/banks to open a bank account	Council	Executive Mayor	1. Subject to section 8(2) of the MFMA 2. With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
	Deciding to close a bank account	Council	Executive Mayor	With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
7(2)	Determining into which bank account money collected or received by the Municipality must be deposited	Council	Municipal Manager	See section 48(2)(d) of the MFMA	N	
8(1)	Designating a bank account of the Municipality as the	Council	Executive Mayor	With the power to sub-delegate the delegated power to a member of the	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipality's primary bank account			mayoral committee and to impose conditions on such sub-delegation		
8(3)	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	Council	Municipal Manager		N	
8(4)	Entering 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	Council	Executive Mayor	With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
8(5)	Submission of the Municipality's primary bank account details, and any impending change thereof	Municipal Manager	Municipal Manager		N	
9(a)	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	Municipal Manager	Municipal Manager		N	
9(b)	Submission of the details of the Municipality's bank	Municipal Manager	Municipal Manager		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	accounts annually before the start of a financial year					
10(1)(a)	Administration of the Municipality's bank accounts	Municipal Manager	Municipal Manager		N	
10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Municipal Manager	Municipal Manager		N	
11(1)	Authorising staff to withdraw or authorise the withdrawal of money from the Municipality's bank account	Municipal Manager	None	1. Subject to the prescribed framework 2. If the Municipality has a primary bank account which is separate from its other bank accounts, only the Chief Financial Officer may be authorised to withdraw money or authorise the withdrawal of money from the Municipality's primary bank account in terms of section 11(2) of the MFMA	N	
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	Municipal Manager	Chief Financial Officer	A quarterly consolidated report of all withdrawals made from the Municipality's bank accounts must be tabled in the Council, and	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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	Municipal Manager	None	submitted to the provincial treasury and the Auditor-General within 30 days after the end of each quarter.	N	
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	Municipal Manager	Chief Financial Officer		N	
12(1)	Deciding to set-up a relief, charitable, trust or other fund of whatever description	Speaker Executive Mayor Deputy Executive Mayor Member of the MayCo, Council Any committee or other collective structure	None	Subject to obtaining the prior express approval of the Council and Municipal Manager being the accounting officer of such fund.	N	
12(2)	Deciding to open a separate bank account in the name of	Council	Executive Mayor	With the power to sub-delegate the delegated	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	the Municipality for the purpose of a relief, charitable, trust or other fund			power to a member of the mayoral committee and to impose conditions on such sub-delegation		
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 a relief, charitable, trust or other fund	Municipal Manager	None	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	N	
13(2)	Establishing an appropriate and effective cash management and investment policy for the Municipality	Council	None	NOTE: In terms of section 60(2) of the Municipal Systems Act 2000 the Council may only delegate to the Executive Mayor or the Chief Financial Officer the authority to make decisions to make investments on behalf of the Municipality	N	
14(2)	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset	Council		1. On condition that the asset concerned is not needed to provide the minimum level of basic municipal services and the	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				Council considered the fair market value of the asset concerned 2. In accordance with the applicable transfer regulations		
14(2)(a)	Deciding, at a meeting open to the public and on reasonable grounds, that an asset of the Municipality is not needed to provide the minimum level of basic municipal services	Council	Municipal Manager	Only in respect of movable capital assets below a value determined by the Council	N	
14(2)(b)	Considering the fair market value of an asset to be disposed of and the economic and community value to be received in exchange for an asset to be disposed of	Council	Municipal Manager	Only in respect of movable capital assets below a value determined by the Council	N	
14(4)	Determining the value of movable assets in respect of which the Municipal Manager may determine – (a) whether an asset to be disposed of is not needed to provide the minimum level of basic municipal services; and (b) determining the fair market value of such asset and the economic and community	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	value to be received in exchange for the asset					
16(1)	Approval of an annual budget	Council	None	NOTE: 1. In terms of section 160(2)(b), read with section 160(3)(b) of the Constitution a budget must be approved by a decision taken by the Council with a supporting vote of a majority of its members. 2. Approval of the budget must be considered on or before 1 June each year in terms of section 24(1) of the MFMA. 3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding the annual	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				budget, approve the budget 4. See section 25(1) of the MFMA		
16(2)	Tabling the budget at a Council meeting	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	The annual budget must be tabled at least 90 days before 1 July each year	N	
16(3)	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council	Executive Mayor	1. A separate appropriation must be made for each of financial year 2. With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
19(1)(b)	Approving a capital project, including its total cost	Council	Executive Mayor	1. Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager 2. With the power to sub-delegate the	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation		
19(1)(d)	Considering the sources of funding of a capital project	Council	Executive Mayor	1. Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager 2. With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
19(2)	Considering, 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.	Council	None		N	
19(3)	Deciding to approve capital projects below the prescribed value individually or as part of	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	a consolidated capital programme					
21(1)(a)	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's integrated development plan and budget-related policies	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
21(1)(b)	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the Municipality's budget-related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes forming part of the processes	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	At least 10 months before 1 July each year	N	
21(2)(b)	Deciding the reasonable steps to be taken to review the Municipality's integrated development plan	Executive Mayor	None	In consultation with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
21(2)(d)	Determining the manner and timing of consultation of the local municipalities within the municipal area, the provincial treasury and such other organs of state as may be prescribed with regard to the Municipality's annual budget	Executive Mayor	None	In consultation with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
21(2)(e)	Providing information relating to the budget that may be requested to the National Treasury and any other organ of state	Executive Mayor	None	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury	N	
22	Making the annual budget as tabled public, inviting the community to submit representations in connection therewith and submitting same to the national and provincial treasuries and affected municipalities	Municipal Manager	Chief Financial Officer	1. In accordance with Chapter 4 of the Local Government: Municipal Systems Act 2000 2. After consultation with the Municipal Manager	N	
23(1)	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	Executive Mayor	1. Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager 2. With the power to sub-delegate the delegated power to a member of the	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				mayoral committee and to impose conditions on such sub-delegation		
23(2)	Deciding to give the Executive Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	Executive Mayor		N	
24(3)	Submission of the approved annual budget to the National Treasury and the provincial treasury	Municipal Manager	Chief Financial Officer		N	
25(3)	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Immediately report the matter to the MEC responsible for local government	N	
26(4)	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.	Council	Executive Mayor		N	
27(1)	Determining the likelihood of the Municipality not being able	Executive Mayor	The member of the mayoral	After consultation with the Municipal Manager and		

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes		committee determined by the Executive Mayor	the Chief Financial Officer		
	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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
27(2)	Deciding to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
	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				N	
27(3)	Informing the Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-	Executive Mayor	The member of the mayoral committee determined by		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance		the Executive Mayor			
28(1)	Deciding to revise an approved budget by way of an adjustments budget	Council	None	After receiving a report from the Executive Mayor	N	
28(4)	Tabling an adjustments budget in the Council	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
29(1)	Deciding to authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	After consultation with the Municipal Manager and the Chief Financial Officer	N	
29(2)(c)	Reporting to the Council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Such report must be made to the Council at the first Council meeting next ensuing after the authorisation was given	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	emergency or other exceptional circumstances					
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 further borrowing beyond the annual budget limit	Municipal Manager	Chief Financial Officer	Funds for the programme in question was appropriated for more than one financial year	N	
31(d)	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	After consultation with the Municipal Manager and the Chief Financial Officer	N	
31(e)	Submitting the 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 issued by the	Council	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipal Manager and the Executive Mayor's approval for exceeding the amount appropriated in respect of a capital programme to the provincial treasury and the Auditor-General					
32(2)	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure	Council	None	Except, in the case of – 1. unauthorised expenditure if the amount of the expenditure is authorised in an adjustments budget; or 2. is certified by the Council, after investigation by a Council committee, as irrecoverable and written off by the Council; and 3. irregular or fruitless and wasteful expenditure is, after investigation by a Council committee, certified by the Council as irrecoverable and	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)						
Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				written off by the Council		
32(2)	Determining the amount of unauthorised, irregular, or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	Council	Executive Mayor	After consultation with the Municipal Manager and the Chief Financial Officer	N	
32(2)	Identifying the identity of the person who is liable for unauthorised, irregular, or fruitless and wasteful expenditure	Council	Executive Mayor	After consultation with the Municipal Manager and the Chief Financial Officer	N	
32(2)	Appointing a committee ⁷ to investigate any suspected or reported unauthorised, irregular, or fruitless and wasteful expenditure	Council	None		N	
32(3)	Deciding whether a decision taken by the Council, or the Executive Mayor is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Instructing an authorised official not to implement a	Municipal Manager	None		N	

⁷ In terms of the judgements of the Courts in the cases of *The Democratic Alliance and another v Amos Masondo and another* (WLD) (Case No 01/9260) (2001) and *Democratic Alliance and Another v Amos Masondo N O and the Minister of Provincial and Local Government* (CC) (Case No CCT 29/02) a mayoral committee was found not to be a committee of a municipal council. The Council may therefore not appoint the mayoral committee to perform such an investigation

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	decision taken by the Council or the Executive Mayor that is likely to result, if it is implemented, in unauthorised, irregular, or fruitless and wasteful expenditure					
	Informing the Council or the Executive Mayor that a decision taken by the Council, or the Executive Mayor is likely to result, if it is implemented, in unauthorised, irregular, or fruitless and wasteful expenditure	Municipal Manager	None		N	
32(4)	Deciding whether an expenditure incurred by the Municipality was unauthorised, irregular, or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Determining the amount of any unauthorised, irregular, or fruitless and wasteful expenditure incurred by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular, or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Determining the steps to be taken to recover or rectify any unauthorised, irregular, or fruitless and wasteful expenditure incurred by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular, or fruitless and wasteful expenditure by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Informing the Executive Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular, or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	Municipal Manager	None		N	
32(6)	Determining whether an alleged irregular expenditure constitutes a criminal offence	Municipal Manager	None	After consultation with the Chief Financial Officer	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Determining whether alleged theft and fraud occurred in the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	Municipal Manager	None	After consultation with the Chief Financial Officer	N	
32(7)	Determining whether an alleged irregular expenditure incurred by the Municipal Manager constitutes a criminal offence	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
	Determining whether the Municipal Manager allegedly committed an act of theft and fraud	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
	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	Council	Executive Mayor	With the power to sub-delegate the delegated power to a member of the mayoral committee and to impose conditions on such sub-delegation	N	
33(1)	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
34(1)	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective, and transparent financial management	Council	None		N	
34(3)(a)	Considering the results of the provincial government's monitoring of the Municipality	Council	None		N	
34(3)(b)	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality	Council	None		N	
37(1)(a)	Determining the steps, the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	Council	None		N	
37(2)	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial	Municipal Manager	Chief Financial Officer	Such notification must be given on or before 2 April each year	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	years and notifying the receiving municipality thereof					
38(2)	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality	Council	None		N	
39(3)	Determining the deputation that will appear before a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	Council	None		N	
	Determining the case that will be presented to a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	Council	None		N	
44(1)	Deciding the reasonable steps to settle a dispute of a financial nature between the Municipality and another organ of state out of court	Council	None		N	
44(2)(a)	Reporting a dispute of a financial nature between the Municipality and another organ of state (excluding the National	Council	Municipal Manager		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Treasury) to the National Treasury					
44(2)(b)	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)	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
45(1)	Deciding whether to incur short term debt	Council	None	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution 3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding a loan, approve the raising of a loan		
45(2)(a)	Approving any short-term debt agreement	Council	None		N	
45(2)(b)	Signing a debt agreement or other document which creates or acknowledges any short-term debt	Municipal Manager	Chief Financial Officer		N	
46(1)	Deciding whether to incur long term debt	Council	None	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				3. In terms of section 30(5) of the Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) the Council may only after it received and considered the report and recommendations of the Executive Mayor regarding a loan, approve the raising of a loan		
46(2)(a)	Approving any long-term debt agreement	Council	None		N	
46(2)(b)	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Municipal Manager	Chief Financial Officer		N	
48(1)	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	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipality or such other person					
48(2)	Deciding the form/nature of security to be provided for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant, or equipment to be used by the Municipality or such other person	Council	None		N	
48(3)(a)	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	Council	None		N	
48(3)(b)	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
50	Deciding to issue a guarantee for any commitment or debt of any organ of state, person, or municipal entity under the sole or shared control of the Municipality	Council	None		N	
52(a)	Deciding the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
52(b)	Deciding the 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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
52(c)	Deciding the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
52(d)	Submitting to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget	Executive Mayor	The member of the mayoral committee determined by		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and the financial state of affairs of the Municipality		the Executive Mayor			
53(1)(a)	Deciding the nature and extent of, and manner in which political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
53(1)(b)	Deciding the steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
53(1)(c) (i)	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	
53(1)(c) (ii)	Determining the reasonable steps to be taken to ensure the Executive Mayor approves the Municipality's service delivery	Executive Mayor	The member of the mayoral committee determined by	1. The Executive Mayor must approve the annual service delivery and budget	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and budget implementation plan		the Executive Mayor	implementation plan within 28 days after the approval of the budget 2. Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager		
53(1)(c)(iii)	Determining the reasonable steps to be taken 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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	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	N	
53(2)	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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	plan or the signing of the annual performance agreements					
53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
53(3)(b)	Ensuring 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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
	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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and the MEC responsible for local government					
54(1)(a)	Making arrangements for the receipt of a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	1. 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 2. The mid-year performance assessment report must be submitted not later than 25 January of each year 3. The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year	N	
54(1)(b)	Determining the procedures, including reports required to check whether the Municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
54(1)(c)	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following approval of an adjustments budget	N	
	Determining the process of formulating revisions to the service delivery and budget implementation plan	Executive Mayor	The member of the Mayoral Committee determined by the Executive Mayor		N	
54(1)(d)	Determining the instructions to be given 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	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	If the Municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the Municipality's approved budget, the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert	N	
	Determining the (proposed) remedial or corrective steps to deal with any serious financial problems facing the Municipality	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				the Council and the MEC for local government to those problems		
54(1)(e)	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
54(3)	Making public any revisions of the service delivery and budget implementation plan	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
55	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
56	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the other members of the mayoral committee and after receiving a report from the Municipal Manager	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	1. Such power or duty may only be delegated to another member of the mayoral committee 2. A delegation by the Executive Mayor must be in writing 3. A delegation by the Executive Mayor does not divest him/her of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty.	N	
59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
60(b)(i)	Determining the nature, extent and manner of providing guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the Municipality and any municipal entity under the sole or shared control of the Municipality	Municipal Manager	None		N	
61(1)(b)	Deciding to disclose to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None		N	
	Deciding the timing and manner of disclosing to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None		N	
62(1)(a)	Deciding the reasonable steps to be taken to ensure that the resources of the Municipality are used	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	effectively, efficiently, and economically					
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	Municipal Manager	Chief Financial Officer		N	
62(1)(c)(i)	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	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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 an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Municipal Manager	None		N	
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	Municipal Manager	None		N	
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 6 of 2004)	Municipal Manager	None	Only if there is a district management area in the municipal area of the Municipality	N	
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	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	referred to in section 96(b) of the Municipal Systems Act					
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	Municipal Manager	None		N	
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	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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 the Municipality's primary and other bank accounts	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget-related policies	Council	None	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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.	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Revenue

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	used for purposes of the Municipality					
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
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 expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
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	Municipal Manager	Chief Financial Officer	Cash payments and payments by way of cash cheques may be made for exceptional reasons	Y	Manager: Expenditure

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques			only and only up to a prescribed limit Subject to the directions of the Chief Financial Officer of the municipality		
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
65(2)(f)	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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
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	Municipal Manager	None	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	legislation regulating disputes between organs of state					
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality MFMA Circular 110	Y	Manager: SCM
65(2)(j)	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	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure
66	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances, and benefits, and in a manner, that discloses such expenditure per type of expenditure	Municipal Manager	Chief Financial Officer	Subject to the directions of the Chief Financial Officer of the municipality	Y	Manager: Expenditure

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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, - (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 financial year to the Municipal Manager promptly; (d) implements effective, efficient, and transparent financial management and	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
	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	Municipal Manager	None		N	
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	Municipal Manager	Chief Financial Officer		N	
67(3)	Determining the appropriate mechanisms to ensure	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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; (d) implements effective, efficient, and transparent financial management and internal control systems to					

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
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	Council	Executive Mayoral Committee	After consultation with the Grant-in-Aid Committee	N	
68(a)	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Municipal Manager	Chief Financial Officer		N	
68(b)	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Making the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor available to him/her	Municipal Manager	None		N	
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	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	Chief Financial Officer		N	
69(2)	Determining whether it is necessary to prepare an adjustments budget	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Municipal Manager	Chief Financial Officer		N	
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	Municipal Manager	None		N	
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	Municipal Manager	None	An annual performance agreement must be concluded on or before 31 July of each year in terms of section 57(2)9a) of the Municipal Systems Act	N	
70(1)	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	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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	Municipal Manager	Chief Financial Officer		N	
71(1)	Submitting to the Executive Mayor and the provincial treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the municipality's budget	Municipal Manager	Chief Financial Officer	1. The statement must contain the information referred to in section 71(1), (2) and (3) of the MFMA 2. The statement submitted to the provincial treasury must be in the form of a signed and an electronic document	N	
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	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
72(1)(a)	Performing an assessment of the Municipality's performance during the first half of each financial year	Municipal Manager	None		N	
72(1)(b)	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury, and the Provincial Treasury	Municipal Manager	None	On or before 25 January each year	N	
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	Municipal Manager	Chief Financial Officer		N	
73(a)	Informing the provincial treasury of any failure by the Council to adopt or implement a budget-related policy or a supply chain management policy	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
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	Municipal Manager	None		N	
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.	Municipal Manager	Chief Financial Officer		N	
74(2)	Reporting his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Executive Mayor and the provincial treasury	Municipal Manager	None		N	
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	Municipal Manager			N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	which it must be made public, whichever occurs first					
77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as “top management”	Municipal Manager	None		N	
78	(1) Each senior manager of a municipality and each official of a municipality exercising financial management responsibilities must take all reasonable steps within their respective areas of responsibility to ensure— (a) that the system of financial management and internal control established for the municipality is carried out diligently; (b) that the financial and other resources of the municipality are utilised effectively, efficiently, economically and transparently; (c) that any unauthorised, irregular or fruitless and wasteful expenditure and any other losses are prevented; (d) that all revenue due to the municipality is collected;	Municipal Manager	Senior Managers	A senior manager or such official must perform the functions referred to in subsection (1) subject to the directions of the accounting officer of the municipality.	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	(e) that the assets and liabilities of the municipality are managed effectively and that assets are safeguarded and maintained to the extent necessary; (f) that all information required by the accounting officer for compliance with the provisions of this Act is timeously submitted to the accounting officer; and (g) that the provisions of this Act, to the extent applicable to that senior manager or official, including any delegations in terms of section 79, are complied with.					
79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application of the MFMA	Municipal Manager	None		N	
79(1)(b)	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers	Municipal Manager	None	1. No delegation may be done by the Municipal Manager to any political structure or	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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			political office-bearer of the Municipality 2. A delegation must be in writing; 3. A delegation is subject to such limitations and conditions as the Municipal Manager may impose in a specific case; 4. A delegation may either be to a specific individual or to the holder of a specific post in the Municipality; 5. A delegation may, in the case of a delegation to a member of the Municipality's top management authorise that member to sub-delegate the delegated power or duty to an official or		

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				the holder of a specific post in that member's area of responsibility; and 6. A delegation does not divest the Municipal Manager of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty		
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	Municipal Manager	None		N	
79(2)	Reviewing and confirming, varying, or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	Municipal Manager	None	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	N	
80(1)(b)	Allocating officials of the Municipality to the Chief Financial Officer	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
81(1)(b)	Advising the Municipal Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA	Chief Financial Officer	None		N	
81(1)(c)	Assisting the Municipal Manager in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget	Chief Financial Officer	None		N	
81(1)(d)	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	Chief Financial Officer	None		N	
82	Deciding to sub-delegate any powers and duties to employees in the Budget and Treasury Office	Chief Financial Officer	None	A sub-delegation must be in writing, is subject to such limitations or conditions as the Chief Financial Officer may impose and does not divest the Chief Financial Officer of the responsibility concerning the delegated duty	N	
82(4)	Reviewing and confirming, varying, or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	Chief Financial Officer	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
83(2)	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels	Council	None		N	
84(1a)	Determining 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	Council	None		N	
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	Municipal Manager	None		N	
84(2)(a)(i)(aa)	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	Municipal Manager	Manager:		N	
84(2)(a)(i)(bb)	Inviting the local community, organised labour, and other	Municipal Manager	Manager:		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity					
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	Municipal Manager	Manager:		N	
84(2)(b)(i)	Considering an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	Council	None		N	
84(2)(b)(ii)	Considering the comments or representations received from the local community, organised labour, and other interested persons in respect of the	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipality's intention to establish and/or participate in a municipal entity					
84(2)(b)(iii)	Considering the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Council	None		N	
86(1)	Receiving information from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s)	Council	Chief Financial Officer		N	
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	Municipal Manager	Chief Financial Officer		N	
87(1)	Receiving a proposed budget for a municipal entity of which	Council	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	the Municipality is the parent municipality for each financial year					
87(2)	Considering the proposed budget of a municipal entity of which the Municipality is the parent municipality and assessing the entity's priorities and objectives	Council	None		N	
	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality	Council	None		N	
87(3)	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor	Together with the Municipality's budget for the relevant financial year	N	
87(5)(c)	Determining 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	Council	None		N	
87(6)	Considering an application by the board of directors of a	Executive Mayor	The member of the mayoral		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity		committee determined by the Executive Mayor			
87(9)	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting	Executive Mayor	The member of the mayoral committee determined by the Executive Mayor		N	
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	Municipal Manager	Chief Financial Officer		N	
88(b)(ii)	Receiving and considering a mid-year performance assessment report of a municipal entity of which the Municipality is the parent municipality	Council	None		N	
89(a)	Determining 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	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
89(b)	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	Council	Chief Financial Officer		N	
90(2)	Receiving 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	Municipal Manager	None		N	
	Considering 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	Council	None	The power must be exercised in a meeting which is open to the public at which the Council – (a) must determine on reasonable grounds that the asset is not needed to provide the minimum level of	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
				basic municipal services; and (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset		
90(4)	Deciding to delegate to the Municipal Manager the power to determine on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset in respect of movable capital assets of a municipal entity of which the Municipality is the parent municipality below a value determined by the Council	Council	None		N	
	Determining the value of movable capital assets of a municipal entity of which the Municipality is the parent	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	municipality in respect of which the Municipal Manager may on reasonable grounds decide that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset					
	Considering 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	Municipal Manager	None		N	
97(3)	Receiving 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	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	payments are regularly in arrears for periods of more than 30 days					
	Considering 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	Council	None		N	
101(1)	Receiving 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	Council	Municipal Manager		N	
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	Municipal Manager	Chief Financial Officer		N	
102(1)	Receiving a report of the board of directors of a municipal	Executive Mayor	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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	Municipal Manager				
103	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a councilor outside that councilor's assigned duties, in the financial affairs of the municipal entity; or the responsibilities of the board of directors of the municipal entity	Speaker	None		N	
104(1)(b)	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	Council	Municipal Manager		N	
109	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and the board of directors of the entity fails to act effectively – (a) the appropriate steps to be taken in terms of the Municipality's rights and powers over the entity concerned, including its rights and powers in terms of any relevant service delivery or other agreement; (b) impose a financial recovery plan, which meets the criteria set out in section 142 of the MFMA; or (c) liquidate and disestablish the entity.					
111	Making and implementing a supply chain management policy for the Municipality	Council	None	Subject to the content requirements in terms of section 112(1) of the MFMA	N	
113(1)	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process	Council	None	Subject to the requirements of MSCM Reg 37 – public participation and BAC to consider and award	Y	Bid Adjudication Committee
114(1)	Submitting a report containing the reasons for deviating from a recommendation relating to a bid to the Auditor-General, the provincial treasury and the	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved					
	Receiving 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	Municipal Manager	None		N	
	Considering a report containing the reasons for deviating from such recommendation of 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	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	management policy of the municipal entity is approved					
115(1)(a)	Implementing the Municipality's supply chain management policy	Municipal Manager	Chief Financial Officer	None	Y	Manager: SCM, Assets & Insurance
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, favoritism, and unfair and irregular practices	Municipal Manager	Manager: SCM, Assets & Insurance		N	
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	Municipal Manager	The relevant departmental head managing the contract		N	
116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Municipal Manager	The departmental head managing the contract		N	
116(2)(c)	Determining the capacity that needs to be established within the Municipality's	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
	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 contract or an agreement with the Municipality on a monthly basis	Municipal Manager	None		N	
116(2)(d)	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Municipal Manager	Chief Financial Officer		Y	Manager: SCM, Assets & Insurance
	Determining the frequency/regularity of reports to be submitted to the Council regarding the management of contracts and/or agreements	Municipal Manager	Chief Financial Officer		Y	Manager: SCM, Assets & Insurance

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and the performance of contractors.					
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	Municipal Manager	Senior Managers/ Bid Adjudication Committee	In terms of NT Circular 62 – Only for contracts with an amendment value of more than 20% for Construction and Infrastructure and 15% for normal goods and services	Y	Senior Managers up to the value of the contract of 20% for Construction and Infrastructure and 15% for normal goods and services. Value in excess of the above thresholds be delegated to the BAC.

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
116(3)(b)	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	Municipal Manager		In terms of NT Circular 62 – Only for contracts with an amendment value of more than 20% for Construction and Infrastructure and 15% for normal goods and services	Y	
116(3)	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of the Municipality and deciding whether to consent to the amendment of the contract or agreement	Council	None	In terms of NT Circular 62 – Only for contracts with an amendment value of more than 20% for Construction and Infrastructure and 15% for normal goods and services	Y	BAC – Amendment value Less than 20%
116(3)	Receiving an application from a municipal entity of which the Municipality is a parent municipality to amend a contract or agreement procured through the supply	Municipal Manager			N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	chain management policy of the municipal entity concerned					
116(3)(a)	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	Municipal Manager			N	
116(3)(b)	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	Municipal Manager			N	
116(3)	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality and deciding whether to consent to the amendment of a contract or agreement					
119(2)	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels	Council	Municipal Manager		N	
120(1)	Deciding to enter into a public-private partnership agreement	Council	None		N	
120(1)(a)	Determining whether a proposed public-private partnership agreement will provide value for money to the municipality	Council	None		N	
120(1)(b)	Determining whether a proposed public-private partnership agreement will be affordable for the Municipality	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
120(1)(c)	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational, and financial risk to the private party	Council	None		N	
120(4)	Deciding to conduct a feasibility study before a public-private partnership is concluded	Council	None		N	
120(5)	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility study regarding a proposed public-private partnership	Council	Municipal Manager		N	
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	Municipal Manager	None		N	
126(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	Municipal Manager	Relevant Directors		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
126(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 Council at which the matter is to be considered	Municipal Manager	Director: Corporate Management		N	
121(1)	Preparing an annual report for the Municipality	Council	Municipal Manager		N	
121(2)(e)	Performing an assessment of any arrears on municipal taxes	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and service charges for inclusion in the Municipality's annual report					
121(2)(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	Municipal Manager	None		N	
121(4)(f)	Determining any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality	Council	None		N	
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,	Municipal Manager	Chief Financial Officer		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	and its financial position as at the end of the financial year					
126(1)(a)	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Municipal Manager	Chief Financial Officer		N	
122(1)/ 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	Municipal Manager	Chief Financial Officer		N	
126(1)(b)	Submitting the 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) to the Auditor-General on or before 31 September of each year	Municipal Manager	Chief Financial Officer		N	
126(2)(a)	Receiving the financial statements of municipal entity over which the Municipality has sole control or effective control (if it is a private company)	Council	Municipal Manager		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
126(3)(b)	Receiving the audit report on 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)	Municipal Manager	None		N	
126(4)	Receiving a report outlining the reasons for the delay from the Auditor-General if she/he is unable to complete an audit within three months after submission of the Municipality's annual financial statements and any consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or effective control (if it is a private company)	Council	Municipal Manager		N	
127(1)	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality	Municipal Manager	None		N	
127(2)	Tabling in the Council the Municipality's annual report and the annual report of any	Executive Mayor	The member of the Mayoral Committee determined by		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	municipal entity under the Municipality's sole or shared control		the Executive Mayor			
127(3)(a)	Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	Executive Mayor	None		N	
127(5)(a)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Municipal Manager			N	
127(5)(b)	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Municipal Manager			N	
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 the MFMA, establish the reasons for any non-	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	compliance and report any non-compliance, together with the reasons for such non-compliance, to the Council, the provincial treasury and the Auditor-General					
129(1)	Considering the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control	Council	None		N	
	Adopting an oversight report containing the Council's comments on the annual report(s)	Council	None		N	
129(2)(a)	Attending the meetings of the Council and its committees where the annual report is discussed and responding to questions concerning the report	Municipal Manager	None		N	
129(2)(b)	Submitting copies of the minutes of meetings of the 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	Municipal Manager	Director: Corporate Management		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
129(3)	Publishing the oversight report regarding the annual report	Municipal Manager			N	
129(5)	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report	Council	None		N	
130(1)	Determining the reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report is 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	Speaker	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
131(1)	Ensuring that the Municipality addresses all the issues raised in an audit report	Executive Mayor	None		N	
131(2) (a)	Submitting the Municipality's responses to the issues raised in an audit report to the MEC for local government	Municipal Manager	None		N	
132(2)	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	Municipal Manager	None		N	
133(1) (a)	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 Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Executive Mayor	The member of the Mayoral Committee determined by the Executive Mayor		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
133(1) (b)	Receiving information from the Auditor-General regarding the failure to submit annual financial statements	Speaker	None		N	
	Submitting information received from the Auditor-General regarding the failure to submit annual financial statements to the Council	Speaker	None		N	
133(c)(i)	Deciding whether to request the Speaker or another councillor to 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 Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	None		N	
	Receiving the report of the appointed councillor 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	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council					
133(c) (ii)	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the Auditor-General or that the annual report, including the financial statements and the audit report on those statements, is tabled in the Council, as the case may be	Council	Municipal Manager		N	
133(c) (iii)	Deciding whether disciplinary steps should be taken against the Municipal Manager or other persons responsible 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 Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	1. In the case of the MM, the Executive Mayor 2. In all other cases, the MM		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
135(3)	Considering whether the Municipality is, or is likely to, encounter a serious financial problem in meeting its financial commitments	Council	None		N	
135(3) (a)	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	None		N	
	Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	None		N	
135(3) (b)	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Municipal Manager		N	
135(3) (c)	Notifying organised local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Municipal Manager		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
136(1) (a)	Consulting with the MEC for local government regarding a serious financial problem in the Municipality	Executive Mayor	None		N	
137(1) (d)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Executive Mayor	None		N	
137(2)	Receiving an assessment of the seriousness of the financial problem in the Municipality, the determination of the provincial executive whether the financial problem experienced by the Municipality, singly or in combination with other problems, is sufficiently serious or sustained that the Municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the Municipality	Council	None		N	
139(1) (b)	Participating in consultations with the MEC for local government regarding the	Executive Mayor	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan					
139(2)	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	Executive Mayor	None		N	
	Receiving a copy of the Municipal Financial Recovery Service's determination of the reasons for the crisis in the Municipality's financial affairs and assessment of the Municipality's financial state	Council	None		N	
141(3) (a) 144(2)	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
141(3) (c) 144(2)	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality	Council	None		N	
143(3) (a)	Receiving an approved financial recovery plan for the Municipality	Council	None		N	
145(1) (a) 146(1) (a)	Implementing an approved financial recovery plan for the Municipality	Council	Municipal Manager		N	
145(1) (b)	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality	Council	Municipal Manager		N	
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	Municipal Manager			N	
147(1) (b)	Receiving progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance	Council	None		N	
148(1) (b)(i)	Declaring the Municipality's willingness to fulfil the	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the Municipality					
148(3) (a)	Receiving a notification that an intervention in the Municipality has ended	Council	None		N	
152(1)	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Council	None		N	
	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	Municipal Manager	None		N	
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	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	from the Municipality if the Municipality is unable to meet its financial Commitments					
153(1) (a)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	Council	None		N	
	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	Municipal Manager	None		N	
153(3)	Giving notice of 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, to persons claiming money from the Municipality	Municipal Manager	None		N	
153(1) (b)	Deciding to apply to the High Court for an order to suspend the Municipality's financial	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations					
	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	Municipal Manager	None		N	
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	Municipal Manager	None		N	
153(1) (b)	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Council	None		N	
	Bringing an application in the High Court for an order to	Municipal Manager	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	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					
153(3)	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	Municipal Manager	None		N	
164 (1) (c)	Approve conditional donation	Municipal Manager	Manager: Human Resources	Internal & External bursaries: In line with approved bursary policy	N	
165(1)	Deciding whether to establish an internal audit unit or to outsource the internal audit function	Council	None		N	
166(1) and (6)	Deciding whether to establish an internal audit committee for – (a) the Municipality only; or (b) the Municipality and the local municipalities within the district municipal area; or	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	(c) the Municipality and any municipal entity under its sole control					
166(2)	Receiving reports of the audit committee	Council Any political office-bearer Municipal Manager Senior management staff	None		N	
166(2) (d)	Requesting the audit committee to investigate the financial affairs of the Municipality or a municipal entity of which the Municipality is a parent	Council	Executive Mayor Municipal Manager		N	
166(4)	Determining the number of members of the audit committee	Council	None		N	
	Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee	Council	None		N	
166(5)	Appointing the members of the audit committee of the	Council	None		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	Municipality and of a municipal entity of which the Municipality is a parent municipality					
	Appointing from amongst the members of an audit committee who is not in the employ of the Municipality or municipal entity, a chairperson	Council	None		N	
167(2) (a)	Recovering any amount paid or given in cash or in kind to a to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	Municipal Manager	None		N	
168(3)	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA	Council	None		N	
171(4) (a)	Investigating any allegations of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality unless	Council	1. In the case of the MM, the Executive Mayor		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	those allegations are frivolous, vexatious, speculative, or obviously unfounded		2. In the case of a manager directly accountable to the MM, the MM 3. In all other cases, the departmental head			
	Deciding whether an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative, or obviously unfounded				N	
174(4) (b)	Deciding whether an investigation of an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings	Council	1. In the case of the MM, the Executive Mayor 2. In the case of a manager directly accountable to the MM, the MM 3. all other cases, the relevant Director or Manager	Any disciplinary proceedings must be conducted in terms of the SALGBC Collective Agreement of the Disciplinary Procedure for Municipal Managers and Managers reporting to Municipal Manager	N	
176(2)	Deciding to recover from a political office-bearer or official	Council	1. In the case of a	Any disciplinary proceedings must be	N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	of the Municipality any loss or damage suffered by it because of the deliberate or negligent unlawful actions of that political office-bearer or official when performing a function of office		councillor, the Speaker 2. In the case of the MM, the Executive Mayor 3. In the case of a manager directly accountable to the MM, the MM 4. In all other cases, the relevant Director or Manager	conducted in terms of the SALGBC Collective Agreement of the Disciplinary Procedure for Municipal Managers and Managers reporting to Municipal Manager		
178(2) (a)	Submitting to the National Treasury a list of all corporate entities in which the Municipality or a municipal entity under its sole or shared control has an interest	Council	Municipal Manager		N	
178(2) (b)	Submitting to the National Treasury a list of all public-private partnerships to which the Municipality is a party, with a value of more than one	Council	Municipal Manager		N	

18. LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO 56 OF 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions	Sub delegate	Delegatee
	million Rands in total or per annum					
d178(2) (c)	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	Council	Municipal Manager		N	

19. NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT, 1977 (ACT 103 OF 1977)

Regulation Number	Power/duty conferred	Delegating Authority	Delegated Body	Conditions	Sub-Delegate	Delegatee
6(1)(a)	A building control officer shall make recommendations to the local authority in question, regarding any plans, specifications, documents and information submitted to such local authority in accordance with section 4(3);	Manager: Building Control	Building Inspectors		N	

19. NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT, 1977 (ACT 103 OF 1977)

Regulation Number	Power/duty conferred	Delegating Authority	Delegated Body	Conditions	Sub-Delegate	Delegatee
7(1)(a)	If a local authority, having considered a recommendation referred to in section 6(1)(a)-(a) is satisfied that the application in question complies with the requirements of this Act and any other applicable law, it shall grant its approval in respect thereof;	Council	Director: Development Planning		Y	Manager: Building Control Building Inspectors Condition <i>A Building Inspector is authorised to exercise this authority only in instances where the Manager: Building Control is absent or unavailable.</i>

20.SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT NO 16 OF 2013)						
Section	Power conferred	Delegating Authority	Delegating body	Conditions	Sub-delegate	Delegatee
32	Perform and/or exercise the power in terms of Chapter 7, General Provisions, of Hessequa Municipality: Zoning Scheme By-Law, 2018.	Council	Director: Development Planning		N	N/A
35(2)	Official authorised to consider and determine certain land use and land development applications.	Council	Director: Development Planning	Only the types of applications listed in category 2, as per Annexure A hereunder.	N	N/A
35(3)	To consider and determine certain land use and land development applications.	Council	Municipal Planning Tribunal	Only the types of applications listed in category 1, as per Annexure A hereunder.	N	N/A
MPB 85(1) & (2) SLPUMA 32(3)	Municipality to uphold compliance and enforcement of by-law and related planning laws and regulations	Council	Director: Development Planning	None	N	N/A

ANNEXURE A

CATEGORY 1: APPLICATIONS CONSIDERED IN RELATION TO TRIBUNAL	
1.1	Subdivision which created more than three ground units
1.2	Rezoning
1.3	Applications where the authorized official chose not to exercise his/her decision-making rights
1.4	Any other application for which provisions is made and is prescribed in terms of the By-law

CATEGORY 2: APPLICATIONS CONSIDERED BY AUTHORISED OFFICIAL	
2.1	All applications in category 1.1, 1.2 and 1.4, where no public objections were received and that is consistent with policies.
2.2	Applications in category 1.1, 1.2 and 1.4 with public objections not recommended for approval.
2.3	Certification or amendment of a Homeowners Association's Constitution
2.4	Amend, remove or adding of conditions with relation to an existing approval
2.5	Temporary departure
2.6	Permanent departure
2.7	Permission or approval in terms of, relaxation, of a restrictive title condition in cases where the limit refers to the use, subdivision, developmental rights, or design criteria
2.8	Consent
2.9	Determination of an administrative fine
2.10	Restrictive title conditions alteration, removal, consent (approval by administrator) or revoking
2.11	Phasing of subdivisions
2.12	Exemption of subdivision of approval in terms of the By-law
2.13	Exemption of the validity period of previous approval
2.14	Approval required in terms of the conditions of approval of an application

2.15	Amending of a zoning map error
2.16	Determination of zoning or non-conforming uses
2.17	Approval, modification or correction of a street name or number where applicable
2.18	Amendment or cancellation of approved pan of the subdivision or General Plan
2.19	Consolidation
2.20	Subdivisions where two and three ground units was created.
2.21	Exemption of certain subdivisions and consolidations in terms of Section 24 of Hessequa Municipality: By-Law on Land Use Planning, 2015
2.22	Certification by the Municipality in terms of Section 28 of Hessequa Municipality: By-Law on Land Use Planning, 2015
2.23	Conditions of approval in terms of Section 66 of Hessequa Municipality: By-Law on Land Use Planning, 2015

21. REGULATION OF GATHERINGS ACT, 1993 (ACT NO 205 OF 1993)						
Section	Power conferred	Delegating Authority	Delegating body	Conditions	Sub-delegate	Delegatee
2(4)(a)	To perform the functions, exercise the powers and discharge the duties of a responsible officer in terms of this Act.	Council	Director: Community Services & Housing	After consultation with Manager: Protection Services	Y	Head: Traffic Operations

22. NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO 59 OF 2008)

Section	Power conferred	Delegation Authority	Delegating Body	Conditions	Sub-delegate	Delegatee
3	Co-ordinating matters pertaining to waste management in the municipality	Council	Director: Technical Services		N	

23. NATIONAL LAND TRANSPORT ACT, 2009 (ACT NO 5 OF 2009)

Section	Power conferred	Delegation Authority	Delegating Body	Conditions	Sub-delegate	Delegatee
14(d)	Supply directions to the entities responsible for the granting, renewal, amendment, or transfer of operating licences in terms of their integrated transport plans in the prescribed manner	Council	Manager: Protection Services	After consultation with Manager: Protection Services	Y	Head: Traffic Operations

24. DISASTER MANAGEMENT ACT, 2002 (ACT NO 57 OF 2002)

Section	Power conferred	Delegation Authority	Delegating Body	Conditions	Sub-delegate	Delegatee
41(1)(2) Schedule – Assessment,	Directions for the determination of bulk raw water availability and implementation of	Council	Director: Technical Services	After consultation with Director: Technical Services	Y	Manager: Civil Infrastructure

Monitoring and Reporting	restrictions on the use of potable water for domestic and industrial purposes					
--------------------------	---	--	--	--	--	--

25. FIRE BRIGADE SERVICES ACT, 1987 (ACT NO 99 OF 1987)

Section	Power conferred	Delegation Authority	Delegating Body	Conditions	Sub-delegate	Delegatee
5(1)	Appointing a person who possesses the prescribed qualifications and experience, as Chief Fire Officer to be in charge of its service.	Council	Municipal Manager	None	N	None

26. BUSINESSES ACT, 1991 (ACT NO 71 OF 1991)

Section	Power conferred	Delegation Authority	Delegating Body	Conditions	Sub-delegate	Delegatee
2	To grant licences for businesses as provided for in items 1, 2 and 3 of schedule 1 to the Businesses Act 1991, and to exercise all powers conferred on the municipality in terms of section 2(4) to 2(10) of the aforesaid Act.	Municipal Manager	Director: Development Planning	None	Y	Manager: Spatial and Economical Development

DELEGATION OF POWERS DEFINED IN THE REGULATIONS MADE UNDER ACTS

1. LOCAL GOVERNMENT: MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegation	Delegatee
3(3)	Ensuring compliance with the municipality's rules and orders regarding an amendment to the integrated development plan	Council	Speaker	None	N	
3(4)(b)	Publishing a proposed amendment to the municipality's integrated development plan	Council	Municipal Manager	None	Y	
3(5)(a)	Consulting with the local municipalities within the municipal area about a proposed amendment of the integrated development plan	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
3(5)	Determining the manner of consulting local municipalities with regard to a proposed amendment to the integrated development plan	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
3(5)(b)	Considering the comment of local municipalities, if any, on any proposed amendment of the integrated development plan	Council	Executive Mayor	Together with the other members of the mayoral committee	N	
4(2)(b)	Making and submitting written representations regarding an objection to the proposed amendments to the municipality's integrated development plan suggested by the MEC	Council	Executive Mayor	Together with the other members of the mayoral committee	Y	

1. LOCAL GOVERNMENT: MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegation	Delegatee
6(b)	Preparing action plans for the implementation of strategies identified by municipality	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	Y	
8	Adopting a performance management system	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
9(1)	Setting key performance indicators, including input indicators, output indicators and outcome indicators, in respect of each of the development priorities and objectives contained in the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
9(2)	Determining the manner and frequency of the involvement of the community in setting key performance indicators	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
11	Annually reviewing the municipality's key performance indicators	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
12	Determining performance targets in respect of each key performance indicator	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
13(1)	Involving the community in developing and implementing	Council	None	Subject to receiving and considering a report and	N	

1. LOCAL GOVERNMENT: MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegation	Delegatee
	mechanisms, systems and processes for the monitoring, measurement, and review of performance			recommendations from the Executive Mayor		
13(1)	Approving and implementing mechanisms, systems and processes for the monitoring, measurement, and review of performance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
14(1)(a)	Developing and implementing mechanisms, systems, and processes for auditing the results of performance measurements as part of the municipality's internal auditing processes	Council	Municipal Manager	After consultation with the Chief Financial Officer	Y	
14(1)(c)	Auditing the performance measurements of the municipality and submitting quarterly reports to the Municipal Manager and the performance audit committee	Internal audit	None	None	N	
14(2)	Establishing a performance audit committee	Council	None	Subject to receiving and considering a report from the Speaker	N	
14(2)	Appointing the members of a performance audit committee	Council	None	Subject to receiving and considering a report from the Speaker	N	
14(2)(c)	Deciding whether to have a separate performance audit committee or a consolidated audit committee	Council	None	Subject to receiving and considering a report from the Speaker	N	
14(2)(d)	Designating a member of the	Council	None	None	N	

1. LOCAL GOVERNMENT: MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegation	Delegatee
	performance audit committee as chairperson					
14(2)(f)	Filling of any casual vacancy in the performance audit committee	Council	None	None	N	
14(2)(g)	Provision of secretariat services to the performance audit committee	Council	Municipal Manager		Y	
14(2)(i)	Determination of the remuneration of members of the performance audit committee who are not councillors or employees of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
14(3)(a)	Calling of ordinary meetings of the performance audit committee	Chairperson of the committee	None	None	N	
14(3)(a)	Determining the time, date and place of meetings of the performance audit committee	Chairperson of the committee	None	None	N	
14(3)(b)	Calling a special meeting of the performance audit committee	Chairperson of the committee	None	None	N	
14(3)(c)	Determining the procedures of the performance audit committee	Performance audit committee	None	Subject to receiving and considering a report from the municipal manager	N	
15(1)(a)	Deciding to establish an IDP Forum	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
15(1)(b)	Determining appropriate mechanisms, to invite the local	Council	None	Subject to receiving and considering a report and	N	

1. LOCAL GOVERNMENT: MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegation	Delegatee
	community to identify persons to serve on the IDP forum			recommendations from the Executive Mayor		
15(1)(b)	Inviting the local community to identify persons to serve on the IDP forum, including representatives from ward committees, if any	Council	Municipal Manager	None	Y	
15(2)	Convening meetings of the IDP Forum	Council	Municipal Manager	None	Y	

2. GENERAL MACHINERY REGULATIONS, 1988

Section	Power conferred	Delegating authority	Delegate d body	Conditions	Sub-delegate	Delegatee
2(1)	Designating a person in a full-time capacity in respect of every premises on or in which machinery is being used	Municipal Manager	Director: Technical Services	None	Y	GMR 2.1 Appointee
7	Notifying the inspector of any incident involving machinery	Municipal Manager	Director: Technical Services	None	Y	GMR 2.1 Appointee

3. LOCAL GOVERNMENT MUNICIPAL FINANCE MANAGEMENT ACT (56 OF 2003): MUNICIPAL ASSET TRANSFER REGULATIONS, 2008

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
34(1)(b)	Granting of in-principle approval	Council	Municipal Manager	Subject to the capital assest not exceeding the value of R10 million and for a period of no longer than 3 years	N	
34(4)	Granting of rights to use, control or manage municipal capital assets	Council	Municipal Manager	Subject to the capital asset not exceeding the value of R2 million and the term of lease not longer than 3 years	N	
41(2)(e)	Recommending the granting of a right to use, control or manage a municipal capital asset to another organ of state	Council	Municipal Manager	Subject that that the asset is surplus to the requirements of the municipality	N	

4. LOCAL GOVERNMENT: MUNICIPAL STAFF REGULATIONS

Regulation	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
6(1)	Review the Staff Establishment	Municipal Manager	None	In consultation with recognised Trade Unions in the Local Labour Forum	N	
6(6)	Approve Staff Establishment for submission to MEC	Council	None	After considering a report from the Municipal Manager	N	
6(7)	Submit Staff Establishment to MEC for comment	Municipal Manager	None	After 14 days of approval by Council	N	
6(8)(a)(b)	Adopt the Staff Establishment	Council	None	If no MEC comments received within 1 month, adopt. If comments received, consider and adopt.	N	
6(9)	Submit final Staff Establishment to MEC	Executive Mayor	None	To include: - staff establishment - council resolution - reports informing the staff establishment - reasons for rejecting the MEC's submissions, if any.	N	
9 (1)	Approve the evaluation of a job description	Municipal Manager	None			
9 (1)	Approve the job description evaluation	Municipal Manager	None	In consultation with the CFO		

	outcome for implementation					
11(3)(a)(b)	Approve the filling of a vacant and funded post either internally, externally or both.	Municipal Manager	Directors	Provided it complies with the Regulations	N	
16(1)	Appoint a selection panel	Municipal Manager	Directors	Panel to: - be no less than 3 and no more than 5 - be chaired by supervisor of official one level above the vacant post - be comprised representatively		
16(7)	Facilitate and provide advisory services to selection panel	Manager: Human Resources	HR Practitioner	Throughout the recruitment and selection process.		
16(10)	Declaring the selection process invalid	Municipal Manager	None			
20(2)	Appoint a candidate to a post	Municipal Manager	None	After consideration of the recommendation from the selection panel, employment equity plan, and ensuring that the person meets the minimum competencies for the post.		
20(4)	Provide written reasons for not accepting the selection panel's recommendation	Municipal Manager	None			

20(6)	Inform all interviewed candidates of the outcome	Municipal Manager	Manager: Human Resources		Y	HR Practitioner
21(1)	Approve the secondment of staff members to political office bearers' posts	Municipal Manager	None	Appointment of support staff to offices of public office bearers if on the staff establishment.		
23(1)	Determine the probation period	Municipal Manager	Manager: Human Resources	From 3 to 12 months	Y	HR Practitioner
23(7)	Extend the probation period by 6 months	Municipal Manager	Manager: Human Resources	Based on performance reports and conditions of probation appointment, and in conjunction with relevant Director.	N	
23(4)(a)	Inform the employee within 2 weeks of appointment of the performance requirements	Municipal Manager	Directors		Y	Line Managers
23(4)(b)	Ensure that the employee undergoes the induction program	Municipal Manager	Directors	As scheduled by Human Resources	Y	HR Administrator
23(4)(c)	Assess an employee's performance and provide feedback	Municipal Manager	Directors	In the format as provided by Human Resources		Line Managers and Supervisors
23(8)	Inform employee of completion of probation and confirm appointment	Municipal Manager	Directors	Within 1 month after successful completion of probation period	Y	Line Manager
23(8)	Decide to seek to terminate the	Municipal Manager	Director	After consultation with Manager: Human Resources and subject	N	

	employee's service due to unsatisfactory performance during probation period			to the provisions of the Labour Relations Act.		
25(1)	Approve the transfer of an employee to another equivalent post	Municipal Manager	None	After consultation with the relevant Director and the Manager: Human Resources	N	
26(2)	Conclude a secondment agreement with another Municipality	Municipal Manager	None	After consultation with the relevant Director and the Manager: Human Resources	N	
27(1)(2)	Request and conclude a secondment agreement with National or Provincial Government	Municipal Manager	None	After consultation with the relevant Director and the Manager: Human Resources	N	
28(1)	Authorise an acting appointment in a funded post	Municipal Manager	Directors	For a period not exceeding 3 months	N	
28(9)	Authorise the extension of the acting period by 3 months	Municipal Manager	Directors	Subject to justifiable reasons	N	
28(10)	Authorise the further extension of the acting period by additional 3 months	Municipal Manager	Municipal Manager	Subject to justifiable reasons and not exceeding 9 consecutive months	N	
30(1)	Appoint a person or persons on fixed-term and temporary contracts	Municipal Manager	Director: Corporate Management	Subject to financial and administrative capacity and in line with section 198B of the Labour Relations Act	N	

30(1)	Approval of project plans to appoint fixed-term temporary staff for a justifiable reason	Municipal Manager	None		N	
31	Adopt a performance management system that complies with the Regulations	Council	None	As prescribed in the Regulations	N	
39(1)	Establish Directorate Performance Moderation Committees (DPMC)	Municipal Manager	None	Directors are Chairpersons of DPMC	N	
39(6)	Establish a Municipal Moderation Committee (MMC)	Council	None	Municipal Manager is the Chairperson of the MMC	N	
47(1)	Conduct a skills needs assessment	Municipal Manager	Director: Corporate Management		Y	SDF
48(1)	Conduct a skills audit	Municipal Manager	Director: Corporate Management	Once every 5 years within 24 months of election of a new Council	Y	SDF
50(3)	“A staff member may only undergo training that is – (a) “contained in personal development plan or (b) approved by the municipal manager or his or her delegate”	Municipal Manager	Manager: Human Resources	Names to be approved by Manager: Human Resources	N	

51(1)	Develop and submit a Workplace Skills Plan (WSP)	Municipal Manager	Director: Corporate Services	Must be included in IDP and submitted each year to LGSETA	Y	SDF
52(1)	Establish a skills development budget	Municipal Manager	Director: Financial Services		N	
Guideline 2F, Subsection 1(4)	Develop and implement a scarce skill and staff retention strategy and plan	Council	None	In consultation with the Local Labour Forum	N	

SCHEDULE 3
DELEGATION OF POWERS DEFINED IN COLLECTIVE AGREEMENTS

1. SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL: CONSTITUTION						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
12	Refer a dispute for Conciliation to the South African Local Government Bargaining Council	Municipal Manager	None	Subject to the dispute being within the jurisdiction of the SALGBC	N	
13	Refer a dispute for Arbitration to the South African Local Government Bargaining Council	Municipal Manager	None	Subject to the dispute being within the jurisdiction of the SALGBC	N	
19.2	Comply with a compliance order issued by the SALGBC within 10 days of receipt of such compliance order	Municipal Manager	None		N	
21	Request that a dispute regarding essential services be arbitrated	Municipal Manager	None	Subject to the services designated as essential services in terms of Government Gazette No. 18276 (12 September 1997)	N	
22	Apply for exemption from any Collective Agreement	Council	Municipal Manager	As determined by the exemption procedure in the Main Collective Agreement	N	

2. SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL: MAIN COLLECTIVE AGREEMENT

Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
B 7.4	Determine the working hours and remuneration for part-time employees, including casual, seasonal, and temporary employees	Municipal Manager	None	Subject or the Basic Conditions of Employment Act (75 of 1997) and the determination in Government Gazette No. 35310 regarding EPWP employees	N	
B 8.1.1	Grant 5-day workers 24 days leave and 6 day workers 27 days leave within a leave cycle	Municipal Manager	Manager: Human Resources		Y	HR Administrator
B 8.1.3	Ensure that every 5-day worker takes a minimum of 16 days' leave, and a 6-day worker takes a minimum of 19 days leave per leave cycle	Municipal Manager	Manager: Human Resources		Y	HR Administrator
B 8.1.7	Ensure that no employee has in excess of 48 days accumulated leave credit	Municipal Manager	Manager: Human Resources		Y	HR Administrator
B 8.1.8	Pay an employee his leave entitlement upon termination of service	Municipal Manager	Chief Financial Officer	Subject to the Basic Conditions of Employment Act (75 of 1997)	Y	Accountant: Salaries
B 8.2.1	Grant employees 80 days' sick leave in a 3-year cycle.	Municipal Manager	Manager: Human Resources		Y	HR Administrator
B 8.2.3	Withholding remuneration for the days where an employee claims sick leave but fails to produce a sick leave certificate for the period should such period exceed two	Municipal Manager	None	In consultation with Manager: Human Resources	N	

	days or alternatively occurs on more than 2 occasions within an 8-week period should the employee have no annual leave credit balance					
B 8.3.1	Grant an employee 3 months paid maternity leave, irrespective of the number of confinements or adoptions after having completed at least 1 year service	Municipal Manager	Relevant Director		N	
B 9.1.1.2	Make contributions to accredited medical schemes on behalf of employees	Municipal Manager	Chief Financial Officer		N	
C 11.2.1	Allow reasonable access to the workplace to Office Bearers and Officials of IMATU and SAMWU, provided prior permission is obtained	Municipal Manager	Manager: Human Resources		Y	Head: Employee Relations
C 11.3.1	Deduct subscriptions or levies from employees' salaries and wages and pay such levies or subscription to the respective Trade Unions	Municipal Manager	Chief Financial Officer		N	
C 11.4.4.3	Upon receipt of notification of constituencies, arrange a meeting with the Trade Union within 15 days to reach agreement for election of shop stewards	Municipal Manager	Manager: Human Resources		N	
C 11.4.5.2	After receiving written notice of the venue, date, and time, grant access and 3 hours during working time to Trade Unions to conduct shop steward elections	Municipal Manager	None		N	
C 11.4.7.1	Grant the Shop Stewards Committee 2 hours per month to conduct a Committee meeting	Municipal Manager	None		N	

C 11.4.7.4	Where possible, grant shop stewards office space and facilities to carry out their duties	Municipal Manager	None		N	
C 11.4.7.5	Provide access to notice boards for Trade Union notices	Municipal Manager	Relevant Directors		N	
C 11.4.8.1	Grant Trade Union Shop Stewards 15 days' special leave for trade union activities and training	Municipal Manager	Relevant Directors	Subject to the Council's approved Leave Policy and in consultation with the Head: Employee Relations	Y	Relevant Supervisor as approved from time to time by the Accounting Officer
C 11.8.1.1	Establish a Local Labour Forum	Council	Municipal Manager		N	
C 11.8.1.3	Nominate Councillors and members of Management that will constitute the Employer Component of the Local Labour Forum	Council	Municipal Manager		N	
C 13	Deal with Grievances according to the Grievance Procedure	Municipal Manager	Relevant Directors		Y	Relevant Managers
C 14.1	Deduct from every employee and pay a Bargaining Council levy on each payday to the South African Local Government Bargaining Council	Municipal Manager	Chief Financial Officer		N	

3. SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL: WESTERN CAPE DIVISION – COLLECTIVE AGREEMENT (2016) EXTENDED						
Clause	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegate	Delegatee
5.1	Examination Leave	Municipal Manager	Relevant Managers	Subject to the Council's approved Leave Policy and in consultation with the Skills Development Facilitator	Y	Relevant Supervisor as approved from time to time by the Accounting Officer
5.2	Leave of absence for obligatory course/study requirements	Municipal Manager	Relevant Manager	Subject to the Council's approved Leave Policy and in consultation with the Skills Development Facilitator	Y	Relevant Supervisor as approved from time to time by the Accounting Officer
5.3	Leave of absence to attend a court of law to give evidence on being summonsed as a witness	Municipal Manager	Relevant Manager	Subject to the Council's approved Leave Policy and in consultation with the Head: HR Administration	N	
5.4.1	Represent South Africa or the Province as participant in SASCOC recognised international or national sports competitions inside as well as outside the Republic of South Africa	Municipal Manager	None	Subject to the Council's approved Leave Policy and in consultation with the Head: HR Administration	N	

5.4.2	Accompany teams that will represent South Africa at SASCOC recognised international sports competitions inside as well as outside the Republic of South Africa as coach or manager	Municipal Manager	None	Subject to the Council's approved Leave Policy and in consultation with the Head: HR Administration	N	
5.4.3	Officiate at SASCOC recognised sporting events where the employee represents South Africa, and the national South African sports team participates	Municipal Manager	None	Subject to the Council's approved Leave Policy and in consultation with the Head: HR Administration	N	
5.5	Quarantine and isolation under medical instructions	Municipal Manager	Manager: Camps & OHS		N	
5.6	Incapacity leave due to Occupational Health or Injury	Municipal Manager	Manager: Camps & OHS	Subject to the Council's approved Leave Policy and in consultation with the OHS Officer.	Y	Relevant Supervisor as approved from time to time by the Accounting Officer
5.7	Leave without pay	Municipal Manager	None		N	
9	Approval of Night Work Allowance	Municipal Manager	Relevant Manager	Subject to the threshold as determined from time to time by the Minister of Labour	N	
10	Approval of Stand-by Allowance	Municipal Manager	Relevant Directors	Subject to the Overtime and Stand-by Policy and schedule of authorised employees	Y	Relevant Managers

12	Approval of Overtime	Municipal Manager	Relevant Directors	Subject to the Overtime and Stand-by Policy	Y	Relevant Managers
13	Authorise legal assistance to employees indemnified	Municipal Manager	None	In consultation with Manager Legal and Administration Services	N	
16	Apply for exemption from the Western Cape Division Collective Agreement	Municipal Manager	None		N	

4.DISCIPLINARY REGULATIONS FOR SENIOR MANAGERS (2010) (GOVERNMENT GAZETTE NO. 34213)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Sub delegate
5.1	Any allegation against a senior manager must be brought to the attention of the Municipal Council within 7 days of the receipt of the alleged misconduct	Executive Mayor/Municipal Manager if other Senior Manager	None	If required, the Speaker must convene a special Council Meeting within 7 days.		
5 (3) (a)	If the Council finds there is reasonable cause, appoint (within 7 days) an independent investigator.	Council	None			
5 (3) (b)	If there is no evidence to support the allegation/s the Council must within 7 days dismiss the allegations	Council	None			
5 (4)	Within 30 days of the investigator being appointed receive a report with recommendations	Executive Mayor/Municipal Manager	None			

5 (5)	Within 7 days of receipt of the report table the report to the Council	Executive Mayor/Municipal Manager	None	If required, the Speaker must convene a special Council Meeting within 7 days.		
5 (7)	The Council Resolution must authorise the Executive Mayor or the Municipal Manager, as the case may be to appoint an independent and external Presiding Officer and Officer to lead evidence	Executive Mayor/Municipal Manager	None			
6	Suspend a Senior Manager pending a Disciplinary Hearing	Council	None	Subject to Council considering the written representations by the Senior Manager		
6(5)(a)	Notify a Senior Manager in writing of reasons for suspension before the date on which the Senior Manager is suspended	Council	None		N	
6(5)(b)	Notify the Minister and MEC for Local Government in writing of the suspension and the reasons for such within 7 working days of such suspension	Council	None		N	
7	Impose a sanction for less serious misconduct	Executive Mayor	None		N	
8	In cases of financial misconduct that constitutes a criminal offence, report the matter to SAPS	Executive Mayor / Municipal Manager	None		N	
12(3)(a)	Implement the sanction imposed by the presiding officer	Council	None		N	
12(3)(b)	Report the outcome of the hearing to the Minister and the MEC within 14 working days	Executive Mayor / Municipal Manager	None		N	

16	Convene and initiate a formal procedure for sub-standard performance	Executive Mayor / Municipal Manager	None		N	
19	Submit quarterly reports for disciplinary cases in the municipality to the MEC for Local Government	Municipal Manager	Manager: Human Resources		Y	Head: Employee Relations

5. DISCIPLINARY PROCEDURE COLLECTIVE AGREEMENT (2018)

Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Sub delegate
7	Institute disciplinary proceedings against an employee	Municipal Manager	Relevant Directors	Subject to the provisions of the Disciplinary Procedures Collective Agreement and in conjunction with the Manager: Human Resources	Y	Relevant Managers and Supervisors
7.6	Appoint a suitably qualified Presiding Officer	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Disciplinary Code Collective Agreement	N	
7.7	Appoint a suitably qualified Employer Representative to serve the function of prosecution	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Disciplinary Code Collective Agreement	N	
9.1	Authorize an optional summary procedure	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Disciplinary	N	

				Procedure Agreement		
10	Consider and enter into plea agreements on behalf the employer to the presiding officer	Appointed Employer Representative in terms of section 7.7	None	In consultation with the Municipal Manager	N	
11	Submit to the Municipal Manager the accused employee's resignation, retirement or termination of employment on any other ground permitted in his/her contract of employment	Appointed Employer Representative in terms of section 7.7	None		N	
12.3	Re-instate an employee after considering representation from him/her after dismissal for abscondment	Municipal Manager	Manager: Human Resources		N	
16	Suspend an employee on full remuneration pending the outcome of a disciplinary hearing	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Disciplinary Procedure Collective Agreement and the recommendation of the employer representative	N	
17	Appoint a Presiding Officer to consider an appeal	Municipal Manager	Manager: Human Resources	Subject to the provisions of the Disciplinary Procedure Collective Agreement	N	
18	Issue an ultimatum to employees participating in an unprotected strike to return to work	Municipal Manager	Manager: Human Resources	In consultation with Manager: Legal and Administration Services	N	

19	Authorize inquiry by an arbitrator into the conduct or capacity of an employee	Municipal Manager	None	In consultation with Manager: Human Resources Management	N	
6. SCARE SKILLS POLICY To attract and retain skilled personnel in order to provide quality service delivery to the community.						
Section 8.3 of the Scarce Skills Policy	Review the posts identified as scarce skills	Municipal Manager	None	In consultation with the Manager: Human Resource Management and Director: Financial Services. The scarce skills posts must be reviewed every three years before the end of February	Y	Head: HR Administration

SCHEDULE 4
INCIDENTAL DELEGATION OF POWERS, BEING POWERS NOT EXPLICITLY CONFERRED BY ACTS

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
1.	Commencing with any legal process, whether civil or criminal, on behalf of the municipality	Council	Municipal Manager	After consultation with the Manager: Legal and Administration Services	N	
2.	Defending or opposing any legal process, whether civil or criminal, against the municipality	Council	Municipal Manager	After consultation with the Manager: Legal and Administration Services	N	
3.	Submitting or opposing an appeal to a higher court or other judicial tribunal in respect of a judgment handed down by a lower court or tribunal	Council	Municipal Manager	After consultation with the Manager: Legal and Administration Services	N	
4.	Obtaining the services of an attorney or advocate for official purposes	Council	Municipal Manager	After consultation with the Municipal Manager	Y	Manager: Legal and Administration Services
5.	Approve leave applications less than 10 days	Municipal Manager	Relevant Directors	Subject to Council's approved Leave Policy	Y	As authorised by the Municipal Manager in conjunction with the relevant Director from time to time
6.	Approve leave applications for 10 days and more	Municipal Manager	Relevant Directors	Subject to Council's approved Leave Policy	Y	Relevant Managers

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
7.	Incurring expenses relating to obtaining the services of investigators to obtain evidence in cases of alleged irregular conduct or misconduct	Council	Municipal Manager	After consulting the Chief Financial Officer and the relevant Director	N	
8.	Applying penalty clauses of contracts in the event of late delivery of goods and services to the municipality	Council	Departmental head concerned	After consulting the Municipal Manager and the Chief Financial Officer	N	
9.	Deciding the payment of an award not exceeding an amount determined from time to time by the council to a person, other than an employee, who willingly reported an incident that resulted in the conviction of an accused person by a court for an offence relating to damage to or theft of municipal property	Council	Municipal Manager	After consultation with the Chief Financial Officer	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
10.	Granting bursaries to employees of the municipality	Council	Municipal Manager	After consultation with the Skills Development Facilitator	N	
11.	Deciding on the replacement at the municipality's expense of an employee's tools which were damaged or broken whilst in the use of the municipality in cases where an employee is expected to provide her/his own tools	Council	Municipal Manager	1. Replacement tools must be of similar quality and identical nature than the tools which are replaced 2. After consultation with the relevant Director and the CFO	N	
12.	Allocating official tele- and mobile phones to employees	Municipal Manager	None	In terms of Council's Cell phone Policy	N	
13.	Approving the attendance by employees of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the	Municipal Manager	Relevant Director	Subject to the Cost Containment, Travel, Subsistence and Accommodation Policies of Council	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	Republic					
14.	Deciding on the use of the coat of arms of the municipality for commemorative and other purposes	Council	Municipal Manager	None	N	
15.	Signing, authenticating and/or executing any document conferring freedom of the municipality or honorary residence to a person, pursuant to a council resolution	Council	Municipal Manager	Together with the Executive Mayor	N	
16.	Signing, authenticating and/or executing documents relating to the transfer or acquisition of immovable property	Council	Municipal Manager		N	
17.	Signing, authenticating and/or executing documents to commence with any legal process, whether criminal or civil, on behalf of the municipality and to defend or oppose any legal process against the municipality	Council	Municipal Manager		N	
18.	Signing, authenticating and/or executing documents necessary to submit, oppose or defend any appeal to a higher court or other body in respect	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	of judgement handed down by a lower court or body					
19.	Signing, authenticating and/or executing any other document the signing, authentication, or execution of which had not been delegated to another person	Council	Municipal Manager		N	
20.	Signing, authenticating and/or executing contracts relating to the construction of buildings and civil works	Council	Municipal Manager		N	
21.	Signing, authenticating and/or executing a declaration by a seller for the payment of transfer duties in connection with all property transactions, including declarations concerning buildings constructed with funds obtained from the state, including the national or provincial housing fund	Council	Municipal Manager		N	
22.	Signing, authenticating and/or executing contracts for the acquisition and alienation of immovable property and rights	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	in respect thereof					
23.	Signing, authenticating and/or executing contracts for the leasing of property by or to the municipality	Council	Municipal Manager		N	
24.	Signing, authenticating and/or executing any and all documentation regarding the registration of immovable property in the municipality's name, irrespective of the manner in which such property was acquired	Council	Municipal Manager		N	
25.	Signing, authenticating and/or executing contracts which may be necessary for the alienation of any rights of the municipality in immovable property owned by the municipality	Council	Municipal Manager		N	
26	Signing, authenticating and/or executing any and all documentation relating to the expropriation of immovable property by the municipality	Council	Municipal Manager		N	
27.	Signing, authenticating and/or executing any and all documents relating to the registration in favour of the	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	council or another party of servitudes and notarial deeds					
28.	Signing, authenticating and/or executing contracts for the handling and disposal of waste	Council	Municipal Manager		Y	Director: Technical Services
29.	Signing, authenticating and/or executing any and all documents relating to obtaining statutory required permits and licences, including the establishment, extension and closing of landfill sites and cemeteries and the treatment and disposal of wastewater and industrial effluent	Council	Municipal Manager		N	
30.	Signing, authenticating and/or executing contracts relating to the provision of water and electricity to the municipality whether in bulk or retail quantities	Council	Municipal Manager		Y	Director: Technical Services
31.	Signing, authenticating and/or executing contracts relating to the removal of night soil	Council	Municipal Manager		Y	Director: Technical Services
32.	Signing, authenticating and/or executing any and all documents relating to the	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	registration, deregistration or changes to sectional title schemes					
33.	Granting permission to persons to examine the records of the municipality for research purposes	Council	Municipal Manager	After consultation with the relevant Director	N	
34.	Considering and granting or refusing any application by third parties to use the facilities of the municipality	Council	Manager: Property Administration		N	
35.	Granting of permission for the free use of municipal facilities for departmental purposes	Council	Manager: Property Administration		N	
38.	Awarding of contracts for the supply of goods, services, or the performance of work to the municipality that will result in the approved budget being exceeded	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor which report has been prepared together with the other members of the mayoral committee	N	
39.	Deciding to refund tender deposits in respect of any tender where the municipality is not contractually obliged to refund deposits	Council	Municipal Manager	After consultation with the Chief Financial Officer	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
40.	Adjusting the tendered tariffs of professional service providers in accordance with the published tariffs in terms of legislation concerned	Council	Municipal Manager	After consultation with the departmental manager concerned	N	
41.	Creating temporary positions additional to the staff establishment to cope with a temporary increase in work	Council	Municipal Manager		N	
42.	Construction, demolition, or extension of permanent municipal buildings	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
43.	Considering the sub-division, consolidation or changing the legitimate use of land owned by the municipality	Council	None	Subject to receiving and considering a report from the Executive Mayor	N	
44.	Considering the acquisition of land and other fixed property for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
45.	Considering reports of the audit committee and performance audit committee	Council	None		N	
46.	Nominating, electing and appointing representatives of the municipality in public bodies	Council	None		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
47.	Appointing councillors to attend meetings, workshops, seminars, conferences, and similar events at the municipality's cost and which will be conducted within the national territory of the Republic	Council	Executive Mayor	Subject to there being adequate funds available	N	
48.	Appointing councillors and employees to attend meetings, workshops, seminars, conferences, and similar events at the municipality's cost and which will be conducted outside the national territory of the Republic	Council	Executive Mayor	In consultation with the Speaker and subject to there being adequate funds available	N	
49.	Considering departmental reports	Council	Council	Subject to receiving and considering a report and recommendations from the Executive Mayor	N	
50.	Deciding whether or not a report submitted to the council is for the council's information for consideration	Council	None		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
51.	Determining signatories on the municipality's bank account	Council	Municipal Manager	After consultation with the Chief Financial Officer	N	
52.	Authorising the opening and closing of bank accounts of the municipality	Council	Municipal Manager	After consultation with the Chief Financial Officer	N	
53.	Appointment of professional service-providers including insurance brokers and management consultants, attorneys, conveyancers, notaries' public, surveyors, valuers, appraisers, engineers and town and regional planners	Council	Executive Mayor	Subject to SCM Policy and receiving and considering a report and recommendations from the municipal manager.	N	
54.	Disposing of documents and other records in terms of relevant legislation regulation archives	Council	Municipal Manager	In consultation with the relevant Director	N	
55.	Enforcing national, provincial, and local legislation, including the institution of criminal proceedings for the alleged contravention thereof	Council	Municipal Manager		Y	Relevant Directors
56.	Instituting criminal or civil proceeding against any former employee who neglected or failed to return any property of the municipality which she/he may have had in her/his	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	possession at the time of terminating her/his employment					
57.	Implementing and enforcing the municipality's debt collection and credit control policies, including the institution legal proceedings to recover monies owed to the municipality, the signing, execution, and authentication of any documents in this regard and the appointment of attorneys and advocates to represent the municipality in such cases	Council	Chief Financial Officer		N	
58.	Claiming from and making payments to professional firms and companies	Council	Municipal Manager		N	
59.	Deducting any monies owed by an employee to the municipality from her/his pay in terms of the provisions of the Basic Conditions of Employment Act and any other agreement	Municipal Manager	Manager: Human Resources		Y	Head: Employee Relations
60.	Instituting legal proceedings against any third party for damages to property of the municipality caused by such	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	third party and for injuries sustained by an employee of the municipality whilst on duty as a result of the action or inaction of a third party					
61.	Considering of requests for making available address lists of consumers, rates, and levy payers	Council	Municipal Manager		N	
62.	Submitting and finalising insurance claims	Council	Municipal Manager		N	
63.	Maintaining the municipality's financial registers relating to the leasing of property by or to the municipality	Council	Manager: Property Administration		N	
64.	Granting permission for reimbursement of the relocation cost incurred by a newly appointed employee	Council	Municipal Manager		N	
65.	Reviewing the schedule of uniforms and protective clothing	Municipal Manager	None	After consultation with the Trade Unions and the relevant Directors	N	
66.	Determining which positions are locomotion allowance carrying positions	Municipal Manager	None	After consultation with the relevant Director	N	
67.	Dismissing an employee for misconduct	Municipal Manager	Presiding Officer appointed by the Municipal Manager	Subject to the Labour Relations Act, 1995	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
68.	Dismissing an employee for the operational requirements of the municipality	Municipal Manager	None		N	
69.	Leasing of municipal facilities, including halls, to third parties	Council	Manager: Property Administration		N	
70.	Deciding not to lease any facilities of the municipality to a third party if the risk involved is deemed to be too high	Council	Manager: Property Administration		N	
71.	Deciding to reduce the rent payable in respect of the leasing of the municipality's facilities in meritorious cases	Council	Municipal Manager		N	
72.	Nominate site staff to supervise the excavation, demolition and construction of building and other infrastructure performed on behalf of the municipality by independent contractors	Council	Director: Technical Services	After consultation with the relevant Director and the Chief Financial Officer	N	
73.	Granting permission to third parties to perform work on municipal property	Municipal Manager	Director: Technical Services	Provided that such work will not prejudice the municipality's interests and that the municipality is indemnified in writing against any claims and damages which may result from such work	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
74.	Providing temporary or ad hoc technical, administrative and management assistance, including training, to another municipality	Municipal Manager	None	After consultation with the directors directly accountable to the Municipal Manager	N	
75.	Granting power of attorney to any supplier of vehicles and other equipment that must be licensed to register such vehicle or equipment in the name of the municipality	Municipal Manager	None		N	
76.	Considering and granting or refusing any application regarding building lines and building over servitudes registered in favour of the municipality	Council	Municipal Manager		N	
77.	Considering and granting or refusing applications for the erection of temporary and permanent advertisements	Council	Municipal Manager		N	
78.	Considering applications for the waiving of the municipality's rights under any servitude registered in favour of any property	Council	Municipal Manager		N	
79.	Issuing notices regarding	Council	Municipal Manager		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	nuisances and unhygienic conditions on private properties					
80.	Signing affidavits regarding building related issues for obtaining an interdict or any other relief.	Council	Municipal Manager	After consultation with the Director Planning	Y	Manager: Building Control
81.	Signing affidavits regarding planning related issues for obtaining an interdict or any other relief.	Council	Municipal Manager	After consultation with the Director Planning	Y	Manager: Planning
82.	Signing affidavits regarding Community Services and Housing issues for obtaining an interdict or any other relief.	Council	Municipal Manager		Y	Director: Community Services
83.	Approving Tourism events and Festivals applications	Municipal Manager	Director: Development Planning	After consultation with the Executive Mayor	N	
84.	Granting of rights to use, control or manage municipal capital assets	Council	Executive Mayoral Committee	Only for capital assets exceeding the value of R2 million and the term of lease are 3 years and longer	N	
85.	Approval of requests for reductions or rebates regarding any water leakage	Council	Chief Financial Officer	In line with the approved Credit Control Policy of Council	N	
86.	Debt Write-off in the case of a household consumer an amount of R1,000 (excluding	Council	Chief Financial Officer	In line with the approved Debt Write Off Policy of Council	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	interest and penalties) per submission					
87.	Debt Write-off in the case of a business consumer an amount of R2,000 (excluding interest and penalties) per submission.	Council	Chief Financial Officer	In line with the approved Debt Write Off Policy of Council	N	
88.	Debt Write-off in the case of a household consumer an amount of R3,000 (excluding interest and penalties) per submission	Council	Municipal Manager	In line with the approved Debt Write Off Policy of Council	N	
89.	Debt Write-off in the case of a business consumer an amount of R5,000 (excluding interest and penalties) per submission.	Council	Municipal Manager	In line with the approved Debt Write Off Policy of Council	N	
90.	Any amount in excess of the R5,000 must be submitted together with a recommendation to Council for consideration.	Council	Council	In line with the approved Debt Write Off Policy of Council	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
91.	Approving the MCGICT policy/framework	Council			N	
92.	Ensuring the Corporate Governance of ICT to the extent necessary that a properly established and functioning Corporate Governance of ICT system is in place in the municipality to leverage ICT as an enabler of the municipal IDP;	Council			N	
93.	Determine the strategic purpose of the ICT function	Council			N	
94.	Business continuity, sustainability, resilience, and information classification/security.	Council			N	
95.	Strategic risk management, monitoring and evaluation + compliance and assurance.	Council	Municipal Manager	In consultation with Manager: ICT	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
96.	Business enabling strategies, plans and processes (innovation)	Municipal Manager I	ICT Steering Committee	In consultation with Manager: ICT	N	
97.	Ensure formal ICT Service Provider management + information systems and data ownership.	Municipal Manager	ICT Steering Committee	In consultation with Manager: ICT	N	
98.	Establish Business and ICT service levels	Municipal Manager	ICT Steering Committee	In consultation with Manager: ICT	N	
99.	Manage Business related ICT risk and provide audit assurance	Council	Municipal Manager	In consultation with Manager: ICT	N	
100.	Granting permission to approve applications to make timber or wood on municipal properties	Municipal Manager	Manager: Property Administration		N	
101.	Approving a maximum discount of 35% on the approved rate of chalets and sites according to the Council's tariff list as part of an initiative to increase the	Municipal Manager	Manager: Camps and OHS	The discount can only be granted during the off-season periods	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	occupancy rate of the caravan parks.					
102.	Approval of applications to lease municipal property for a maximum period of 3 months	Municipal Manager			N	
103.	Approval of the free use of municipal property for a maximum period of 30 days (Excluding facilities for which an approved tariff is included in the tariff list)	Municipal Manager	Manager: Property Administration		N	
104.	Approving applications from the public to repair / improve existing municipal facilities / infrastructure at the applicant's own expense	Municipal Manager	Manager: Property Administration		N	
105.	Approval of the consideration payable for the sale of municipal property in the event the consideration is higher than the amount determined by the qualified valuer.	Municipal Manager			N	
106.	Approval to request valuations from qualified valuers on an ad hoc basis to determine the fair	Municipal Manager	Manager: Property Administration		N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
	market value at which municipal property can be sold or rented.					
107.	Granting of approval to erect benches on municipal property	Council	Manager: Property Administration	Subject to an agreement concluded with applicant	N	
108.	Leasing of property for a period not exceeding 3 years	Council	Executive Mayoral Committee			
109.	Approval of acting appointment as Senior Manager (Section 56) for short term ad hoc periods not exceeding ten (10) days	Council	Municipal Manager	In consultation with the Executive Mayor	N	
110.	Approval of acting appointments for employees (not Section 56) who do not meet the minimum requirements of the post.	Municipal Manager	None	In consultation with the relevant Director	N	
111.	Payment of an acting allowance (not Section 56) to employees for a duration of ten (10) days and more	Municipal Manager	Relevant Director	In terms of the Collective Agreement and SOP.	None	None
112.	Incidental changes to the organizational structure	Council	Executive Mayor	When there is no financial implication to the current budget and in line with a report with	N	

	Power	Delegating authority	Delegated body	Conditions	Sub deleg	Delegatee
				recommendations from the Municipal Manager.		
113.	Signing of lease agreements for emergency plots or erven	Municipal Manager	Director: Community Services			

**SCHEDULE 5:
DELEGATION OF POWERS AND DUTIES – SUPPLY CHAIN MANAGEMENT
MUNICIPAL SUPPLY CHAIN MANAGEMENT REGULATIONS: NOTICE 868 OF 2005**

It should be noted that Hessequa Municipality has two (2) Bid Committee Systems. The systems are listed below:

1. Goods and Services

- (a) Bid Specifications Committee
- (b) Bid Evaluation Committee
- (c) Bid Adjudication Committee

2. Infrastructure Projects

- (a) Infrastructure Bid Specifications Committee
- (b) Infrastructure Bid Evaluation Committee
- (c) Infrastructure Bid Adjudication Committee

For ease of reference when the Committee System are listed in these delegations, it should be noted that it is applicable and relevant to both these Committee Systems.

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
3(1)(a)	Prepare and submit a draft supply chain management policy complying with regulation 2 to the council of the municipality for adoption	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(1)(b)	Review at least annually the implementation of the policy	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(1)(c)	Submit when considered necessary, proposals for the amendment of the policy to the council.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(2)(a)	Make use of any Treasury guidelines determining standard for municipal supply chain management policies, and submit to the council that guideline standard, or any modified version thereof, as a draft policy.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(2)(b)	Ensure that a draft policy submitted to council that differs from the guideline standard complies with regulation 2.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(2)(c)	Report any deviation from the guideline standard to the National Treasury and relevant provincial treasury.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
3(4)	Must, in terms of section 62(1)(f)(iv) take all reasonable steps to ensure that the municipality has and implements a supply	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	chain management policy as set out in Regulation 2.			
5(2)(a)	Make a final award above R10 million (VAT included)	Municipal Manager	Accounting Officer (after considering recommendation of Bid Adjudication Committee)	May not be sub-delegated.
5(2)	Make a final award above R300 000 (VAT included), but not exceeding R10 million (VAT included)	Municipal Manager	Bid Adjudication Committee	
5(2)	Make a final award not exceeding R300 000(VAT included) but excluding the appointment of consultants	Municipal Manager	Director: Financial Services	Manager: SCM, Assets & Insurance or Relevant delegated authority
5(3)	Submit to the official referred to in subsection (4) within five days of the end of each month a written report containing particulars of each final award, except procurements made out of petty cash, made during that month, including – (a) the amount of the award; (b) the name of the person to whom the award was made; (c) the reason why the award was made to that person; and (d) the BEE/HDI status of that entity/person		Manager: Supply Chain Management, Assets & Insurance	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
6(1)	Maintain oversight over the implementation of the supply chain management policy.	Municipal Manager	Power reserved by Council	
6(2)(a)(i)	Submit a report to council within 30 days of the end of each financial year on the implementation of the supply chain management policy of the municipality.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
6(2)(a)(ii)	Submit to council a report from any municipal entity made in terms of this Regulation 6(2)(a)(ii) regarding implementation of the municipal entity's supply chain management policy.	Municipal Manager	Manager: Legal and Administration	Relevant delegated authority
6(2)(a) (iii)	Immediately submit a report to council whenever there are serious and material problems in the implementation of the supply chain management policy, including such a report from any municipal entity as envisaged by this Regulation 6(2)(a)(iii).	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
6(3)	Submit a report to the mayor of the municipality within ten days of each quarter on the implementation of the supply chain management policy.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
7(1)	Establish a supply chain management unit.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
7(2)	Establish a joint supply chain management unit between the parent municipality and a municipal entity under its sole or shared control.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
11(3)	Must make public the fact that the municipality procures goods or services contemplated in section 110(2) of the MFMA.	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	
12(2)(a)	Allow the Accounting Officer to lower, but not to increase, the different threshold values specified in sub-regulation (1).	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
12(2)(b)	Direct that: ; (ii) formal written price quotations be obtained for any specific procurement of a transaction value over R2 000 up to R300 000; (iii) a competitive bidding process be followed for any specific procurement of a transaction value over R300 000.	Municipal Manager	Chief Financial Officer <u>Petty Cash up to R500</u> <u>Formal Written Price Quotations up to R300 000</u>	Manager: Supply Chain Management, Assets & Insurance
14(1)(a)(i)	Keep a list of accredited prospective providers of goods and services that must be used for the procurement requirements of the municipality through formal written price quotations.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
14(1)(a)(ii)	Invite prospective providers of goods or services at least once a year through newspapers commonly circulating locally, the website of the municipality and any other appropriate ways, to apply for evaluation and listing as accredited prospective providers.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
14(1)(b)	Specify the listing criteria for accredited prospective providers.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
14(1)(c)	Disallow the listing of any prospective provider whose name appears on the National Treasury's database as a person prohibited from doing business with the public sector.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
14(2)	Update the list of prospective providers at least quarterly to include any additional prospective providers and any new commodities or types of services.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
17(1)(c)i	Record the reasons for not obtaining at least three formal written price quotations.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
17(1)(c)ii	Approve the recorded reasons for not obtaining at least three written price quotations.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
17(1)(d)	Record the names of the potential formal written price quotation providers and their written quotations.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
17(2)	Report to the CFO within three days of the end of the month on any approvals given during that month by that the designated official referred to in sub-regulation (1)(c).	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
18(b)	Must promote ongoing competition amongst providers, including by inviting providers to submit quotations on a rotation basis, when using the list of accredited prospective providers.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
18(c)	Must take all reasonable steps to ensure that the procurement of goods and services through formal written price quotations is not abused.	Municipal Manager	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
18(d)	Notify the Accounting Officer or CFO in writing on a monthly basis of all formal written price quotations accepted by the official acting in terms of a sub-delegation.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
22(2)	Determine a closure date for submission of bids which is less than the 30 or 14-day requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process.	Municipal Manager		N

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
23(c)	(i) record in a register all bids received in time; (ii) make the register available for public inspection; (iii) publish the entries in the register and the bid Results on the website of the municipality	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	Snr SCM Practitioner: Demand, Acquisition & Tender Management
24(1)	Negotiate the final terms of a contract with bidders identified through a competitive bidding process as preferred bidders, provided that such negotiation- (a) does not allow any preferred bidder a Second or unfair opportunity; (b) is not to the detriment of any other bidder; and (c) does not lead to a higher price than the bid submitted. Minutes of such negotiations must be kept.	Municipal Manager	Relevant Contract Manager in conjunction with the SCM unit	
26(b)	Appoint the member of the bid specification, evaluation and adjudication committees, taking into account section 117 of the MFMA.	Municipal Manager		
26(1)(c)	Appoint a neutral or independent observer to a bid specification, evaluation or adjudication committee for an attendance and oversight	Municipal Manager		

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	process when this is appropriate for ensuring fairness and promoting transparency.			
26(3)	Apply the committee system to formal written price quotations.	Municipal Manager		
27(1)	Compile specifications for the procurement of goods or services by the municipality.	Municipal Manager	Responsible Official	Not to be sub-delegated
27(2)(g)	Approve specifications compiled by the bid specification committee prior to publication of the invitation for bids.	Municipal Manager	Bid Specification Committee	Not to be sub-delegated
28(1)(a)	Evaluate bids in accordance with (i) the specifications for a specific procurement; and (ii) the point system as must be set out in the Supply chain management policy of the municipality in terms of Regulation 27(2)(f) and as prescribed in terms of the Preferential Procurement Policy Framework Act.	Municipal Manager	Bid Evaluation Committee	Not to be sub-delegated
28(1)(b)	Evaluate each bidder's ability to execute the contract.	Municipal Manager	Bid Evaluation Committee	Not to be sub-delegated

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
28(1)(c)	Check in respect of the recommended bidder whether municipal rates and taxes and taxes and municipal service charges are not in arrears.	Municipal Manager	Bid Evaluation Committee	Not to be sub-delegated
28(1)(d)	Submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.	Municipal Manager	Bid Evaluation Committee	Not to be sub-delegated
29(1)(a)	Consider the report and recommendations of the bid evaluation committee where the award value exceeds R300 000(VAT incl.).	Municipal Manager	Bid Adjudication Committee	Not to be sub-delegated
29(1)(a)(i)	For bids above R10 million the SCMBAC will make recommendation to the Municipal Manager to make the final award.	Municipal Manager		Not to be sub-delegated
29(1)(a)(ii)	Make another recommendation to the accounting officer on how to proceed with the relevant procurement.	Municipal Manager	Bid Adjudication Committee	Not to be sub-delegated
29(3)	Appoint the chairperson of the bid adjudication committee.	Municipal Manager		
29(5)(a)	If a bid adjudication committee decides to award a bid other than the one recommended by the bid evaluation committee, the bid adjudication committee must prior to awarding the bid- (i) check in respect of the preferred bidder	Municipal Manager	Bid Adjudication Committee	Not to be sub-delegated

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	whether that bidder's municipal rates and taxes and municipal service charges are not in arrears; and (ii) notify the accounting officer.			
29(5)(b)	(i) After due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication committee referred to in Regulation 29(5)(a); and (ii) If the decision of the bid adjudication committee is rejected, refer the decision of the adjudication committee, back to that committee for reconsideration.	Municipal Manager	Accounting Officer	
29(6)	Refer any recommendation made by the evaluation committee or adjudication committee back to that committee for reconsideration of the recommendation.	Municipal Manager	Accounting Officer	
29(7)	Comply with section 114 of the MFMA within ten working days.	Municipal Manager	Accounting Officer	
31(1)	Request the State Information Technology Agency (SITA) to assist the municipality with	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	Manager: IT

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	the acquisition of IT related goods or services through a competitive bidding process.			
31(2)	Enter into a written agreement to regulate the services rendered by, and the payments made to, SITA.	Municipal Manager	Chief Financial Officer	Not to be sub-delegated
31(3)	Notify SITA together with a motivation of the IT needs of the municipality if- (a) the transaction value of IT related goods or services required by the municipality in any financial year will exceed R50 million (VAT included); or (b) the transaction value of a contract to be Procured by the municipality whether for One or more years exceeds R50 million.	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	Manager: IT
31(4)	Submit to the council, the National Treasury, the relevant provincial treasury and the Auditor General the SITA comments and the reasons for rejecting or not following such comments if the municipality disagrees with SITA's comments.	Municipal Manager	Chief Financial Officer	Manager: IT
32(1)	To procure goods or services for the municipality under a contract secured by another organ of state, but only if-	Municipal Manager	Chief Financial Officer	Bid Adjudication Committee

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	(a) the contract has been secured by that organ of state by means of a competitive bidding process applicable to that organ of state; (b) the municipality has no reason to believe That such contract was not validly procured; (c) there are demonstrable discounts or Benefits for the municipality; and (d) that other organ of state and the provider have consented to such procurement in writing.			
35(1)	Procure consulting services up to the value of R300 000 (VAT included) provided that any Treasury guidelines in respect of consulting services are taken into account when such procurements are made.	Municipal Manager	Bid Adjudication Committee	Manager: Supply Chain Management, Assets & Insurance
35(1)	Procure consulting services above the value of R300 000 (VAT included) provided that any Treasury guidelines in respect of consulting services are taken into account when such procurements are made.	Municipal Manager	Bid Adjudication Committee	
35(4)	Ensure that copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system, or	Municipal Manager	Chief Financial Officer	Relevant Level 2

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	process designed or devised, by a consultant in the course of the consultancy service is vested in the municipality.			
36(1)(a)	Dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only- (i) in an emergency; (ii) if such goods or services are produced or available from a single provider only; (iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals or zoos; or (v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes.	Municipal Manager	Senior Manager < R300 000 BAC - > R300 000<R10 million Municipal Manager >R10 million	
36(1)(b)	Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.	Municipal Manager		
36(2)	Record the reasons for any deviations in terms of Regulations 36(1)(a) and (b); and	Municipal Manager	Manager: Supply	Relevant delegated authority

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	Report them to the next meeting of the council and include as a note to the annual financial statements		Chain Management, Assets & Insurance	
37(2)	Decide to consider an unsolicited bid but only if- (a) the product or service offered is a demonstrably or proven unique innovative concept; (b) the product or service will be exceptionally beneficial to, or have exceptional cost advantages for, the municipality; (c) the person who made the bid is the sole provider of the product or service; and (d) the reasons for not going through the normal bidding processes are found to be sound by the accounting officer.	Municipal Manager	Accounting Officer	
37(3)	Make public in accordance with section 21A of the Municipal Systems Act the decision to consider an unsolicited bid that complies with Regulation 37(2) together with- (a) reasons as to why the bid should not be open to other competitors; (b) an explanation of the potential benefits for the municipality were it to accept the unsolicited bid; and (c) an invitation to the public or other potential	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	suppliers to submit their comments within 30 days of the notice.			
37(4)	Submit written comments received pursuant to Regulation 37(3), including any responses from the unsolicited bidder, to the National Treasury and the relevant provincial treasury for comment.	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	
37(5)	Consider the unsolicited bid.	Municipal Manager	Bid Adjudication Committee	Not to be sub-delegated
37(5)	Award the bid or make recommendations to the accounting officer depending on the delegations to the adjudication committee.	Municipal Manager	Bid Adjudication Committee for bids up to R10 million (VAT included) and Accounting Officer for bids above R10 million (VAT included) after consideration of recommendation of	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
			Bid Adjudication Committee	
37(7)	Take into account when considering an unsolicited bid- (i) any comments submitted by the public; and (ii) any written comments and recommendations of the National Treasury or the relevant provincial treasury.	Municipal Manager	Bid Adjudication Committee	Not to be sub-delegated
37 (8)	Submit to the Auditor General, the relevant provincial treasury and the National Treasury the reasons for rejecting or not following any recommendations of the National Treasury or provincial treasury in regard to the unsolicited bid.	Municipal Manager	Chief Financial Officer	
38(1)(a)	Take all reasonable steps to prevent abuse of the supply chain management system.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
38(1)(b)	Investigate any allegations against an official or other role player of fraud, corruption, favouritism, unfair or irregular practices or failure to comply with the supply chain management policy, and when justified- (i) take appropriate steps against such official or other role player; or (ii) report any alleged criminal conduct to the	Municipal Manager	Chief Financial Officer	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	South African Police Service.			
38(1)(c)	Check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector.	Municipal Manager	Manager: Supply Chain Management	Snr SCM Practitioner: Demand, Acquisition & Tender Management
38(1)(d)	Reject any bid from a bidder- (i) if any municipal rates and taxes or municipal service charges owed by that bidder or any directors to the municipality are in arrears for more than three months; (ii) who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.	Municipal Manager	Relevant delegated authority	
38(1)(e)	Reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract.	Municipal Manager	Relevant delegated authority	
38(1)(f)	Cancel a contract awarded to a person if- (i) the person committed any corrupt or	Municipal Manager	Manager: Supply	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	fraudulent act during the bidding process or the execution of the contract; or (ii) an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person.		Chain Management, Assets & Insurance	
38(1)(g)	Reject the bid of any bidder if that bidder or any of its directors- (i) has abused the supply chain management system of the municipality or has committed any improper conduct in relation to such system; (ii) has been convicted for fraud or corruption During the last five years; (iii) has wilfully neglected or reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or (iv) has been listed in the Register for Tender defaulters in terms of section 29 of the prevention and Combating of Corrupt Activities Act (no 12 of 2004).	Municipal Manager	To all relevant delegates	
38(2)	Inform the National Treasury and relevant provincial treasury in writing of any actions taken in terms of Regulation 38(1)(b)(ii), (e) or (f).	Municipal Manager	Chief Financial Officer	

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
43(2)	Check with SARS whether a person's tax matters are in order before making an award to such person	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	Snr SCM Practitioner: Demand, Acquisition & Tender Management
45	Disclose on the notes to the annual financial statements of the municipality particulars of any award of more than R2000 to a person who is a spouse, child or parent of a person in the service of the state, or has been in the service of the state in the previous twelve months, including- (a) the name of that person; (b) the capacity in which that person is in the service of the state; and (c) keep the amount of the award.	Municipal Manager	Manager: Supply Chain Management, Assets & Insurance	Snr SCM Practitioner: Demand, Acquisition & Tender Management
46(3)(a)	Ensure that declarations from the accounting officer in terms of Regulation 46(2)(d) and (e) are recorded in the register.	Mayor	Chief Financial Officer	Snr SCM Practitioner: Demand, Acquisition & Tender Management
46(5)	Adopt the National Treasury's code of conduct for supply chain management practitioners and other role players involved in supply chain management.	Municipal Manager		
47(2)	Report any alleged contravention of Regulation 47(1) to the National Treasury for considering whether the offending person, and any representative or intermediary	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance

REG. NR.	CRYPTIC DESCRIPTION OF POWER OR DUTY	POWER CURRENTLY RESIDING	DELEGATED	SUB-DELEGATED
	through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.			
48	Disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted to the municipality whether directly or through a representative or intermediary, by any person who is- (a) a provider or prospective provider of goods Services to the municipality; or (b) a recipient or prospective recipient of goods Disposed or to be disposed of by the Municipality.	Municipal Manager	Chief Financial Officer	Manager: Supply Chain Management, Assets & Insurance
50(1)	Appoint an independent and impartial person to assist in the resolution of disputes and to deal with objection, complaints or queries as described more fully in Regulation 50(1) to perform his or her functions effectively.	Municipal Manager	Manager Legal and Administration Services	
50(3)	Responsible to assist the person appointed in terms of Regulation 50(1) to perform his or her functions effectively.	Municipal Manager	Manager Legal and Administration Services	

SCHEDULE 6: DELEGATION OF POWERS IN TERMS OF BY-LAWS

Section 55(1)(l) of the Systems Act stipulates that, subject to the policy directions of a municipality's council, the municipal manager is responsible for the administration and implementation of the municipality's by-laws. The administration of the municipality's by-laws requires the following per by-law:

1. OUTDOOR ADVERTISING AND SIGNAGE BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(2)	Receiving applications for approval, amendment and the setting of conditions for approval for outdoor advertising and signage	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services
3(6)	Deciding whether to require an EIA, a Heritage Impact Assessment or a Traffic Impact Assessment	Municipal Manager				
3(8)	Deciding whether an advertising signage master plan is required	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services
5(3)	Exemption from the sign types and areas of control	Municipal Manager		Upon recommendation/s of the Head: Traffic Services		
8(1)	Approval of illuminated signs	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services
11(2)	Withdrawal of approvals	Municipal Manager		Upon recommendation/s of the Head: Traffic Services		

1. OUTDOOR ADVERTISING AND SIGNAGE BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
11(5) and (6)	Providing written feedback on decisions to applicants and informing them of their right to appeal	Municipal Manager	Manager Protection Services			
19(1)	Serving of notices regarding signs erected in contravention of the by-law	Municipal Manager			Y	Appointed Peace Officers or Law Enforcement Officers
19(3) and (5)	Removal of infringing signs	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services
23	Approval of applications for exemptions	Municipal Manager		Upon recommendation/s of the Head: Traffic Services		
Schedule 16(1)	Granting approval for the erection of signs on municipal property	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services
Schedule 17	Approving the erection of signs for non-profit bodies	Municipal Manager	Director: Community Services	Upon recommendation/s of the Head: Traffic Services	Y	Manager: Protection Services

2. AERODROME BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
General	Appointment of an aerodrome manager	Municipal Manager				
4	Entering into written agreements with any party regarding the use of an aerodrome	Municipal Manager				
5	Determining the hours during which an aerodrome may be used	Municipal Manager				
7	Determining the tariffs for the use of an aerodrome	Council				
14	Setting conditions for the use of hangars and buildings	Municipal Manager				
15	Considering applications for permission to trade at aerodromes	Municipal Manager				

3. AIR POLLUTION BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(2)	Monitoring the impact and effectiveness of measures taken to prevent or mitigate potential air pollution.	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
3(3)	Issuing directives to a person who fails to take measures to prevent or mitigate air pollution.	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management

4. FIREWORKS BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(1)	Designate public places for the discharge of fireworks	Municipal Manager	Manager: Parks, Public Amenities and Facilities	Subject to the approval of council		
3(2)	Approving applications from the owner or lawful occupier of any private open space where fireworks may be discharged	Municipal Manager		Subject to inspection by Fire Services representative and recommendations/s of the Chief Fire Officer		
3(3)	Publishing list of places where fireworks may be discharged	Municipal Manager		Upon recommendation/s by the Chief Fire Officer		
3(4)	Setting conditions as to the dates, periods of time and hours during which fireworks may be discharged	Municipal Manager		Subject to the approval of council		

5. CEMETERIES AND CREMATORIA BY-LAWS						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(2)	Setting aside areas for exclusive use by different religious or cultural groups	Municipal Manager				

5. CEMETERIES AND CREMATORIA BY-LAWS

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
6(3)	Erecting a notice board displaying the hours that every place of interment is open to the public	Municipal Manager				
8(3)	Impounding an animal found in any place of internment.	Municipal Manager	Director: Community Services		N	
11(1)	Determining the times when interments may take place	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
13(1)	Removal and interment of a destitute person's corpse if he has died within the area of jurisdiction and not been claimed by a competent person.	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
13(2)	Directing that the corpse of a destitute person be interred in any manner it sees fit instead of being buried, in terms of the Health Act	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	

5. CEMETERIES AND CREMATORIA BY-LAWS

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
17(3)	Determining the tariff of reserving one adjoining grave plot for a surviving family member for a period of 20 years	Council	None		N	
24(1)	Granting permission to disturb or remove mortal remains in the presence of an Environmental Health Practitioner	Municipal Manager	None		N	
26(1)	Granting permission to re-open a grave for the purpose of interring a second corpse in the same grave	Municipal Manager	None		N	
26(3)	Re-opening of the grave for the purpose of establishing the identity of the corpse, if required.	Municipal Manager	None		N	
27	Deciding when to prune, cut down, dig up or remove any shrub, plant, flower, foliage, wreath or adornment if it becomes unsightly	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
32(1)	Giving written consent to any person who wishes to bring any memorial work into a cemetery or erect, alter, paint, clean, renovate, decorate, remove or otherwise interfere with any memorial work.	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
32(3)	Imposing of conditions that the plan of construction must be submitted 30 days before the erection commences	Municipal Manager	Specialist: Parks, Public Amenities		N	

5. CEMETERIES AND CREMATORIA BY-LAWS

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
			and Facilities			
32(5)	Consenting to proposed work which is valid for a period of six months only	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
33(1)(a)	Granting approval of plans for erecting a memorial	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
34(1)	Indicating the position where memorial work on a grave is to be erected	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
34(2)	Granting approval to alter the position of the memorial work and to recover the costs of the alteration from the person who erected the memorial work	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
35(2)	Demolishing or removing the memorial work and recovering the cost for	Municipal Manager	Specialist: Parks,		N	

5. CEMETERIES AND CREMATORIA BY-LAWS

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	demolition or removal from the person served with the notice of compliance		Public Amenities and Facilities			
43(1)	Deciding on the various sections that would exist in a cemetery	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
51	Receiving and approving applications for the establishment of a private cemetery	Municipal Manager	None		N	
53(1)	Deciding to use any cemetery or portion thereof which has been closed or disused for a period of not less than 20 years and of which the municipality is the cemetery authority	Municipal Manager	None		N	
53(2)	Granting approval to remove to another cemetery the human remains, memorials and other structures where a cemetery has been approved for other usage	Municipal Manager	None		Y	District Municipality
53(4)	Giving notice regarding its intention to remove any human remains in terms of public participation policy	Municipal Manager	Specialist: Parks, Public Amenities		N	

5. CEMETERIES AND CREMATORIA BY-LAWS

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
			and Facilities			
56	Issuing notices of compliance	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	

6. COMMONAGE BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power Conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3	Deciding whether to fence off a portion of the commonage and establishing camps for the grazing of stock	Municipal Manager	None		N	
4(1)	Closing and prohibiting the grazing of a camp or section thereof on the commonage during certain periods of the year	Municipal Manager	None		N	
4(3)	Impounding of an animal found in a camp which has been closed	Municipal Manager	Director: Community Services		Y	Chief: Law Enforcement

6. COMMONAGE BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power Conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
7(1)	Determining the number and kinds of animals that may be accommodated on the commonage	Municipal Manager	None	Upon recommendation/s by the Chief: Law Enforcement	N	
9(1)	Determining the grazing fees to be paid	Municipal Manager	None	Upon recommendation/s by the Chief: Law Enforcement	N	
11(2)	Burial of carcasses at the expense of the owner should an animal die on the commonage	Municipal Manager	None	Upon recommendation/s by the Chief: Law Enforcement	N	
12(1)	Considering any applications in terms of the by-law	Municipal Manager	Director: Community Services	Upon recommendation/s by the Chief Law Enforcement	Y	Manager: Protection Services
13	Granting, refusing, altering or cancelling an exemption in writing	Municipal Manager	Director: Community Services	Upon recommendation/s by the	Y	Manager: Protection Services

6. COMMONAGE BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power Conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
15	Consulting with the community and entering into a written agreement with any party regarding the use of the commonage	Municipal Manager	None		N	

7. CUSTOMER CARE AND REVENUE MANAGEMENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
5(1)	Regulating and implementing a customer care and management system	Municipal Manager	Chief Financial Officer		N	
5(1)	Implementation and enforcement of the provisions of the by-law	Municipal Manager	Chief Financial Officer		N	
4(2)	Approval of applications for exemptions	Municipal Manager	None		N	
7	Approval of applications for any supply of services to any premises	Municipal Manager	None		N	
6	Determining the tariff to be paid for use of Municipal services	Council	Council		N	
8	Deciding whether to terminate a service agreement	Municipal Manager	None		N	
10(1)	Determining whether interest must be charged	Municipal Manager	None		N	
11(1)	Advising account holder of an impending disconnection or restriction of a supply	Municipal Manager	Chief Financial Officer		N	
13(1)	Providing, installing, at the consumers cost, and maintaining appropriately rated metering equipment	Municipal Manager	None		N	
13(8) ((b)(i)	Deciding whether to adjust the account and issue a free token where the meter has been over registering	Municipal Manager	None		N	
13(10) (a)	Providing written feedback to the consumer in writing of the monetary value of the adjustment	Municipal Manager	None		N	
13(11)	Considering any representation provided by the consumer and	Municipal Manager	None		N	

7. CUSTOMER CARE AND REVENUE MANAGEMENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	adjusting the account appropriately					
17(2)	Setting of annual tariffs	Council	Council		N	
17(7)	Reviewing indigence relief measures annually	Municipal Manager	None		N	
18	Identification and calculation of tariffs for major services	Municipal Manager	None		N	
25(1)	Determining the value of rates and service charges	Municipal Manager	None		N	
26(4)	Determining whether a property forms part of a particular category and have regard to the actual use the property is put.	Municipal Manager	None		N	
28	Preparation of a new valuation roll every three years and supplementary valuation roll every six months	Municipal Manager	None		N	
32	Approving tenders and grants-in-aid	Municipal Manager	None		N	
32(4)	Providing for the deduction from moneys owed to the supplier/service provider in order to settle any outstanding amount	Municipal Manager	None		N	
35(1)(a)	Ensuring that all debt collection mechanisms as provided for in section 11 have been utilised where reasonable;	Municipal Manager	None		N	
35(1)(b)	Maintaining an audit trail	Municipal Manager	None		N	

7. CUSTOMER CARE AND REVENUE MANAGEMENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
36(2)(a)	Serving of notices for specified work to be carried out	Municipal Manager	None		N	

8. ELECTRICITY SUPPLY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2	Granting of approval for supply of electricity	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
6 (2)	Granting of approval for temporary supply of electricity	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
9 (1)	Full authority to install and manage electricity infrastructure anywhere within the municipal area	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services

8. ELECTRICITY SUPPLY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
9 (2)	Determining and negotiating the value of compensation for servitude	Municipal Manager	Director: Technical Services		N	
9(3)	To carry out Infrastructure work on private land	Municipal Manager	Manager: Electrical & Mechanical Services	To notify respective property owners, except for repairs and maintenance		
10 (1)	To grant access of entry for inspection, investigation, law enforcement, and service-related activities	Municipal Manager	Director: Technical Services		N	
10 (3)	To require access to a property by way of written notice to the owner of occupier	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
10(4)	To access any premises without notice	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
11	To request information relating to any electrical installation completed or contemplated	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
13	To disconnect an electricity supply system where there is reasonable grounds for believing interferes in an improper or unsafe manner	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services

8. ELECTRICITY SUPPLY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
19 (1)	To disconnect supply due to non-payment, bylaw breach or safety risk	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
19 (2)	To remove supply after an illegal reconnection	Municipal Manager	Director: Technical Services		N	
22	To recover any service and or repair costs or damages when the consumer is at fault	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
23	Sealing of service protective devices and all apparatus	Municipal Manager	Manager: Electrical & Mechanical Services		Y	Superintendents (Electrical Services)
32(1)	To interrupt or discontinue electricity supply to a consumer's thermal storage water heater or any specific appliance or entire electrical installation	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
32(2)	To install any necessary apparatus and equipment on a consumer's premises to enable load reduction measures as outlined in subsection (1).	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
37	Approval of applications of standby emergency equipment	Municipal Manager	Manager: Electrical and		N	

8. ELECTRICITY SUPPLY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
			Mechanical Services			
49(3)	Approval of applications for of medium voltage motors	Municipal Manager	Manager: Electrical and Mechanical Services		Y	Superintendents (Electrical Services)
52(5)	To enter into written agreements regarding alterations, repairs or additions on the supply side of the point of metering	Municipal Manager	Manager: Electrical and Mechanical Services		Y	Superintendents (Electrical Services)
56(1)	-To accept notification of partial completion of an electrical installation.	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
56(2)	To carry out the examination, testing and inspection of an electrical installation- either partially or fully completed.	Municipal Manager	Director: Technical Services		Y	Manager: Electrical & Mechanical Services
59(1)	To receive and consider written applications from individuals seeking exemption from any provision of the bylaw	Municipal Manager			N	
59(2)	To: (a) Grant a written exemption and set the duration for which it is valid (b) Alter or cancel any exemption or its conditions	Municipal Manager			N	

8. ELECTRICITY SUPPLY BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	(c) Refuse to grant an exemption entirely					
59(3)	To enforce conditional compliance	Municipal Manager			N	

9. FENCES AND FENCING BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power Conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4	Granting permission to erect a fence	Municipal Manager	None		N	
4(3)	Providing written feedback on decisions to refuse permission	Municipal Manager	None		N	
4(6)	Setting conditions	Municipal Manager	None		N	
9(1)	Authentication and service of notices and other documents	Municipal Manager	None		N	

10. FIRE SAFETY BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4(1)	Maintaining the servicing for the area of jurisdiction	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
4(2)(a)	Appointing a chief fire officer and the necessary member of the service	Municipal Manager	None		N	
4(2)(b)	Ensuring that such officer and members are properly trained	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
4(2)(c)	Acquiring and maintaining the necessary vehicles, machinery, equipment, devices and accessories	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
7(1)	Administration and enforcement of this by-law	Municipal Manager	Chief Fire Officer	If a Chief Fire Officer is appointed, otherwise the Municipal Manager	N	
9(3)	Appointment of a suitably qualified member of the service as acting chief fire officer	Municipal Manager	None	In consultation with the Chief Fire Officer	N	
20(3)	Releasing of media statements regarding the service	Municipal Manager	Director: Community Services			
21(1)	Issuing of a written notice when there is non-compliance with the provisions of this by-law	Municipal Manager	Director: Community Services		Y	Chief Fire Officer

10. FIRE SAFETY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
24	Abating a contravention of the National Building Regulations relating to fire and safety of buildings and premises in terms of sections 16(3) and 21(1) of this by-law	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
39(1)	Granting a certificate of fitness for a building or temporary structure where public gatherings are held	Municipal Manager	None	In consultation with the Chief Fire Officer	N	
44	Withdrawal or cancellation of certificate of fitness	Municipal Manager	None	In consultation with the Chief Fire Officer	N	
44(4)	Serving of notices regarding the cancellation of a certificate of fitness	Municipal Manager	None	In consultation with the Chief Fire Officer	N	
45(5)	Inspection of fire hydrants and conduct flow and pressure tests as contemplated in SANS 10090	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
49(1)	Approval of the fire protection plans for a water connection to the water reticulation system	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
50(2)(a)	Granting permission to burn any refuse or combustible material	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
55(1)	Granting written approval for any person to fill any balloon or other device with flammable gas	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
61(1)(b)	Providing written authority to a person dealing in fireworks	Municipal Manager	Chief Fire Officer	If a Chief Fire Officer is	N	

10. FIRE SAFETY BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
				appointed, otherwise the Municipal Manager		
72(1)	Keeping of updated records of all premises in respect of which a certificate of registration has been issued, amended or renewed.	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
74(4)	Providing written permission for the use, handling or storage at any public exhibition or demonstration of liquid petroleum gas cylinders	Municipal Manager	Director: Community Services	In consultation with the South African Police Service (SAPS)	Y	Chief Fire Officer
77(1)	Serving of notices of a fire control zone	Municipal Manager	Director: Community Services	In consultation with Legal Services	Y	Chief Fire Officer
77(7)	Publishing notice of fire control zone or amended zone	Municipal Manager	Director: Community Services		Y	Chief Fire Officer
101(1)	Granting a permit for the transport, supply and delivery of dangerous goods	Municipal Manager	Director: Community Services	In consultation with the South African Police Service (SAPS)	Y	Chief Fire Officer
109	Keeping of updated records of all vehicles in respect of which a transport permit has been issued, amended or renewed	Municipal Manager	Director: Community Services		Y	Chief Fire Officer

10. FIRE SAFETY BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
115(3)	Issuing of an exemption certificate from provisions of this by-law	Municipal Manager	Director: Community Services		Y	Chief Fire Officer

11. HERITAGE RESOURCES AND CULTURAL INSTITUTIONS BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
9	Consideration of granting written consent for certain activities	Municipal Manager	None		N	
25	Establishment and maintenance of cultural institutions	Municipal Manager	None		N	
26	Appointing a cultural committee to oversee the general management and control cultural institutions	Municipal Manager	None		N	
27(1)	Approving appointment of an official as Heritage Inspector	Municipal Manager	None		N	
27(2)	Approving appointment of an official as Cultural Inspector	Municipal Manager	None		N	

12. IMPOUNDMENT OF ANIMALS BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4(1)	Approving the establishment of a pound	Municipal Manager	None	In consultation with the Manager: Protection Services and or Chief: Law Enforcement	N	
4(2)	Serving of notices regarding the establishment of a pound	Municipal Manager	None		N	
4(3)	Close any pound under its control	Municipal Manager	None		N	

12. IMPOUNDMENT OF ANIMALS BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
5	Appointment of a pound keeper / authorised official	Municipal Manager	None		N	
	Ensuring compliance with the by-law	Municipal Manager	Director: Communit y Services		Y	Chief Law Enforceme nt

13. IRRIGATION WATER BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3	Granting distribution and availability of irrigation water	Municipal Manager	Director: Technical Services		Y	Manager: Civil Infrastructure
5(2)(a)	Providing maintenance and keep clean the main furrows supplying water	Municipal Manager	Director: Technical Services		Y	Manager: Civil Infrastructure
5(2)(b)	Providing maintenance and keep clean all irrigation furrows butting on streets and roads	Municipal Manager	Director: Technical Services		Y	Manager: Civil Infrastructure

13. IRRIGATION WATER BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
7(1)	Levying an annual service charge per water erf	Municipal Manager	Chief Financial Officer		N	
9	Issuing of a fine to a person who has committed an offence in terms of this by-law	Municipal Manager	Manager: Protective Services		N	

14. PUBLIC AMENITIES BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
6(1)	Determining the hours and tariffs by erecting a notice board at the entrance to or in the public amenity	Municipal Manager	None		N	
7(1)	Granting written approval for certain activities	Municipal Manager	None		N	
9	Approval of a permit	Municipal Manager	None		N	
11(3)	Impounding of an animal not under the control of a person in a public amenity	Municipal Manager	Director: Community Services		Y	Chief: Law Enforcement

14. PUBLIC AMENITIES BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
13(1)	Erection of sign prohibiting vehicles in a public amenity	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
14(3)	Deciding whether to issue a permit for camping	Municipal Manager	None		N	
15	Granting approval whether 10% of caravan sites in a park may be permanently occupied by caravans or mobile homes	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
18	Issuing of a fine on a person who has committed an offence in terms of this by-law	Municipal Manager	Director: Community Services		Y	Law Enforcement Officers
20	Providing signed notices for authentication	Municipal Manager	None		N	

15. PUBLIC BUSES AND TAXIS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	Responsibility for ensuring compliance with the by-law	Municipal Manager	Director: Community Services		Y	Manager: Protection Services

16. PUBLIC NUISANCES AND ANIMALS BY-LAW						
COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2(3) (a & b)	Granting approval for premises to be legally used for agricultural purposes or where the keeping of animals or the operation of pet parlours, pet shops or catteries and kennels	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
3	Serving of notices relating to public nuisances	Municipal Manager	Director: Development Planning Manager: Protection Services		Y	Law Enforcement Officers
4	Granting written approval relating to keeping of animals	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
6(2)	Furnishing of reasons for refusal of consent and imposing conditions (3)	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
14(1)	Considering all application to keep more than two dogs or cats	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services

16. PUBLIC NUISANCES AND ANIMALS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
15(1)	Considering an application from a breeder of dogs and cats who wishes to keep more than two dogs or cats	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
16	Deciding whether to give written approval to a person who breeds pets	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
24(2)	Producing written proof of authorisation when entering a premises for inspection	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
	Responsibility for administration and ensuring compliance	Municipal Manager	Director: Community Services		Y	Manager: Protection Services
29	Granting exemption to any person and class of persons from any or all these requirements and may impose any other requirements it deems appropriate	Municipal Manager			N	

17. PROPERTY RATES BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2(1)	Imposing of rates on property and surcharges on fees for services provided	Council	None		N	

18. MANAGEMENT AND USE OF RIVERS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2(1)(b)	Deciding whether to grant a temporary permit for use of a power boat	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
3(5)(b)	Granting a temporary permit for scuba diving, spear fishing or use of fishing nets	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
9	Removal of a boat on account of pollution caused by the discharge of petrol or oil in a river	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
9(2)	Issuing notice of cancellation of license if a boat is no longer qualified for licensing	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
16(1)	Deciding whether to grant written approval for the keeping or use of any houseboat	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management
17(1)	Compilation and publishing of management plans for the control	Municipal Manager	Director: Development Planning		Y	Manager: Environmental Management

18. MANAGEMENT AND USE OF RIVERS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	and use of rivers in its area or jurisdiction					

19. ROADS AND STREETS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(a)(i)	Deciding whether to give written permission for the construction, or altering of a street or sidewalk	Municipal Manager	Director: Technical Services	In consultation with the Head: Traffic Services	N	
4(1)(a)	Approving the erection of signs	Municipal Manager	None	In consultation with the Head: Traffic Services	N	
5(c)	Granting written permission to allow any blind, awning, cord or other object to project or to be stretched over or onto a street	Municipal Manager	None		N	
6(1)	Deciding whether to approve the cutting, removal or pruning of a tree or shrub in a road, street or public place	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
8(b)	Determine whether to grant permission, subject to conditions, whether an owner of a property	Municipal Manager		In consultation with the Head: Traffic Services	N	Manager: Protection Services

19. ROADS AND STREETS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
	may dump or place in a street any objects or substances		Director: Community Services			
14	Granting written permission for the use of explosives or blasting operations	Municipal Manager	None	In consultation with the Chief Fire Officer	N	
16	Granting written permission for the erection of a barbed-wire, razor wire or electrified fence on the boundary of a street	Municipal Manager	Director: Community Services	In consultation with the Chief: Law Enforcement		Manager: Protection Services
21	Deciding whether to grant written permission for street, door-to-door collections and distribution of handbills	Municipal Manager	None		N	
23	Granting permission for the use of roller-skates, a skateboard or similar device in or on a street where skating is prohibited by an applicable road traffic sign	Municipal Manager	None	In consultation with the Head: Traffic Services	N	
25	Approval and conditions for the erecting of amusement shows and devices	Municipal Manager	None		N	
32	Deciding whether to grant approval for the discharge of water on a public road	Municipal Manager	None		N	
32(4)	Deciding to compensate the owner or occupier of land for damage caused to the property by the diversion of storm water	Municipal Manager	None		N	

19. ROADS AND STREETS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
37(2)	Serving of notices regarding the diversion or closure of any street or restriction of access to any street	Municipal Manager	None	In consultation with the Head: Traffic Services	N	
41	Granting approval for processions or a gathering to take place in a street	Municipal Manager	None	In consultation with the Manager: Protection Services	N	

20. SOLID WASTE DISPOSAL BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4(3)(a)	Collection of waste on a regular basis	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
4(4)	Serving of notices to all users of waste management services of any decisions taken	Municipal Manager	Manager: Civil Infrastructure		N	

20. SOLID WASTE DISPOSAL BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
7(1)	Granting written permission to dump waste	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	
19	Granting written permission for the burning of waste	Municipal Manager	Specialist: Parks, Public Amenities and Facilities		N	

21. SPORTING FACILITIES BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3	Determining the maximum capacity of a sporting facility	Municipal Manager	Manager: Property Management		N	
7(a) & (b)	Serving of notices to an organisation as to whether an application has been accepted or refused and specify the conditions	Municipal Manager	Manager: property Management		N	

22. STORM WATER MANAGEMENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4	Ensuring compliance with the provisions of the by-law	Municipal Manager	Manager: Civil Infrastructure		N	
5	Receiving applications to perform acts which are prohibited and the imposition of conditions	Municipal Manager	Manager: Civil Planning & Project Management		N	
10	Receiving and considering applications for exemptions	Municipal Manager	Manager: Civil Planning & Project Management		N	

23. STREET TRADING BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3	Granting of permission (permit) for street trading	Municipal Manager	Director: Community Services		N	
4	Deciding on the areas that are restricted or prohibited areas for street trading and approving the erection of signs to indicate such areas	Municipal Manager	Manager: Protection Services		N	
8(1)	Deciding whether to remove or impound the property of the street trader where street trading is restricted or prohibited	Municipal Manager	Manager: Protection Services		Y	Law Enforcement Officers
8(2)(c)	Deciding whether unclaimed property will be sold by public auction	Municipal Manager	Manager: Property Management		N	
9 (1)	Keeping a register containing the information contemplated in Schedule 1	Municipal Manager	Director: Community Services		N	
10(1)	Disposing of perishable foodstuffs which have been removed and impounded	Municipal Manager	District Municipality		N	

24. PRINCIPLES AND BY-LAW ON TARIFFS AND FREE BASIC SERVICES

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2(1)	Determining the rates on property and surcharges on fees for services provided	Council	None		N	

25. WATER SUPPLY, SANITATION SERVICES AND INDUSTRIAL EFFLUENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
2(1)	Deciding whether to grant approval for access to water services, sewage disposal system or through any other sanitation services	Municipal Manager	None		N	
4	Setting of tariffs	Council	None		N	
8	Rendering of monthly accounts to consumers	Municipal Manager	Chief Financial Officer		N	
10(1)	Deciding whether to discontinue water services provided	Municipal Manager	None		N	
31(1)	Measuring the quantity of water supplied at regular intervals	Municipal Manager	None		N	
36(1)	Granting approval for installation work to be done	Municipal Manager	Director: Technical Services			Manager: Civil Infrastructure

25. WATER SUPPLY, SANITATION SERVICES AND INDUSTRIAL EFFLUENT BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
47	Providing sanitation services	Municipal Manager				Manager: Civil Infrastructure
48(3)	Serving of notice to the owner/occupier to remove any nuisance causing defective drainage	Municipal Manager				Manager: Civil Infrastructure

26. EVENTS BYLAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
4	Considering and deciding on any application in terms of this Bylaw	Municipal Manager	Director: Community Services	In consultation with Head: Traffic Services and Chief Law Enforcement	Y	Manager: Protection Services
5	Impose conditions to the permit to hold an event	Municipal Manager	Director: Community Services	In consultation with Head: Traffic Services and Chief Law Enforcement	Y	Manager: Protection Services

26. EVENTS BYLAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
10	Suspend or revocation of a permit in terms of this Bylaw	Municipal Manager	Director: Community Services	In consultation with Head: Traffic Services and Chief: Law Enforcement	Y	Manager: Protection Services

+

27. LIQUOR TRADING HOURS BY LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
5(1)	Receipt of an application for extended trading days and hours.	Municipal Manager	Manager: Legal Services		N	
5(2)	Considering, approving or rejecting an application for extended trading days and hours.	Council	Executive Mayor	After consideration of the various factors as listed in Section 5(5) of the By-Law.	N	
6	Revocation of consent for extended trading days and hours.	Municipal Manager	Manager: Legal Services	When the official is satisfied that the licensee failed to comply with a condition of the consent for extended trading days and hours.	N	

28. KEEPING AND TREATMENT OF DOGS AND CATS BY-LAW

COLUMN NUMBER						
1	2	3	4	5	6	7
Section	Power conferred	Delegating authority	Delegated body	Conditions	Sub-delegation	Delegatee
3(3)	Considering all applications to keep more than two dogs	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
4(1)	Considering all applications to breed and hawk dogs	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
8(1)	Order the euthanization or destruction of a dog	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
8(3)	Instruction for the sterilisation of a dog	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
9(1)	Considering all applications to keep more than the permitted number of cats	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
10	Instruction for the sterilisation of a cat	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services

11(1)	Considering all applications to breed and hawk cats	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
14(1)	Withdraw of consent for the removal of dogs or cats from the premises for care and safekeeping by an animal welfare organisation or pound	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
15	Granting of exemption to any person and class of persons from any or all the requirements of this by-law and may impose any other requirements it deems appropriate	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services

16(2)	Producing written proof of authorisation when entering a premises for inspection	Municipal Manager	Director: Community Services	In consultation with Chief: Law Enforcement	Y	Manager: Protection Services
-------	--	-------------------	------------------------------	---	---	------------------------------

MATTERS DELEGATED TO:

THE MUNICIPAL MANAGER

DIRECTOR: FINANCE

DIRECTOR: CORPORATE MANAGEMENT

MANAGER: LEGAL AND ADMINISTRATION SERVICES

DIRECTOR: TECHNICAL SERVICES

DIRECTOR: DEVELOPMENT PLANNING

DIRECTOR: COMMUNITY SERVICES AND HOUSING