



MANGAUNG

LOCAL MUNICIPALITY
PLAASLIKE MUNISIPALITEIT
LEKGOTLA LA MOTSE

DELEGATION OF POWERS POLICY

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CHAPTER 1: POLICY AND PRINCIPLES ON DELEGATION

1. Definitions

- 1.1 In this document, unless the context otherwise indicates, an expression to which a meaning has been assigned in the Local Government: Municipal structures Act, 1998 (Act No 117 of 1998), the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003), the Local Government: Municipal Property Rates Act, 2004 (Act No 4 of 2004) or any other applicable legislation, shall have the meaning so assigned to it, and -
- (a) **“administration”** means the City Manager and the other employees of the municipality;
 - (b) **“after consultation”** means with due regard for the views of any person with whom a delegating authority is required to consult before he exercises a delegated or sub-delegated power;
 - (c) **“City Manager”** means the person who is appointed by the Council as the head of the administration and accounting officer for the municipality in accordance with section 82 of the Structures Act, including the person acting in his stead;
(Amended by Council on 28 September 2006 under Item 119A3)
 - (d) **“CFO”** means the person designated by the City Manager as the Chief Financial Officer in terms of section 80(2)(a) of the MFMA, and appointed by the Council as Executive Director Finance in terms of section 56 of the Systems Act;
 - (e) **“Constitution”** means the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996);
 - (f) **“COO”** means the person designated by the City Manager as the Chief Operations Officer in the Office of the City Manager, and appointed by the Council as Executive Director in terms of section 56 of the Systems Act;
 - (g) **“Council”** means the Municipal Council of the **MANGAUNG** Local Municipality, its legal successors in title and its delegates;
 - (h) **“delegating authority”**, means the Council, Executive Mayor, Speaker, City Manager, Chief Financial Officer or other employee to whom an original power was assigned in terms of legislation, and in relation to the delegation or sub-delegation of such power, means the delegated body concerned;
 - (i) **“delegation”** means the issuing of a written authorisation by a delegating authority to a delegated body to act in his stead, and in relation to a duty includes an instruction or request to perform or to assist in performing the duty, and **‘delegate’** and **‘sub-delegate’** has a corresponding meaning;
 - (j) **“delegated body”** in relation to the delegation of a power means the political office bearer or employee to whom a power has been delegated by the delegating authority in writing;
 - (k) **“Executive Director”** means a manager directly accountable to the City Manager as contemplated in, and appointed in terms of section 56 of the Systems Act;
 - (l) **“Goods”** means those raw materials or commodities which are available for general sale;
 - (m) **“in consultation”** means with the concurrence of the person with whom a delegating authority must consult before exercising a delegated or sub-delegated power;
 - (n) **“MFMA”** means the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003);
 - (o) **“municipality”**, means the **MANGAUNG** Local Municipality, and when referred to as –
 - (i) an entity, means a municipality as described in section 2 of the Systems Act; and
 - (ii) a geographic area, means a municipal area determined in terms of the Local Government : Municipal Demarcation Act, 1998 (Act No 27 of 1998);

- (p) **“power”** includes a duty and a function;
- (q) **“political office bearer”**, in relation to the municipality, means the Executive Mayor, Deputy Executive Mayor, Speaker and Chief Whip elected by the Council to such a post or position in accordance with the provisions of the Structures Act;
(Amended by Council on 28 September 2006 under Item 119A3)
- (r) **“Property Act”** means the Local Government: Municipal Property Rates Act, 2004 (Act No 4 of 2004);
- (s) **“Section 79 Committee”** means a committee established and appointed by the Council in terms of section 79 of the Structures Act to assist the Council with the effective an efficient performance of its functions and the exercise of its powers;
(Inserted by Council on 28 September 2006 under Item 119A3)
- (t) **“Section 80 Committee”** means a committee established and appointed by the Council in terms of section 80 of the Structures Act to assist the executive mayor with the effective an efficient performance of his functions and the exercise of his powers;
(Inserted by Council on 28 September 2006 under Item 119A3)
- (u) **“Services”** means the provision of labour and work carried out by hand, or with the assistance of plant and equipment, including the input, as necessary, of knowledge based expertise;
- (v) **“Structures Act”** means the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998);
- (w) **“Supply Chain Management System”** means the system for:
 - (i) the procurement of goods and services;
 - (ii) the appointment of professional service providers;
 - (iii) the disposal and letting of assets, including the disposal of assets no longer needed;
- (v) **“Systems Act”** means the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000);

1.2 In this document, unless the context otherwise indicates, words and expressions denoting –

- (a) the singular shall include the plural and vice versa;
- (b) the male sex shall include the female sex and vice versa; and
- (c) a reference to a natural person shall include a legal person and vice versa.

1.3 The following abbreviations are used for legislation in column 1 of the tables:

Constitution	: CON
Structures Act	: MST A
Systems Act	: MSA
Finance Management Act	: MFMA
Property Rates Act	: MPRA
Remuneration of Public Office Bearers Act	: RPOA
Demarcation Act	: MDA

Local Government Ordinance (Free State) : ORD

2. Powers and responsibilities of the municipality

- 2.1 The municipality has all the powers assigned to it in terms of the Constitution as well as national and provincial legislation. The municipality has the right to do anything reasonably necessary for or incidental to the effective exercising of its powers.
- 2.2 The executive and legislative authority of the municipality vest in the Council, and the Council takes all the decisions of the municipality except -
- (a) decisions on those matters that have been delegated;
 - (b) decisions on those matters that have by law been assigned to a political structure, political office bearer or employee of the Council;
- 2.3 The Council may exercise executive and legislative authority within the municipal area of the municipality only, but may, by written agreement with another municipality, exercise executive authority in the area of that other municipality.
- 2.4 A municipality, as provided for in section 11 of the Systems Act, exercises its legislative or executive authority by:
- (a) developing and adopting policies, plans, strategies and programmes, including setting targets for delivery;
 - (b) promoting and undertaking development;
 - (c) establishing and maintaining an administration;
 - (d) administering and regulating its internal affairs and the local government affairs of the local community;
 - (e) implementing applicable national and provincial legislation and its by-laws;
 - (f) providing municipal services to the local community, or appointing appropriate service providers in accordance with the criteria and process set out in section 78 of the Systems Act;
 - (g) monitoring and, where appropriate, regulating municipal services where those services are provided by service providers other than the municipality;
 - (h) preparing, approving and implementing its budgets;
 - (i) imposing and recovering rates, taxes, levies, duties, service fees and surcharges on fees, including setting and implementing tariff, rates and tax and debt collection policies;
 - (j) monitoring the impact and effectiveness of any services, policies, programmes or plans;
 - (k) establishing and implementing performance management systems;
 - (l) promoting a safe and healthy environment;
 - (m) passing by-laws and taking decisions on any of the above-mentioned matters; and
 - (n) doing anything else within its legislative and executive competence.
- 2.5 A municipality must within its administrative and financial capacity establish and organise its administration in a manner that would enable the municipality to:

- (a) be responsive to the needs of the local community;
- (b) facilitate a culture of public service and accountability amongst its staff;
- (c) be performance orientated and focused on the objects of local government set out in section 152 of the Constitution and its developmental duties as required by section 153 of the Constitution;
- (d) ensure that its political structures, political office bearers and managers and other staff members align their roles and responsibilities with the priorities and objectives set out in the municipality's integrated development plan;
- (e) establish clear relationships, and facilitate co-operation, co-ordination and communication, between-
 - (i) its political structures and political office bearers and its administration;
 - (ii) its political structures, political office bearers and administration and the local community;
- (f) organise its political structures, political office bearers and administration in a flexible way in order to respond to changing priorities and circumstances;
- (g) perform its functions:
 - (i) through operationally effective and appropriate administrative units and mechanisms, including departments and other functional or business units; and
 - (ii) when necessary, on a decentralised basis;
- (h) assign clear responsibilities for the management and co-ordination of these administrative units and mechanisms;
- (i) hold the City Manager accountable for the overall performance of the administration;
- (j) maximise efficiency of communication and decision-making within the administration;
- (k) delegate responsibility to the most effective level within the administration;
- (l) involve staff in management decisions as far as is practicable; and
- (m) provide an equitable, fair, open and non-discriminatory working environment.

2.6 A decision taken by the Council or any other political structure of the municipality must be recorded in writing.

2.7 All the powers of the municipality that have not been reserved for the Council, or that have not been delegated or assigned to a political structure, political office bearer or employee of the Council, are delegated to the Executive Mayor of the Council.

3. Supply Chain Management System

3.1 The procurement of goods and services, either by way of quotation or through a competitive bidding process, will be within the following threshold values

(all amounts include VAT):

- (a) For amounts to a maximum of R 500 : petty cash purchases
 - (b) For amounts above R 500 to a maximum of R 200 000 : 3 x Written Quotations
 - (c) For amounts above R 200 000 : competitive bidding process
- (Substituted by Council on 1 September 2005 under item 38A15)

3.2 The following approval limits apply in respect of quotations for the procurement of goods and services, obtained in accordance with the prescribed process (all amounts include VAT):

- (a) For amounts to a maximum of R 5 000 : Supervisors reporting to Managers
 - (b) For amounts to a maximum of R 50 000 : Managers
 - (c) For amounts to a maximum of R 100 000 : General Managers
 - (d) For amounts to a maximum of R 200 000 : Executive Directors
- (Substituted by Council on 1 September 2005 under item 38A15)

3.3 The following approval limit apply in respect of tenders for the procurement of goods and services, obtained in accordance with the prescribed process (all amounts include VAT):

- (a) For all amounts above R 200 000 : City Manager after receiving report from Bid Adjudication Committee
- (Substituted by Council on 1 September 2005 under item 38A15)

3.4 The following approval limits apply in respect the appointment of consultants (professional service providers) in accordance with the prescribed process (all amounts

include VAT):

- (a) For amounts below R 50 000 : Managers
 - (b) For amounts below R 100 000 : General Managers
 - (c) For amounts below R 200 000 : Executive Directors
 - (d) For amounts above R 200 000 : City Manager
- (Substituted by Council on 1 September 2005 under item 38A15)

3.5 Subject to the provisions of sections 14 and 90 of the MFMA, the City Manager will ensure that:

- (a) immovable property is sold at market related prices, except when the public interest or the plight of the poor demands otherwise;
(Amended by Council on 28 September 2006 under Item 119A3)
- (b) movable assets are sold either by way of price quotation, an advertised competitive bidding process, auction or at market related prices, whichever is the most advantageous to the municipality;

- (c) immovable property is let at market related rates, except when the public interest or the plight of the poor demands otherwise, (Amended by Council on 28 September 2006 under Item 19A3)
- (d) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of property are reviewed annually;

3.6 The following powers to sign a contract and the resulting requisition after the prescribed approval for the procurement or disposal has been given:

- (a) For amounts to a maximum of R 500 000 : Managers
- (b) For amounts to a maximum of R 1 000 000 : General Managers/Directors
- (c) For amounts to a maximum of R 5 000 000 : Executive Directors
- (d) For any amount : City Manager”
(Inserted by Council on 1 September 2005 under item 38A15)

4 Objectives of delegation

4.1 The objectives of this system of delegation of powers of the Council are :

- (a) to ensure maximum administrative and operational efficiency;
- (b) to provide for adequate checks and balances;
- (c) to delegate decision-making to the most effective level within the administration;
- (d) to involve employees in management decisions as far as practicable;
- (e) to promote a sense of collective responsibility for performance;
- (f) to assign clear duties for the management and co-ordination of administrative units, systems and mechanisms;
- (g) to define in precise terms the duties of each political structure and political office bearer;
- (h) to determine the relationships amongst the political structures, political office bearers and the administration, and the appropriate lines of accountability and reporting for each of them.

5 Roles and responsibilities

5.1 It is important to define the specific roles and areas of responsibility of each political office bearer, political structure and the City Manager of the Council to ensure :

- (a) good relationships and interaction between these bodies and persons;
- (b) appropriate lines of accountability and reporting for these bodies and persons;
- (c) that unnecessary overlapping of responsibilities between these bodies and persons are prevented or kept to the minimum;
- (d) that disputes that may arise between these bodies and persons, are resolved amicably and timely;
- (e) good interaction between these bodies and persons, and other Councillors and employees of the Council;

5.2 Political office bearers

(a) The Executive Mayor -

- (i) is responsible, in consultation with the City Manager, for the formulation of policies, plans, strategies and programmes necessary to perform and exercise the municipality's constitutional functions and responsibilities, for submission to and consideration by Council;
(Amended by Council on 28 September 2006 under Item 119A3)
- (ii) must in consultation with the City Manager, identify those areas of the municipality's activities and responsibilities that need the assistance of a specific committee of Councillors to investigate, discuss, evaluate and report on to the executive mayor;
- (iii) must appoint a member of the mayoral committee as chairperson for each committee appointed by the Council;
- (iv) may delegate to such committees any of his powers, but is not divested of the responsibility concerning the exercising of the powers;
- (v) must ensure, in consultation with the City Manager, that a proper committee service responsible for the agenda and minutes is in place for each of the committees, that the committees meet on a regular basis and submit reports to him timely;
- (vi) receives reports with recommendations from the Executive Directors through the office of the City Manager, on all matters that must be handled by either the Executive Mayor himself or the Council in terms of the delegation of powers of the Council;
- (vii) must consider the matters raised in these reports, and must either dispose of them in terms of his delegated powers, or must forward them with his recommendation to the Council for consideration;
- (viii) receives reports with recommendations from the committees established for specific matters, considers the matters raised in these reports, and must either dispose of them in terms of his delegated powers, or must forward them with his recommendation to the Council for consideration;
- (ix) is responsible for the quality and speed of decision-making;
- (x) should ensure that integration between the various committees take place;
- (xi) plays a prominent role, in consultation with the City Manager, in building, maintaining and enhancing a good relationship between the Council, Councillors and the administration;
- (xii) is responsible for political supervision of, and in consultation with the City Manager, for the accountability of the administration;
- (xiii) is responsible for liaison with the community, ward committees, other committees and Councillors, and political office bearers in the different spheres of government;
- (xiv) should be available on a regular basis to interview the public and visitors to the municipal offices, and to interact with prominent business people as well as developers;

(b) The Speaker -

- (i) must ensure that the Council meetings as well as committee meetings are conducted in an orderly manner, and in this regard he must strictly apply Council's rules and orders and the code of conduct for Councillors;
- (ii) must liaise closely with the committee service responsible for the agenda and minutes of each meeting, in consultation with the Executive Mayor and City Manager as and when necessary;
- (iii) must co-ordinate the arrangements inter alia regarding venues, dates and the circulation of agendas and minutes of all the meetings of the Council and Council committees;
- (iv) must liaise with Councillors, as well as members of the public and media who attend Council meetings, regarding proper conduct during such meetings to ensure compliance with Council's rules and orders;

5.3 Political structures

- (a) The mayoral committee –
 - (i) is not a committee of the Council, consist of Councillors appointed by the Executive Mayor and is established for the sole purpose to assist the Executive Mayor;
 - (ii) may receive specific responsibilities and delegated powers from the Executive Mayor, which must be exercised strictly in accordance with the conditions and limitations of delegation, if any;
 - (iii) is the responsibility of the Executive Mayor and as such each member of the committee report directly to the Executive Mayor on the exercise of his powers;
 - (iv) considers only those issues submitted to it by the Executive Mayor or delegated by the Executive Mayor, and submit reports thereon to the Executive Mayor;

- (b) The Section 80 committees of Council -
 - (i) consist of councilors appointed by Council to assist the Executive Mayor;
 - (ii) is chaired by a member of the mayoral committee appointed by the Executive Mayor;
 - (iii) may exercise such powers and responsibilities as the Executive Mayor may delegate to each committee, and must report thereon to the Executive Mayor in accordance with his or her directions;
(Inserted by Council on 28 September 2006 under Item 119A3)

- (c) The Section 79 committees of Council -
 - (i) consist of Councillors appointed by the Council;
 - (ii) the chairperson of each section 79 committee is appointed by the Council ;
 - (iii) may receive specific responsibilities and delegated powers from the Council, which must be exercised strictly in accordance with the conditions and limitations of delegation, if any;
 - (iv) report to the Council in accordance with the directions of the Council;
(Inserted by Council on 28 September 2006 under Item 119A3)

5.4 City Manager

- (a) The City Manager -
 - (i) as head of the administration, is responsible for the effective day to day running of the administration of the municipality;
 - (ii) is responsible for the execution of Council resolutions;

- (iii) plays a prominent role, together with the Executive Mayor, in building, maintaining and enhancing a good relationship between the Council, Councillors and the administration;
- (iv) must ensure, after consultation with the Executive Mayor and Speaker, that a proper and effective committee service responsible for the agenda and minutes is in place for each of the committees, and that the committees meet on a regular basis;
- (v) receives reports with recommendations from the Executive Directors on all matters that must be handled by either the City Manager, the Executive Mayor or the Council in terms of the delegation of powers of the Council;

6. Principles, conditions and limitations

6.1 A delegation and sub-delegation of a power to a delegated body –

- (a) must not conflict with the Constitution, the Structure Act, the Systems Act or any other applicable legislation;
- (b) must be in writing under signature of the delegating authority;
- (c) may at any time be withdrawn by the delegating authority in writing;
- (d) includes the authority to sub-delegate a delegated power;
- (e) does not divest the delegating authority of the responsibility concerning the exercising of the power;
- (f) must be reviewed when a new Council is elected;
- (g) is subject to the limitations, conditions and directives imposed by the delegating authority, if any;

6.2 When a power has been duly delegated or assigned by a delegating authority to an employee, the employee may act thereon through any employee under his control.

6.3 The following conditions and limitations apply to any power that has been delegated by a delegating authority -

- (a) the delegated body must give effect to the policies of the municipality as approved from time to time by the Council;
- (b) the delegated body may at any time decide not to exercise the delegated power, but to submit it to the delegating authority for decision. In such event the delegated body must submit its report and recommendations on the matter to the delegating authority for consideration;
- (c) the delegating authority may at any time instruct the delegated body not to act on a delegation, but to submit the matter to it for decision and execution as provided for in section 61 of the Systems Act. In such an event the delegated body must submit its report and recommendations on the matter to the delegating authority;
- (d) a delegated body may not incur expenditure in the exercising of the delegated powers that has not been provided for in the budget.

6.4 A person whose rights are affected by a decision taken by a delegated body may appeal against that decision by giving written notice and reasons for the appeal to the City Manager within 21 days of the date of the notification of the decision. The City Manager must promptly submit the appeal to the appropriate appeal authority who must decide on the appeal in the manner and within the time set out in the Systems Act. The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision. When the appeal is against a decision taken by-

- (a) a staff member other than the City Manager, the City Manager is the appeal authority;
- (b) the City Manager, the Executive Mayor is the appeal authority, except in the case of procurement decisions where the Council is the appeal authority;
- (c) a political structure, a political office bearer or a councilor, the Council is the appeal authority;

An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable period.

- 6.5 A councillor or a staff member to whom a power had been delegated, must report to the delegating authority in writing on all decisions taken in terms of that delegated power as provided for in Rule 187 of the Standing Rules. A report in this regard must be submitted as follows:
- (a) by the Executive Mayor for information to the Council, together with his report on his decisions and recommendations on the matters considered by him, in accordance with Rule 175 of the Standing Rules, at every Council meeting;
 - (b) by the City Manager to the Executive Mayor within 14 days of the end of each month. This report must be incorporated into the report of the Executive Mayor to the Council as mentioned in (a);
 - (c) by an Executive Director to the City Manager within 12 days of the end of each month. This report must be incorporated into the report of the City Manager to the Executive Mayor as mentioned in (b);
 - (d) by a General Manager to the Executive Director concerned within 10 days of the end of each month. This report must be incorporated into the report of the Executive Director to the City Manager as mentioned in (c);
 - (e) by a Manager to the General Manager concerned within 8 days of the end of each month. This report must be incorporated into the report of the General Manager to the Executive Director as mentioned in (d);
 - (f) by other delegated bodies of lower designations to the Manager concerned within 6 days of the end of each month. This report must be incorporated into the report of the Manager to the General Manager as mentioned in (e);
- 6.6 The withdrawal, amendment or lapse of a delegation or sub-delegation does not invalidate anything done as a consequence of a decision taken in terms of that delegation or sub-delegation before such withdrawal, amendment or lapse.
- 6.7 Whenever it becomes necessary to review the municipality's delegations of powers, the City Manager must submit a report on the existing delegations with recommendations on any changes thereto which the City Manager may consider necessary, to the Council through the Executive Mayor.
- 6.8 A decision taken by a delegated body in the exercise of the municipality's executive authority, must be in writing.

CHAPTER 2: POWERS OF THE COUNCIL

1. Council reserved powers

The powers set out hereunder are reserved for the Council either by means of legislation or by Council resolution, and may not be delegated to any of the municipality's other political structures, political office bearers or employees. The Council may however take no decision in respect of these matters, unless it has received and considered the report and recommendations of the Executive Mayor in this regard

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
160(2) CON	The passing of by-laws	A1	Council	None	A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
160(2) CON 16(1) MFMA	The approval of budgets	A2	Council	None	A decision in this regard must be by the Council with a supporting vote of a majority of its members taken before the start of the financial year. Section 25 MFMA applies in event that the budget is not approved
160(2) CON 75A(2)MSA 14(1) MPRA	The imposition of rates and other taxes, levies and duties	A3	Council	None	A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
160(2) CON	The raising of loans	A4	Council	None	A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
59(1)(a) MSA 75A(2)MSA	The setting of tariffs	A5	Council	None	A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
59(1)(a) MSA	The decision to enter into a service delivery agreement in terms of section 76(b) of the Systems Act	A6	Council	None	
59(1)(a) MSA	The decision to approve or amend the municipality's IDP	A7	Council	None	
7 RPOA	The determination of salaries, allowances and other benefits of councillors	A8	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
82 MSTA 30(5)(c) MSTA	The appointment and conditions of service of the City Manager as head of the administration and as accounting officer for the municipality, after receiving the report and recommendations of the Executive Mayor on the matter	A9	Council	None	
56 MSA 30(5)(c) MSTA	The appointment and conditions of service of Executive Directors, after consultation with the City Manager, and after receiving the report and recommendations of the Executive Mayor on the matter	A10	Council	None	
14(2) MFMA	To decide on reasonable grounds during a council meeting that is open to the public, whether an immovable capital asset or a movable capital asset of the value of 1 million rand or above, is needed for the provision of any of the minimum level of basic municipal services contained in the land Disposal Policy of the municipality or not so needed, and to consider the fair market value of such capital asset and the economic and community value to be received in exchange for a transfer of ownership of such capital asset (Amended by Council on 3 April 2007 under Item 31A20)	A11	Council	None	Council must in a meeting open to the public, decide whether the asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset
18 MSTA	The designation of full-time Councillors as determined by the MEC for Local Government	A12	Council	None	
Item 8 Code of Conduct for Councillors	Considering any application of a full-time Councillor so designated to perform other work for remuneration	A13	Council	None	
31(1) MSRA	Closing of the Council's sittings to members of the public and the media and authorising committees of the municipality to close their sittings	A14	Council	None	
33 MSTA	The establishment of committees, including the determination of the functions and procedures of any such committee, the appointment and removal of the members of such committee and, in appropriate cases, the appointment of the chairperson of such committee	A15	Council	None	
34(1) MSTA	Considering the dissolution of the Council	A16	Council	None	
40 MSTA	The election of a Speaker	A17	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
40 MSTA	Removing the Speaker from office and filling any vacancy in the office of Speaker	A18	Council	None	
41 MSTA	Electing an acting Speaker	A19	Council	None	
55(1) MSTA	Electing an Executive Mayor and filling any vacancy in the office of Executive Mayor	A20	Council	None	
56(4) MSTA	Determining the ceremonial role, if any, that the Executive Mayor must perform	A21	Council	None	
58 MSTA	Removing the Executive Mayor from office	A22	Council	None	
60(3) MSTA	Designating the powers of the Executive Mayor that must be exercised by the Executive Mayor together with the other members of the mayoral committee	A23	Council	None	
72 MSTA	Deciding whether or not to establish ward committees in the municipal area, making rules in connection with any such committees, determining the administrative arrangements that may be made available to such committees and the dissolution of any ward committee	A24	Council	None	
Item 4 Code of Conduct for Councillors	The sanctioning of non-attendance of Council meetings	A25	Council	None	
Item 7(4) Code of Conduct for Councillors	Determining the financial interests of Councillors that must be made public	A26	Council	None	
Item 13 Code of Conduct for Councillors	Consideration of a report of the Speaker on the suspected breach of the code of conduct for Councillors	A27	Council	None	
142(3) ORD	The naming or renaming of streets, open areas, other public places and buildings of the municipality consistent with the prescribed prerequisites and procedures	A28	Council	None	
	The consideration of reports of the respective directorates of the Council	A29	Council	None	
78 MSA	The decision on the appropriate mechanisms to provide municipal services	A30	Council	None	
85 MSA	Decision on the establishment and termination of internal	A31	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	municipal service districts and multi-jurisdictional municipal service districts				
	(Delegated to City Manager by Council on 3 April 2007 under Item 31A20)	A32	Council	None	
102 MSA	(Delegated to City Manager by Council on 3 April 2007 under Item 31A20)	A33	Council	None	
21(4) MDA	The lodging of objections against the proposed re-determination or alteration of the municipality's boundaries, and the lodging of an application to alter the municipality's boundaries	A34	Council	None	
145(3)(e) ORD	The introduction and lifting of water restrictions and the imposition penalties for excess use during such restrictions in accordance with the applicable legislation	A35	Council	None	
145A ORD	The conclusion of any agreement with any other municipality to co-operate with that municipality	A36	Council	None	
16(3) MFMA	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	A37	Council	None	A separate appropriation must be made for each of financial year
23(2) MFMA	Deciding to give the Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	A38	Council	None	
32(2) MFMA	Appointing a committee to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	A39	Council	None	NOTE: In terms of the judgements of the Courts in the cases of <u>The Democratic Alliance and another v Amos Masondo and another</u> (WLD) (Case No 01/9260) (2001) and <u>Democratic Alliance and Another v Amos Masondo N O and the Minister of Provincial and Local Government</u> (CC) (Case No CCT 29/02) a mayoral committee was found not to be a committee of a municipal council. The

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
					Council may therefore not appoint the Mayoral Committee to perform such an investigation
38(2) MFMA	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality	A40	Council	None	
39(3) MFMA	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	A41	Council	None	
39(3) MFMA	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	A42	Council	None	
45(2)(a) MFMA	Approving any short term debt agreement	A43	Council	None	
46(1) MFMA	Deciding whether to incur long term debt	A44	Council	None	
46(2)(a) MFMA	Approving any long term debt agreement	A45	Council	None	
48(1) MFMA	Deciding whether to provide security for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	A46	Council	None	
48(2) MFMA	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	A47	Council	None	
50 MFMA	Deciding to issue a guarantee for any commitment or debt of any organ of state, person or municipal entity under the sole or shared control of the Municipality	A48	Council	None	
84(1a) MFMA	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	A49	Council	None	
84(2)(b)(i) MFMA	Considering an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff,	A50	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	assets and liabilities when considering the establishment of, or participation in, a municipal entity				
84(2)(b)(ii) MFMA	Considering the comments or representations received from the local community, organised labour and other interested persons in respect of the Municipality's intention to establish and/or participate in a municipal entity	A51	Council	None	
84(2)(b)(iii) MFMA	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	A52	Council	None	
87(2) MFMA	Considering the proposed budget of a municipal entity of which the Municipality is the parent municipality and assessing the entity's priorities and objectives	A53	Council	None	
87(2) MFMA	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality	A54	Council	None	
87(5)(c) MFMA	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	A55	Council	None	
88(b)(ii) MFMA	Receiving and considering a mid-year performance assessment report of a municipal entity of which the Municipality is the parent municipality	A56	Council	None	
90(2) MFMA	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	A57	Council	None	Council must in a meeting open to the public, decide whether an asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset
109 MFMA	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems and the board of directors of the entity fails to act effectively – (a) the appropriate steps to be taken in terms of the Municipality's	A58	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	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.				
114(1) MFMA	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 management policy of the municipal entity is approved	A59	Council	None	
120(1) MFMA	Deciding to enter into a public-private partnership agreement	A60	Council	None	
120(1)(a) MFMA	Determining whether a proposed public-private partnership agreement will provide value for money to the municipality	A61	Council	None	
120(1)(b) MFMA	Determining whether a proposed public-private partnership agreement will be affordable for the Municipality	A62	Council	None	
120(1)(c) MFMA	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	A63	Council	None	
129(1) MFMA	Considering the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control	A64	Council	None	
129(1) MFMA	Adopting an oversight report containing the Council's comments on the annual report(s)	A65	Council	None	
129(5) MFMA	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report	A66	Council	None	
133(1)(c)(i) MFMA	Deciding whether to request the Speaker or another councillor to investigate the reasons for the failure of the City 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	A67	Council	None	
133(1)(c)(i) MFMA	Receiving the report of the appointed councillor regarding the failure of the City Manager or of the accounting officer of a	A68	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	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				
133(1)(c)(ii) MFMA	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	A69	Council	None	
133(1)(c)(iii) MFMA	Deciding whether disciplinary steps should be taken against the City Manager or other persons responsible for the failure of the City 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	A70	Council	None	
152(1) MFMA	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	A71	Council	None	
153(1)(a) MFMA	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	A72	Council	None	
153(1)(b) MFMA	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	A73	Council	None	
165(1) MFMA	Deciding whether to establish an internal audit unit or to outsource the internal audit function	A74	Council	None	
166(1) and (6) MFMA	Deciding whether to establish an internal audit committee for the municipality	A75	Council	None	
166(2) MFMA	Receiving reports of the audit committee	A76	Council	None	
166(4) MFMA	Determining the number of members of the audit committee	A77	Council	None	
166(4) MFMA	Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee	A78	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
166(5) MFMA	Appointing the members of the audit committee of the Municipality and of a municipal entity of which the Municipality is a parent municipality	A79	Council	None	
166(5) MFMA	Appointing from amongst the members of an audit committee who is not in the employ of the Municipality or municipal entity a chairperson	A80	Council	None	
176(2) MFMA	Deciding to recover from a political office-bearer or official 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	A81	Council	None	
22(1) MPRA	Determination of special rating areas in the municipality, the levying of an additional rate on the property in that area and the differentiation between categories of properties when levying the additional rate	A82	Council	None	
31(1) MPRA	For the purpose of a general valuation, to determine a date on which the valuation roll is to be first implemented	A83	Council	None	
33 MPRA	The designation of a person as a municipal valuer	A84	Council	None	
38 MPRA	To enter into an agreement with another municipality to designate a single municipal valuer and to share the costs of preparing valuation rolls	A85	Council	None	
11 MSA 66 MSA	The acquisition of immovable property which include the leasing, purchasing or receiving as donation thereof, or the alienation of municipal immovable property or rights in respect thereof which include the leasing, selling or donation thereof, as well as the determination of the upset price or selling price and conditions of sale (Inserted by Council on 1 September 2005 under item 38A14, and amended by Council on 3 April 2007 under Item 31A20) (Powers A87 to A122 inserted by Council on 28 September 2006 under Item 119A3)	A86	Council	None	
	The formulation, developing and adopting of policies, plans, strategies and programmes of the municipality, including setting of targets for service delivery	A87	Council	None	
	Determining a policy framework for staff matters	A88	Council	None	
	Adopting an employment equity plan and skills development plan for the municipality consistent with the relevant legislation	A89	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	The nomination of the Council's representatives in public bodies and the provincial executive committee of SALGA	A90	Council	None	
	(Delegated to the Speaker by Council on 3 April 2007 under Item 31A20)	A91	Council	None	
129 ORD	(Delegated to the Executive Mayor by Council on 3 April 2007 under Item 31A20)	A92	Council	None	
135 ORD	Consultation with the relevant planning authority about the establishment or lay out of a township in terms of applicable legislation	A93	Council	None	
142 ORD	Approving the outlay and development of public places, streets and other public facilities and amenities	A94	Council	None	
142 ORD	Approval of the erection of permanent municipal buildings	A95	Council	None	
135 ORD	The consideration of sub-divisions of land belonging to the municipality	A96	Council	None	
141 ORD	The permanent closing of public places	A97	Council	None	
	The decision whether reports from committees are only for the information of the Council or whether the Council should be given an opportunity to discuss such reports	A98	Council	None	
	(Delegated to the Executive Mayor by Council on 3 April 2007 under Item 31A20)	A99	Council	None	
135 ORD	(Delegated to the Executive Mayor by Council on 3 April 2007 under Item 31A20)	A100	Council	None	
	The consideration of draft national and provincial legislation and policies affecting the municipality for the purpose of providing comments on the applicable legislature	A101	Council	None	
	(Delegated to the Executive Mayor and the Speaker by Council on 3 April 2007 under Item 31A20)	A102	Council	None	
32(7) MFMA	Determining whether an alleged irregular expenditure incurred by the City Manager constitutes a criminal offence	A103	Council	None	
32(7) MFMA	Determining whether the City Manager allegedly committed an act of theft and fraud	A104	Council	None	
32(7) MFMA	Reporting alleged irregular expenditure incurred by the City Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the City Manager to the SAPS	A105	Council	None	
34(1) MFMA	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for	A106	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	efficient, effective and transparent financial management				
34(3)(a) MFMA	Considering the results of the provincial government's monitoring of the Municipality	A107	Council	None	
34(3)(b) MFMA	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality	A108	Council	None	
37(1)(a) MFMA	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	A109	Council	None	
44(1) MFMA	Deciding the reasonable steps to settle a dispute of a financial nature between the Municipality and another organ of state out of court	A110	Council	None	
44(2)(a) MFMA	Reporting a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury) to the National Treasury	A111	Council	None	
44(2)(b) MFMA	Deciding whether to request the National Treasury to mediate or to appoint a mediator to mediate a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury)	A112	Council	None	
89(a) MFMA	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	A113	Council	None	
135(3) MFMA	Considering whether the Municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments	A114	Council	None	
135(3)(a) MFMA	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	A115	Council	None	
135(3)(a) MFMA	Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	A116	Council	None	
143(3)(a) MFMA	Receiving an approved financial recovery plan for the Municipality	A117	Council	None	
148(1)(b)(i) MFMA	Declaring the Municipality's willingness to fulfill the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the Municipality	A118	Council	None	
168(3) MFMA	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA	A119	Council	None	
171(4)(a)	Investigating any allegations of financial misconduct against the	A120	Council	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
MFMA	City Manager unless those allegations are frivolous, vexatious, speculative or obviously unfounded				
171(4)(a) MFMA	Deciding whether an allegation of financial misconduct against the City Manager is frivolous, vexatious, speculative or obviously unfounded	A121	Council	None	
174(4)(b) MFMA	Deciding whether an investigation of an allegation of financial misconduct against the City Manager revealed anything that warrants the institution of disciplinary proceedings	A122	Council	None	

CHAPTER 3: POWERS OF THE EXECUTIVE MAYOR

1. Executive Mayor statutory powers

The powers set out hereunder are assigned to the Executive Mayor in terms of the legislation as indicated in column 1, and reserved for his execution in accordance with his decision, and he may take a decision in respect of these matters with or without consulting any person

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
56 MST A	To receive reports from the committees of the Council and to forward these reports together with a recommendation to the Council when the matter cannot be disposed of by him in terms of his delegated powers	A1	Executive Mayor	None	
56 MST A	To identify the needs of the municipality	A2	Executive Mayor	None	
56 MST A	To review and evaluate those needs in order of priority	A3	Executive Mayor	None	
56 MST A	To make recommendations to the Council regarding 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	A4	Executive Mayor	None	
56 MST A	To make recommendations to the Council regarding the best way, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community	A5	Executive Mayor	None	
56 MST A	To identify and develop criteria in terms of which progress in the implementation of those strategies, programmes and services can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general	A6	Executive Mayor	None	
56 MST A	To evaluate progress against the above-mentioned key performance indicators	A7	Executive Mayor	None	
56 MST A	To review 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	A8	Executive Mayor	None	
56 MST A	To monitor the management of the municipality's administration in accordance with the directions of the Council	A9	Executive Mayor	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
56 MSTa	To oversee the provision of services to communities in the municipality in a sustainable manner	A10	Executive Mayor	None	
56 MSTa	To annually report on the involvement of communities and community organisations in the affairs of the municipality	A11	Executive Mayor	None	
56 MSTa	To ensure that regard is given to public views and report on the effect of consultation on the decisions of the Council	A12	Executive Mayor	None	
56 MSTa	To perform a ceremonial role as the Council may determine from time to time	A13	Executive Mayor	None	
56 MSTa	To report to the Council on all decisions taken by him	A14	Executive Mayor	None	
12(1) MFMA	Deciding to set-up a relief, charitable, trust or other fund of whatever description	A15	Executive Mayor	None	
16(2) MFMA	Tabling the budget at a Council meeting	A16	Executive Mayor	None	The annual budget must be tabled at least 90 days before 1 July each year
21(1)(a) MFMA	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's integrated development plan and budget -related policies	A17	Executive Mayor	None	
21(1)(b) MFMA	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the Municipality's budget -related policies, the tabling and adoption of any amendments to the integrated development plan and the budget -related policies and any consultative processes forming part of the processes	A18	Executive Mayor	None	At least 10 months before 1 July each year
21(2)(b) MFMA	Deciding the reasonable steps to be taken to review the Municipality's integrated development plan	A19	Executive Mayor	None	
21(2)(d) MFMA	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	A20	Executive Mayor	None	
21(2)(e) MFMA	Providing information relating to the budget that may be requested to the National Treasury and any other organ of state	A21	Executive Mayor	None	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury
25(3) MFMA	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any	A22	Executive Mayor	None	Immediately report the matter to the MEC responsible for local

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	year				government
27(1) MFMA	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	A23	Executive Mayor	None	
27(1) MFMA	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes	A24	Executive Mayor	None	
27(2) MFMA	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	A25	Executive Mayor	None	
27(2) MFMA	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	A26	Executive Mayor	None	
27(3) MFMA	Informing the Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance	A27	Executive Mayor	None	
28(4) MFMA	Tabling an adjustments budget in the Council	A28	Executive Mayor	None	
29(1) MFMA	Deciding to authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	A29	Executive Mayor	None	
29(2)(c) MFMA	Reporting to the Council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	A30	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorisation was given
31(d) MFMA	Giving written approval for exceeding the amount appropriated in respect of a capital programme	A31	Executive Mayor	None	
31(e) MFMA	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	A32	Executive Mayor	None	Subject to section 21 MFMA

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	further borrowing beyond the annual budget limit issued by the City 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				
52(a) MFMA	Deciding the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	A33	Executive Mayor	None	
52(b) MFMA	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the City Manager and the Chief Financial Officer of their powers, functions and duties in terms of the MFMA	A34	Executive Mayor	None	
52(c) MFMA	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	A35	Executive Mayor	None	
52(d) MFMA	Submitting to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality	A36	Executive Mayor	None	
53(1)(a) MFMA	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	A37	Executive Mayor	None	
53(1)(b) MFMA	Deciding the steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	A38	Executive Mayor	None	
53(1)(b) MFMA	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	A39	Executive Mayor	None	
53(1)(c)(i) MFMA	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	A40	Executive Mayor	None	
53(1)(c)(ii) MFMA	Determining the reasonable steps to be taken to ensure he/she approves the Municipality's service delivery and budget implementation plan	A41	Executive Mayor	None	The Executive Mayor must approve the annual service delivery and budget implementation plan within 28 days after the approval of the budget
53(1)(c)(iii) MFMA	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the City 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	A42	Executive Mayor	None	In terms of section 57(2)(a) of the Municipal Systems Act the annual performance agreements must be concluded on or before 30

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	are concluded in accordance with section 57(2) of the Municipal Systems Act				July of each year
53(2) MFMA	Reporting to the Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery and budget implementation plan or the signing of the annual performance agreements	A43	Executive Mayor	None	
53(3)(a) MFMA	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	A44	Executive Mayor	None	
53(3)(b) MFMA	Ensuring that the performance agreements of the City 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	A45	Executive Mayor	None	
53(3)(b) MFMA	Submission of the annual performance agreements of the City Manager, senior managers and any other categories of officials as may be prescribed, to the Council and the MEC responsible for local government	A46	Executive Mayor	None	
54(1)(a) MFMA	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	A47	Executive Mayor	None	<ol style="list-style-type: none"> 1. The statement a statement regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of each month 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

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
					each year
54(1)(b) MFMA	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	A48	Executive Mayor	None	
54(1)(c) MFMA	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	A49	Executive Mayor	None	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
54(1)(c) MFMA	Determining the process of formulating revisions to the service delivery and budget implementation plan	A50	Executive Mayor	None	
54(1)(d) MFMA	Determining the instructions to be given to the City 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	A51	Executive Mayor	None	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 City 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 the Council and the MEC for local government to those problems
54(1)(e) MFMA	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems	A52	Executive Mayor	None	
54(3) MFMA	Making public any revisions of the service delivery and budget implementation plan	A53	Executive Mayor	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
55 MFMA	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	A54	Executive Mayor	None	
56 MFMA	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	A55	Executive Mayor	None	
59(1)(a) MFMA	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	A56	Executive Mayor	None	<ol style="list-style-type: none"> 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.
59(2) MFMA	Determining the conditions and limitations of any delegation by the Executive Mayor	A57	Executive Mayor	None	
59(3) MFMA	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	A58	Executive Mayor	None	No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision
87(3) MFMA	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council	A59	Executive Mayor	None	Together with the Municipality's budget for the relevant financial year
87(6) MFMA	Considering an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity	A60	Executive Mayor	None	
87(9) MFMA	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting	A61	Executive Mayor	None	
102(1)	Receiving a report of the board of directors of a municipal entity	A62	Executive Mayor	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
MFMA	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				
127(2) MFMA	Tabling in the Council the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	A63	Executive Mayor	None	
127(3)(a) MFMA	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	A64	Executive Mayor	None	
131(1) MFMA	Ensuring that the Municipality addresses all the issues raised in an audit report	A65	Executive Mayor	None	
133(1)(a) MFMA	Tabling in the Council a written explanation setting out the reasons for the failure of the City 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	A66	Executive Mayor	None	
136(1)(a) MFMA	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	A67	Executive Mayor	None	
137(1)(d) MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	A68	Executive Mayor	None	
139(1)(b) MFMA	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	A69	Executive Mayor	None	
139(2) MFMA	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	A70	Executive Mayor	None	

2. Executive Mayor powers delegated by Council

The powers set out hereunder are delegated by the Council to the Executive Mayor

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
60(1)(a) MSA	The decision to expropriate immovable property or rights in or to immovable property	B1	Council	Executive Mayor	In accordance with a policy framework determined by the Council
60(1)(b) MSA	The determination or alteration of the remuneration, benefits or other conditions of service of the City Manager and Executive Directors	B2	Council	Executive Mayor	In accordance with a policy framework determined by the Council
	(Deleted by Council on 28 September 2006 under Item 119A3)	B3	Council	Executive Mayor	
19(3) MSTA	The determination and development of mechanisms to consult the community and community organisations on the performance of the municipality's functions	B4	Council	Executive Mayor	
87(2) MSTA	The lodging of an objection to the Minister against the temporary allocation of a function or power of the municipality to the district municipality to restore or maintain any basic service that has or may collapse	B5	Council	Executive Mayor	
88(2)(b) MSTA	Determining the nature, extent, duration and conditions for providing assistance to the district municipality pursuant to a request for such assistance	B6	Council	Executive Mayor	
88(2)(a) MSTA	Making a request to the district municipality for financial, technical and administrative support services	B7	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B8	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B9	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B10	Council	Executive Mayor	
	To approve the attendance of meetings, workshops, seminars, conferences, congresses and similar events and special visits by Councillors and the City Manager, which are in the interest of the Council and which are to be conducted within or outside the boundaries of the Republic of South Africa : Provided that the necessary funds are available	B11	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B12	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B13	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B14	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B15	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B16	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B17	Council	Executive Mayor	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	(Deleted by Council on 28 September 2006 under Item 119A3)	B18	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B19	Council	Executive Mayor	
112 MSA	A decision to obtain the authority in terms of the National Prosecuting Authority to enable an employee to institute criminal proceedings and conduct prosecutions in respect of a contravention of by-laws and other legislation applicable to the municipality	B20	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B21	Council	Executive Mayor	
	(Deleted by Council on 1 September 2005 under item 38A14)	B22	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B23	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B24	Council	Executive Mayor	
	The authority to sign a document requiring authentication on behalf of the municipality	B25	Council	Executive Mayor	
23(1)	(Deleted by Council on 28 September 2006 under Item 119A3)	B26	Council	Executive Mayor	
MFMA	Receiving and considering the views of the communities and organs of state received in connection with the budget	B27	Council	Executive Mayor	
28(1)	Deciding to revise an approved budget by way of an adjustments budget	B28	Council	Executive Mayor	
MFMA					
	(Deleted by Council on 28 September 2006 under Item 119A3)	B29	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B30	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B31	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B32	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B33	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B34	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B35	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B36	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B37	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B38	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B39	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B40	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B41	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B42	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B43	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B44	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B45	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B46	Council	Executive Mayor	
	(Deleted by Council on 28 September 2006 under Item 119A3)	B47	Council	Executive Mayor	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	(Deleted by Council on 28 September 2006 under Item 119A3)	B48	Council	Executive Mayor	
	The approval of all donations and grants-in-aid by the municipality (Inserted by Council on 3 April 2007 under Item 31A20)	B49	Council	Executive Mayor	
	The approval of excess expenditure, covered by a saving, on the annual capital and operating budgets (Inserted by Council on 3 April 2007 under Item 31A20)	B50	Council	Executive Mayor	
	The approval and amendment of the town planning schemes, structure plans, conditions of establishment of new townships and land development objectives of the municipality and applications for rezoning, special consent uses and removal or alteration of title conditions (Inserted by Council on 3 April 2007 under Item 31A20)	B51	Council	Executive Mayor	
	To grant permission for the reduction of the rental amount, or for free use of Council halls and facilities , excluding committee rooms, under special worthwhile circumstances, subject to the conditions that she deems neces sary (Inserted by Council on 3 April 2007 under Item 31A20)	B52	Council	Executive Mayor	

CHAPTER 4: POWERS OF THE SPEAKER

1. Speaker statutory powers

The powers set out hereunder are assigned to the Speaker in terms of the legislation as indicated in column 1, and reserved for his execution in accordance with his decision, and he may take a decision in respect of these matters with or without consulting any person

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
37 MST A	To preside at meetings of the Council	A1	Speaker	None	
37 MST A	To ensure that the Council meets at least quarterly	A2	Speaker	None	
37 MST A	To maintain order during meetings of the Council	A3	Speaker	None	
37 MST A	To ensure that Council meetings are conducted in accordance with the rules and orders of the Council	A4	Speaker	None	
37 MST A	To determine the date and venue of ordinary Council meetings	A5	Speaker	None	
29(1) MST A	To convene a special Council at a venue determined by him, and at the time set out in the request that such a meeting be convened	A6	Speaker	None	
28 MST A	To ensure that the provisions in respect of privileges and immunities of councillors are adhered to	A7	Speaker	None	
103 MFMA	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a councillor outside that councillor's assigned duties, in the financial affairs of the municipal entity; or the responsibilities of the board of directors of the municipal entity	A8	Speaker	None	
130(1) MFMA	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 are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Council	A9	Speaker	None	
133(1)(b) MFMA	Receiving information from the Auditor-General regarding the failure to submit annual financial statements	A10	Speaker	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
133(1)(b) MFMA	Submitting information received from the Auditor-General regarding the failure to submit annual financial statements to the Council	A11	Speaker	None	

2. Speaker powers delegated by the Council

The powers set out hereunder are delegated by the Council to the Speaker

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To assist the Executive Mayor with the liaison with the community, ward committees and councilors	B1	Council	Speaker	
	To assist the Executive Mayor with interviewing the public and visitors to the offices of the municipality, as well as with ceremonial duties and functions	B2	Council	Speaker	
	(Deleted by Council on 1 September 2005 under item 38A15)	B3	Council	Speaker	
	To decide on the attendance of meetings, workshops, seminars, conferences, congresses and similar events and special visits by the executive mayor, which are in the interest of the Council and which are to be conducted within or outside the boundaries of the Republic of South Africa : Provided that the necessary funds are available (Inserted by Council on 3 April 2007 under Item 31A20)	B4	Council	Speaker	
	To grant permission for the reduction of the rental amount, or for free use of Council committee rooms under special worthwhile circumstances, subject to the conditions that he deems necessary (Inserted by Council on 3 April 2007 under Item 31A20)	B5	Council	Speaker	

CHAPTER 5: POWERS OF THE CITY MANAGER

1. City Manager statutory powers

The powers set out hereunder are assigned to the City Manager in terms of the legislation as indicated in column 1, and reserved for his execution in accordance with his decision, and he may take a decision in respect of these matters with or without consulting any person

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
55(1) MSA	The formation and development of an economical, effective, efficient and accountable administration- (a) equipped to carry out the task of implementing the municipality's integrated development plan in accordance with Chapter 5 of the Systems Act; (b) operating in accordance with the municipality's performance management system in accordance with Chapter 6 of the Systems Act; and (c) responsive to the needs of the local community to participate in the affairs of the municipality	A1	City Manager	None	
55(1) MSA	The management of the municipality's administration in accordance with the Systems Act and other legislation applicable to the municipality	A2	City Manager	None	
55(1) MSA	The appointment of staff other than the City Manager and Executive Directors, subject to the provisions of the Employment Equity Act, 1998 (Act 55 of 1998)	A3	City Manager	None	
55(1) MSA	The management, effective utilization and training of staff	A4	City Manager	None	
55(1) MSA	Advising the political structures and political office bearers of the municipality	A5	City Manager	None	
55(1) MSA	Managing communications between the municipality's administration and its political structures and political office bearers	A6	City Manager	None	
55(1) MSA	Carrying out the decisions of the political structures and political office bearers of the municipality	A7	City Manager	None	
55(2) MSA	As accounting officer of the municipality, the City Manager is responsible and accountable for - (a) all income and expenditure of the municipality; (b) all assets and the discharge of all liabilities of the	A8	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	municipality; and (c) proper and diligent compliance with applicable municipal finance management legislation				
66 MSA	To, within a policy framework determined by the Council and subject to any applicable legislation, - (a) approve a staff establishment for the administration which includes the approval of the creation of posts as required from time to time in consultation with the Executive Mayor; (Amended by Council on 28 September 2006 under item 119A3) (b) provide a job description for each post on the staff establishment; (c) align the remuneration and other conditions of service for each post on the staff establishment in accordance with applicable labour legislation and any collective agreement; and (d) regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service.	A9	City Manager	None	
12(4) MFMA	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	A10	City 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
26(4) MFMA	Obtaining the MEC responsible for finance's approval to withdraw funds from the Municipality's bank accounts, if a budget has not been approved on or before 1 July of each year.	A11	City Manager	None	Subject to section 11 MFMA
	(Deleted by Council on 28 September 2006 under item 119A3)	A12	City Manager	None	
	(Deleted by Council on 28 September 2006 under item 119A3)	A13	City Manager	None	
32(3) MFMA	Informing the Council or the Executive Mayor in writing that a decision taken by the Council or the Executive Mayor is likely to result, if it is implemented, is unauthorised, irregular	A14	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	or fruitless and wasteful expenditure (Amended by Council on 28 September 2006 under item 119A3)				
	(Deleted by Council on 28 September 2006 under item 119A3)	A15	City Manager	None	
32(4) MFMA	Determining the amount of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	A16	City Manager	None	Executive Directors to exercise power in directorates
32(4) MFMA	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	A17	City Manager	None	Executive Directors to exercise power in directorates
32(4) MFMA	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	A18	City Manager	None	Executive Directors to exercise power in directorates
32(4) MFMA	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	A19	City Manager	None	Executive Directors to exercise power in directorates
32(4) MFMA	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.	A20	City Manager	None	
32(6) MFMA	Determining whether an alleged irregular expenditure constitutes a criminal offence	A21	City Manager	None	
32(6) MFMA	Determining whether alleged theft and fraud occurred in the Municipality	A22	City Manager	None	
32(6) MFMA	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	A23	City Manager	None	
54(1)(d) MFMA	Determining the (proposed) remedial or corrective steps to deal with any serious financial problems facing the Municipality	A24	City Manager	None	
60(b)(i) MFMA	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	A25	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	(Deleted by Council on 28 September 2006 under item 119A3)	A26	City Manager	None	
	(Deleted by Council on 28 September 2006 under item 119A3)	A27	City Manager	None	
62(1)(e) MFMA	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	A28	City Manager	None	Executive Directors to exercise power in directorates
62(1)(f)(i) MFMA	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	A29	City Manager	None	
67(1) 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	A30	City Manager	None	
67(2) MFMA	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	A31	City Manager	None	
67(4) MFMA	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	A32	City Manager	None	
68(b) MFMA	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor	A33	City Manager	None	
69(1)(a) MFMA	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	A34	City Manager	None	
71(5) MFMA	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any	A35	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement				
72(3) MFMA	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	A36	City Manager	None	
73(a) MFMA	Informing the provincial treasury of any failure by the Council to adopt or implement a budget-related policy or a supply chain management policy	A37	City Manager	None	
73(b) MFMA	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	A38	City Manager	None	
74(1)MFMA	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.	A39	City Manager	None	
74(2) MFMA	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	A40	City Manager	None	
77(1) MFMA	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as “top management”	A41	City Manager	None	
79(1)(b) MFMA	Delegating to a member of the Municipality’s top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA	A42	City Manager	None	May not delegate to any political structure or political office bearer
79(1)(c) MFMA	Regularly reviewing delegations issued to a member of the Municipality's top management or any of her official of the Municipality and, if necessary, amending or withdrawing any of those delegations	A43	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
79(2) MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	A44	City 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
80(1)(b) MFMA	Allocating officials of the Municipality to the Chief Financial Officer	A45	City Manager	None	
84(2)(a)(i) (aa) MFMA	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	A46	City Manager	None	
84(2)(a)(ii) MFMA	Soliciting the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	A47	City Manager	None	
86(2) MFMA	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	A48	City Manager	None	
87(11) MFMA	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	A49	City Manager	None	
90(2) MFMA	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	A50	City Manager	None	
90(2) MFMA	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 value determined by the Council	A51	City Manager	None	
101(2) MFMA	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity in the first Council meeting next ensuing	A52	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
102(1) MFMA	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	A53	City Manager	None	
114(1) MFMA	Submitting a report containing the reasons for deviating from such recommendation to the Auditor-General, the provincial treasury and the National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved	A54	City Manager	None	
116(3)(a) MFMA	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council	A55	City Manager	None	
120(6)(a) MFMA	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	A56	City Manager	None	
126(6)(b) MFMA	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	A57	City Manager	None	
126(6)(c) MFMA	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	A58	City Manager	None	
128 MFMA	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-compliance and report any non-compliance, together with the reasons for such non-	A59	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	compliance, to the Council, the provincial treasury and the Auditor-General				
129(2)(a) MFMA	Attending the meetings of the Council and its committees where the annual report is discussed and responding to questions concerning the report	A60	City Manager	None	
129(3) MFMA	Publishing the oversight report regarding the annual report	A61	City Manager	None	
131(2)(a) MFMA	Submitting the Municipality's responses to the issues raised in an audit report to the MEC for local government	A62	City Manager	None	
132(2) MFMA	Submission of the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	A63	City Manager	None	
146(1)(c) MFMA	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	A64	City Manager	None	
152(1) MFMA	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	A65	City Manager	None	
152(2) MFMA	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	A66	City Manager	None	
153(1)(a) MFMA	Bringing an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	A67	City Manager	None	
153(1)(b) MFMA	Bringing an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	A68	City Manager	None	
153(3) MFMA	Giving notice of an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	A69	City Manager	None	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
167(2)(a) MFMA	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	A70	City Manager	None	
35(1) MPRA	To designate officials of the municipality or persons in private practise as assistant municipal valuers to assist the municipal valuer	A71	City Manager	None	
36(1) MPRA	To designate officials of the municipality or persons in private practise as data-collectors to assist the municipal valuer	A72	City Manager	None	
50 MPRA, 54 MPRA 61 MPRA, 66 MPRA	To assist with the process of valuation of properties	A73	City Manager	None	

2. City Manager powers delegated by the Council

The powers set out hereunder are delegated by the Council to the City Manager

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To approve the allocation of official telephones to the private homes of officials	B1	Council	City Manager	
	To approve the attendance by Executive Directors of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted inside the boundaries of the Republic of South Africa: Provided that the necessary funds are available. The approval of the attendance by officials of meetings, workshops, seminars, conferences, congresses and similar events conducted outside the boundaries of the Republic of South Africa, shall be approved in consultation with the Executive Mayor.	B2	Council	City Manager	
	To decide on the use of coat of arms, flag and banner of any of the	B3	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	cities within the municipality, for commemorative and other purposes				
	To sign the following documents : (a) together with the mayor, the granting of honorary citizenship and freedom of the municipality; (b) any contract, appointment or document not specified in respect of another delegated body;	B4	Council	City Manager	
	To approve all tenders for the procurement of goods and services obtained in accordance with the prescribed process for amounts above R200 000 (all amounts include VAT), and sign the applicable contracts: Provided that the necessary funds are available (Substituted by Council on 1 September 2005 under item 38A15)	B5	Council	City Manager	After receiving report of Bid Adjudication Committee
	To approve quotations for the procurement of goods and, obtained in accordance with the prescribed process, and sign the applicable contracts: Provided that the necessary funds are available	B6	Council	City Manager	
	The appointment of professional service providers in accordance with the prescribed process for amounts above R200 000 (all amounts include VAT), and sign the applicable contracts: Provided that the necessary funds are available (Substituted by Council on 1 September 2005 under item 38A15)	B7	Council	City Manager	
	To sign a requisition to incur expenditure related to a tender or quotation approved in terms of the prescribed process, and the appointment of professional service providers: Provided that the necessary funds are available	B8	Council	City Manager	
67 MSA	To develop and implement appropriate systems and procedures in accordance with the provisions of the Employment Equity Act, 1998, to ensure fair, efficient, effective and transparent personnel administration, including (a) the recruitment, selection and appointment of persons as staff members; (b) service conditions of staff; (c) the supervision and management of staff; (d) the monitoring, measuring and evaluating of performance of staff; (e) the promotion and demotion of staff; (f) the transfer of staff; (g) grievance procedures;	B9	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To promptly submit an appeal received by him in terms of the provisions of section 62 of the Systems Act, from a person whose rights are affected by a decision taken by a delegated body in terms of a power or duty delegated or sub-delegated by a delegating authority to that delegated body against the decision, to the delegating authority concerned	B18	Council	City Manager	
	To incur expenses to appoint private detectives to obtain evidence in cases of alleged irregularities or misconduct by staff members or councillors	B19	Council	City Manager	
	To apply contractual penalty-clauses in the event of late delivery of goods or services to the municipality	B20	Council	City Manager	
	To decide on the payment of a maximum reward of up to R5 000 to a person who willingly reported an incident that resulted in the conviction of an accused person by a court for an offence relating to damages to or theft of Council property	B21	Council	City Manager	
	To protect and exercise the municipality's rights as contained in contracts concluded between the municipality and other parties which he was authorized to sign on behalf of the municipality, including but not limited to the rights pertaining to penalties, breach of contract, termination of contract, amendment and renewal of contracts	B22	Council	City Manager	In consultation with the Executive Mayor
14(4) MFMA	To decide on reasonable grounds whether a movable capital asset below the value of 1 million rand, is needed for the provision of any of the minimum level of basic municipal services contained in the land Disposal Policy of the municipality or not so needed, and to consider the fair market value of such capital asset and the economic and community value to be received in exchange for a transfer of ownership of such capital asset (Amended by Council on 3 April 2007 under Item 31A20)	B23	Council	City Manager	Must determine whether an asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset
90(4) MFMA	The transfer of ownership or otherwise disposal of a movable capital asset, of a municipal entity of which the Municipality is the parent municipality, below the value of R 1 000 000.00 that is not needed to provide the minimum level of basic municipal services	B24	Council	City Manager	Must determine whether an asset is not needed to provide the minimum level of basic municipal services, and consider the fair market value of the asset and the economic and community value to be received for the asset

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
8(4) MFMA	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	B25	Council	City Manager	
12(2) MFMA	Deciding to open a separate bank account in the name of the Municipality for the purpose of a relief, charitable, trust or other fund	B26	Council	City Manager	
19(1)(b) MFMA	Approving a capital project, including its total cost	B27	Council	City Manager	
19(1)(d) MFMA	Considering the sources of funding of a capital project	B28	Council	City Manager	
19(2) MFMA	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.	B29	Council	City Manager	
19(3) MFMA	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital programme	B30	Council	City Manager	
33(1) MFMA	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year	B31	Council	City Manager	
45(1) MFMA	Deciding whether to incur short term debt	B32	Council	City Manager	
48(3)(a) MFMA	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	B33	Council	City Manager	
48(3)(b) MFMA	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	B34	Council	City Manager	
64(2)(g) MFMA	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget-related policies	B35	Council	City Manager	
86(1) MFMA	Receiving information from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s)	B36	Council	City Manager	
87(1) MFMA	Receiving a proposed budget for a municipal entity of which the Municipality is the parent municipality for each financial year	B37	Council	City Manager	
89(b) MFMA	Monitoring and ensuring that a municipal entity of which the Municipality is the parent municipality reports to the Council on	B38	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	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				
97(3) MFMA	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 payments are regularly in arrears for periods of more than 30 days	B39	Council	City Manager	
97(3) MFMA	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	B40	Council	City Manager	
101(1) MFMA	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	B41	Council	City Manager	
104(1)(b) MFMA	Deciding which information, returns, documents, explanations and motivations to require from the accounting officer of a municipal entity of which the Municipality is the parent municipality	B42	Council	City Manager	
113(1) MFMA	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process	B43	Council	City Manager	In accordance with a prescribed framework
114(1) MFMA	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	B44	Council	City Manager	
116(3) MFMA	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	B45	Council	City Manager	
116(3) MFMA	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 a municipal entity of which the Municipality is a parent	B46	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	municipality and deciding whether to consent to the amendment of a contract or agreement				
135(3)(b) MFMA	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	B47	Council	City Manager	
135(3)(c) MFMA	Notifying organised local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	B48	Council	City Manager	
137(2) MFMA	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	B49	Council	City Manager	
139(2) MFMA	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	B50	Council	City Manager	
141(3)(a) MFMA 144(2) MFMA	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality	B51	Council	City Manager	
141(3)(c) MFMA 144(2) MFMA	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality	B52	Council	City Manager	
145(1)(a) MFMA 146(1)(a) MFMA	Implementing an approved financial recovery plan for the Municipality	B53	Council	City Manager	In consultation with Executive Mayor
145(1)(b) MFMA	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality	B54	Council	City Manager	
147(1)(b) MFMA	Receiving progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance	B55	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
148(3)(a) MFMA	Receiving a notification that an intervention in the Municipality has ended	B56	Council	City Manager	
166(2)(d) MFMA	Requesting the audit committee to investigate the financial affairs of the Municipality or a municipal entity of which the Municipality is a parent	B57	Council	City Manager	
178(2)(a) MFMA	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	B58	Council	City Manager	
178(2)(b) MFMA	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 million Rands in total or per annum	B59	Council	City Manager	
120(4) MFMA	Deciding to conduct a feasibility study before a public-private partnership is concluded	B60	Council	City Manager	
120(5) MFMA	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility study regarding a proposed public-private partnership	B61	Council	City Manager	
126(4) MFMA	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)	B62	Council	City Manager	
171(4)(a) MFMA	Investigating any allegations of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality unless those allegations are frivolous, vexatious, speculative or obviously unfounded	B63	Council	City Manager	
171(4)(a) MFMA	Deciding whether an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative or obviously unfounded	B64	Council	City Manager	
174(4)(b) MFMA	Deciding whether an investigation of an allegation of financial misconduct against the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings	B65	Council	City Manager	
75A(3)MSA 14(1)MPRA	To publish the resolutions of Council in respect of the levying of rates and the recover of fees, charges or tariffs	B66	Council	City Manager	
27(1)MPRA	To furnish each person liable for payment of a rate with a prescribed written account	B67	Council	City Manager	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
30 MPRA	To cause a general valuation to be made of all properties in the municipality, and a valuation roll to be prepared of all valued properties	B68	Council	City Manager	
77 MPRA, 78 MPRA 79 MPRA	To update the valuation roll at least once a year by causing a supplementary valuation roll to be prepared or the valuation roll to be amended	B69	Council	City Manager	
	The acquisition and maintenance of insurance of the municipality's property, including the appointment of insurance brokers (Inserted by Council on 3 April 2007 under Item 3 1A20)	B70	Council	City Manager	
	The consolidation of separate accounts of persons liable for payments to the municipality, to credit a payment by such person against any account of that person, and to implement any of the debt collection and credit control measures of the municipality to any arrears on an of the accounts of such a person (Inserted by Council on 3 April 2007 under Item 3 1A20)	B71	Council	City Manager	

CHAPTER 6: POWERS OF EXECUTIVE DIRECTORS (INCLUDING THE CFO AND COO)

1. Executive Directors (including the CFO and COO) general powers delegated by the City Manager over and above those powers specifically delegated to each one of them

The powers set out hereunder are delegated by the City Manager to the Executive Directors

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	The granting of leave to officials in terms of the conditions of service	A1	City Manager	Executive Directors	
	The granting or withholding of the normal annual salary increments of employees	A2	City Manager	Executive Directors	In consultation with the Executive Director Corporate Services
	The authorization of overtime work in terms of the conditions of service and any other applicable legislation : Provided that the necessary funds are available	A3	City Manager	Executive Directors	
	The temporary rotation or permanent placement of employees in equivalent posts within the directorate whether for experience or for other reasons as provided for in the conditions of service: Provided that the Executive Director Corporate Services and the Executive Director Finance have been notified of such a move in writing	A4	City Manager	Executive Directors	
	The approval of private work of employees in their respective directorates	A5	City Manager	Executive Directors	In consultation with the City Manager
	To do away with documents in accordance with the provisions of the Archives Act and other applicable legislation	A6	City Manager	Executive Directors	In consultation with the Executive Director Corporate Services and the City Manager
	To enforce Council's by-laws as well as national and provincial legislation applicable to their respective directorates, including the institution of criminal or civil proceedings in respect thereof, and to perform the functions and exercise the powers that vest in the Council in terms thereof	A7	City Manager	Executive Directors	In consultation with COO
	The institution of criminal proceedings against officials who do not return Council property which are in their possession when they terminate their services	A8	City Manager	Executive Directors	In consultation with COO
	To supply material to, or to do work for a private person, body or concern in terms of the Financial Regulations, if the executive director concerned is satisfied that such actions will not bring the Council into competition with private initiative and if he is of the	A9	City Manager	Executive Directors	In consultation with the City Manager and with the sanction of the Executive Director Finance

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	opinion that it is to the Council's benefit to do so				
	To sign documents requiring authentication on behalf of the municipality	A10	City Manager	Executive Directors	
	To decide, in respect of officials in his or her directorate, on the replacement, at the Council's expense, of the official's tools which are damaged or broken while used in the service of the Council. This is only applicable in cases where the tools form part of the equipment which the official is expected to provide. Replacement tools will be of similar quality and identical nature	A11	City Manager	Executive Directors	
	To approve quotations for the procurement of goods and services, obtained in terms of the prescribed process to a maximum amount of R200 000 (including VAT): Provided that the necessary funds are available (Substituted by Council on 1 September 2005 under item 38A15)	A12	City Manager	Executive Directors	
	The appointment of professional service providers in accordance with the prescribed process to a maximum amount of R200 000 (including VAT): Provided that the necessary funds are available (Substituted by Council on 1 September 2005 under item 38A15)	A13	City Manager	Executive Directors	
	To sign a contract and the resulting requisition after the prescribed approval for the procurement or disposal has been given, to a maximum amount of R5 000 000 (including VAT): Provided that the necessary funds are available (Substituted by Council on 1 September 2005 under item 38A15)	A14	City Manager	Executive Directors	
	To decide about the refunding of tender deposits in respect of those tenders where the Council has no contractual obligation to refund deposits	A15	City Manager	Executive Directors	In consultation with the COO
	The granting of permission for the temporary use of Council land, subject to any relevant legislation	A16	City Manager	Executive Directors	In consultation with the COO
55(1) MSA	To protect and exercise the municipality's rights as contained in contracts concluded between the municipality and other parties which he was authorized to sign on behalf of the municipality, including but not limited to the rights pertaining to penalties, breach of contract, termination of contract, amendment and renewal of contracts	A17	City Manager	Executive Directors	In consultation with the COO
	To maintain the discipline of staff members	A18	City Manager	Executive Directors	
32(4)	Identifying the person responsible, or suspected of being	A19	City Manager	Executive	In consultation with the

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
MFMA	responsible, for unauthorised, irregular or fruitless and wasteful expenditure			Directors	COO
32(4) MFMA	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	A20	City Manager	Executive Directors	In consultation with the COO
32(4) MFMA	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	A21	City Manager	Executive Directors	In consultation with the COO
62(1)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	A22	City Manager	Executive Directors	In consultation with COO
62(1)(c)(ii) MFMA	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	A23	City Manager	Executive Directors	In consultation with the COO
62(1)(d) MFMA	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	A24	City Manager	Executive Directors	In consultation with the COO
62(1)(e) MFMA	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	A25	City Manager	Executive Directors	
65(2)(i) MFMA	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	A26	City Manager	Executive Directors	In consultation with the COO
115(1)(b) MFMA	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	A27	City Manager	Executive Directors	In consultation with ED:CS
116(2)(a) MFMA	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	A28	City Manager	Executive Directors	
116(2)(b) MFMA	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	A29	City Manager	Executive Directors	
116(2)(c) MFMA	Determining the capacity that needs to be established within the Municipality's administration to assist the City Manager to enforce the provisions of a contract or agreement between the	A30	City Manager	Executive Directors	In consultation with the COO

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	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				
116(2)(c) MFMA	Establishing the capacity in the Municipality's administration to assist the City 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	A31	City Manager	Executive Directors	In consultation with the COO
116(2)(d) MFMA	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors.	A32	City Manager	Executive Directors	In consultation with the COO
116(2)(d) MFMA	Determining the frequency/regularity of reports to be submitted to the Council regarding the management of contracts and/or agreements and the performance of contractors.	A33	City Manager	Executive Directors	In consultation with the COO

2. CFO statutory powers

The powers set out hereunder are assigned to the CFO in terms of the legislation as indicated in column 1, and reserved for his execution in accordance with his decision, and he may take a decision in respect of these matters with or without consulting any person

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
81(1)(b) MFMA	Advising the City Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA	B1	CFO	None	
81(1)(c) MFMA	Assisting the City Manager in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget	B2	CFO	None	
81(1)(d) MFMA	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	B3	CFO	None	
82(4) MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	B4	CFO	None	

3. CFO powers delegated by the City Manager

The powers set out hereunder are delegated by the City Manager to the CFO

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
96 MSA 74 MSA 3 MPRA	To make and annually review all required financial policies, inter alia for: Credit Control and Debt Collection Policy Tariff Policy on levying of fees for municipal services Rates Policy on the levying of rates on rateable property	C1	City Manager	CFO	In consultation with COO
98 MSA 75 MSA 6 MPRA	To make applicable by-laws to give effect to the implementation and enforcement of the financial policies, and obtain Council approval inter alia for : Credit Control and Debt Collection By-laws Tariff By-laws Property Rates By-laws	C2	City Manager	CFO	In consultation with COO
	To implement and enforce the all the municipality's financial policies and applicable by-laws, and to use all available processes to collect moneys owed to the Council in terms of a contract, legislation, court order, decision of the Council or any other legal basis To obtain an interim property valuation from the Council's appraisers as and when the need arise, in respect of any property within the municipal area	C3 C4	City Manager City Manager	CFO CFO	
	To commence with a legal process on behalf of Council in respect of the recovering of any money owed to the Council for whatever reason and in any court which has jurisdiction, with the inclusion of the signing of all necessary documents in this regard. This includes the power to instruct the Council's attorneys and an advocate when necessary, to act on behalf of Council in such cases	C5	City Manager	CFO	
	To issue a clearance certificate, which certifies that the rates, fees, amounts and interest in respect of a certain property in the municipal area, have been paid to the Council as required by the applicable legislation	C6	City Manager	CFO	
	To claim from and make payments to professional persons or firms	C7	City Manager	CFO	
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds	C8	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	are available				
	To release funds in respect of capital items in terms of the approved capital budget	C9	City Manager	CFO	
	To deduct money, which an official owes to the Council, from his salary or wages	C10	City Manager	CFO	
	In respect of housing loans to officials, to give permission for the registration of a second or ensuing bond in favour of a third party, subject to the registration of a non-prejudicial clause along with the registration of the bonds concerned	C11	City Manager	CFO	
	To make a ruling in respect of the commencement with a legal process for the claiming of damages to Council property caused by a third party, and for expenses in respect of injuries sustained by an official while on duty, which the Council must incur in terms of the Workmen's Compensation Act and leave agreements, in the event that another party causes the accident or incident	C12	City Manager	CFO	In consultation with the COO
	To give permission for a deferment concerning compliance with a building clause provision in respect of residential stands in the municipal area, subject to the payment of a penalty by the applicant	C13	City Manager	CFO	In consultation with the COO
	To perform the functions and exercise the powers that vest in the Council in terms of the provisions of all legislation relating to financial matters	C14	City Manager	CFO	In consultation with the COO
	To apply the conditions of sale as contained in the Council's purchase contracts in the event that the purchasers fail to meet their obligations in terms thereof	C15	City Manager	CFO	In consultation with the COO
	The consideration of all requests for the making available of name and address lists of water and electricity consumers and the taxation ledger, in the light of the applicable legislation and Council's own administrative circumstances and requirements which take precedence at all times	C16	City Manager	CFO	
	The consideration and finalization of all applications for the resale of un-developed residential stands, on the terms and conditions as determined by the Council from time to time	C17	City Manager	CFO	In consultation with the COO
	To sign the following documents - (a) share certificates in respect of approved loans (b) all document concerning the collection of money owed to the Council, in either the Magistrates or the High Court (c) contracts for providing motor vehicle loans to officials in terms of the Council's subsidized transport and motor vehicle	C18	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	scheme for the purchase of vehicles (d) debt certificates (e) contracts concluded with financial institutions for the provision of collateral guarantees in terms of Council's housing scheme for the purchasing of property by officials				
	To utilize the rent reserve for payment of losses sustained for leases: Provided that a motivated report is submitted for audit purposes in respect of each residential unit	C19	City Manager	CFO	
	To finalize insurance claims concerning the Council's internal insurance fund	C20	City Manager	CFO	
	To maintain Council's register for lease contracts for immovable property and to submit it to the Council each year for information	C21	City Manager	CFO	
	To act as the Council's authorized agent in entering into loan and donation contracts with other municipalities	C22	City Manager	CFO	In consultation with the COO
	To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	C23	City Manager	CFO	
	To establish effective administrative mechanisms, processes and procedures in accordance with the credit control and debt collection policies and any such by-laws of the municipality, to collect money that is due and payable to the municipality	C24	City Manager	CFO	
60(2) MSA	The decision to make investments on behalf of the municipality	C25	City Manager	CFO	In consultation with the City Manager
7(1) MFMA	Deciding to open a bank account for the Municipality	C26	City Manager	CFO	
7(1) MFMA	Deciding at which bank/banks to open a bank account	C27	City Manager	CFO	
7(1) MFMA	Deciding to close a bank account	C28	City Manager	CFO	In consultation with the City Manager
7(2) MFMA	Determining into which bank account money collected or received by the Municipality must be deposited	C29	City Manager	CFO	
8(1) MFMA	Designating a bank account of the Municipality as the Municipality's primary bank account	C30	City Manager	CFO	
8(3) MFMA	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	C31	City Manager	CFO	
8(5) MFMA	Submission of the Municipality's primary bank account details,	C32	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	and any impending change thereof				
9(a) MFMA	Submission of the prescribed details regarding any new bank accounts opened for the Municipality	C33	City Manager	CFO	
9(b) MFMA	Submission of the details of the Municipality's bank accounts annually before the start of a financial year	C34	City Manager	CFO	
10(1)(a) MFMA	Administration of the Municipality's bank accounts	C35	City Manager	CFO	
10(2) MFMA	Enforcing compliance with sections 7, 8 and 11 of the MFMA	C36	City Manager	CFO	
11(1) MFMA	Authorising staff to withdraw or authorise the withdrawal of money from the Municipality's bank account	C37	City Manager	CFO	
11(4)(a) MFMA	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	C38	City Manager	CFO	A quarterly consolidated report of all withdrawals made from the Municipality's bank accounts must be tabled in the Council, and submitted to the provincial treasury and the Auditor-General within 30 days after the end of each quarter.
11(4)(a) MFMA	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Council	C39	City Manager	CFO	
11(4)(b) MFMA	Submission of quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the provincial treasury and the Auditor-General	C40	City Manager	CFO	
13(2) MFMA	Establishing an appropriate and effective cash management and investment policy for the Municipality	C41	City Manager	CFO	In consultation with City Manager
24(3) MFMA	Submission of the approved annual budget to the National Treasury and the provincial treasury	C42	City Manager	CFO	
31(c) MFMA	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	C43	City Manager	CFO	Funds for the programme in question should have been appropriated for more than one financial year
32(2) MFMA	Identifying the identity of the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure	C44	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
32(2) MFMA	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure	C45	City Manager	CFO	In consultation with COO. 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 written off by the Council
32(2) MFMA	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	C46	City Manager	CFO	In consultation with COO
37(2) MFMA	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the receiving municipality thereof	C47	City Manager	CFO	Such notification must be given on or before 2 April each year
45(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any short term debt	C48	City Manager	CFO	
46(2)(b) MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	C49	City Manager	CFO	
62(1)(b) MFMA	Deciding the reasonable steps to be taken to ensure that that full and proper records of the Municipality’s financial affairs are kept in accordance with any prescribed norms and standards	C50	City Manager	CFO	
62(1)(c)(i) MFMA	Deciding the reasonable steps to be taken to ensure that that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	C51	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
62(1)(f)(ii) MFMA	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 Property Rates Act	C52	City Manager	CFO	In consultation with COO
62(1)(f)(iii) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act	C53	City Manager	CFO	In consultation COO
63(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	C54	City Manager	CFO	
63(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	C55	City Manager	CFO	
63(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	C56	City Manager	CFO	
64(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy	C57	City Manager	CFO	
64(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	C58	City Manager	CFO	
64(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that accounts for regional services council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	C59	City Manager	CFO	
64(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	C60	City Manager	CFO	
64(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	C61	City Manager	CFO	
64(2)(f) MFMA	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	C62	City Manager	CFO	
64(2)(h)	Deciding the reasonable steps to be taken to ensure that all	C63	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
MFMA	revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis				
64(3) MFMA	Informing the National Treasury of any payments due by an organ of state to the Municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	C64	City Manager	CFO	
64(4)(a) MFMA	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	C65	City Manager	CFO	
64(4)(b) MFMA	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	C66	City Manager	CFO	
65(2)(a) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	C67	City Manager	CFO	
65(2)(b) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	C68	City Manager	CFO	
65(2)(c) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	C69	City Manager	CFO	
65(2)(d) MFMA	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	C70	City Manager	CFO	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit
65(2)(e) MFMA	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	C71	City Manager	CFO	
65(2)(f) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	C72	City Manager	CFO	
65(2)(g)	Deciding the reasonable steps to be taken to ensure that any	C73	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
MFMA	dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state				
65(2)(h) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	C74	City Manager	CFO	
65(2)(j) MFMA	Deciding the reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records	C75	City Manager	CFO	
66 MFMA	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	C76	City Manager	CFO	
67(1) MFMA	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, - (a) has the capacity to comply with any agreement with the Municipality, (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, (c) to report at least monthly to the City Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the City Manager promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	C77	City Manager	CFO	
67(3) MFMA	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with - (a) any agreement with the Municipality,	C78	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	(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 City Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the City Manager promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA				
68(a) MFMA	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	C79	City Manager	CFO	
69(1)(b) MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	C80	City Manager	CFO	
69(2) MFMA	Determining whether it is necessary to prepare an adjustments budget	C81	City Manager	CFO	
69(2) MFMA	Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	C82	City Manager	CFO	
69(3)(a) MFMA	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	C83	City Manager	CFO	
70(1) MFMA	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	C84	City Manager	CFO	
70(2) MFMA	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	C85	City Manager	CFO	
71(1) MFMA	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	C86	City Manager	CFO	The statement must contain the information referred to in section 71(1), (2) and (3) of the MFMA The statement submitted to the provincial treasury must

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
					be in the form of a signed and an electronic document
83(2) MFMA	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels	C87	City Manager	CFO	
119(2) MFMA	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels	C88	City Manager	CFO	
121(2)(e) MFMA	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	C89	City Manager	CFO	
121(2)(f) MFMA	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	C90	City Manager	CFO	
122(1)/ MFMA 126(1)(a) MFMA	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	C91	City Manager	CFO	
122(1) MFMA 126(1)(b) MFMA	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity which is a private company	C92	City Manager	CFO	
126(1)(a) MFMA	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	C93	City Manager	CFO	
126(2)(a) MFMA	Receiving the financial statements of municipal entity over which the Municipality has sole control or effective control (if it is a private company)	C94	City Manager	CFO	
127(5)(b) MFMA	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	C95	City Manager	CFO	In consultation with City Manager
178(2)(c) MFMA	Submitting to the National Treasury a list of all other types of contracts of the Municipality for a period beyond 1 January 2007 and with a value of more than one million Rands in total or per annum	C96	City Manager	CFO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
75A(3) MSA 14(1) MPRA	To publish the resolutions of Council in respect of the levying of rates and the recover of fees, charges or tariffs	C97	City Manager	CFO	
27(1) MPRA	To furnish each person liable for payment of a rate with a prescribed written account	C98	City Manager	CFO	
30 MPRA	To cause a general valuation to be made of all properties in the municipality, and a valuation roll to be prepared of all valued properties	C99	City Manager	CFO	
77 MPRA, 78 MPRA 79 MPRA	To update the valuation roll at least once a year by causing a supplementary valuation roll to be prepared or the valuation roll to be amended	C100	City Manager	CFO	

4. **COO powers delegated by the City Manager**

The powers set out hereunder are delegated by the City Manager to the Chief Operating Officer

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To manage and monitor the strategic agenda of the municipality	D1	City Manager	COO	
	To ensure the conceptualization, design and implementation of organization restructuring	D2	City Manager	COO	
	To provide strategic advise to the Office of the City Manager and ensure that high levels of performance of the administration is maintained	D3	City Manager	COO	
	To ensure that programmes related to the IDP, performance management, transformation and other corporate issues are aligned and integrated	D4	City Manager	COO	
	To provide on-going support to structural, process and system changes as required	D5	City Manager	COO	
	To ensure the introduction of a learning organization and knowledge management practices	D6	City Manager	COO	
	To ensure pro-active planning, management and maintenance of the development of the Municipality	D7	City Manager	COO	
	To create an environment conducive to the development of the local community	D8	City Manager	COO	
	To ensure the provision of effective and relevant corporate services for the Municipality	D9	City Manager	COO	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To determine mechanisms, processes and procedures for interaction and communication between the management of the regional administrations of Thaba Nchu, Botshabelo and Bloemfontein and- (a) the ward councillor or other councillor responsible for that part of the municipality's area; (b) ward committee, where applicable, in that part of the municipality's area; (c) the local community in that part of the municipality's area; (d) the Office of the City Manager, all ED,s and their staff members	D10	City Manager	COO	
	To oversee the process of investigating and considering alternative service mechanisms for the provision of municipal services as provided for the Systems Act	D11	City Manager	COO	
	To administer and implement the municipality's by -laws and other legislation	D12	City Manager	COO	
	In the event of legal proceedings by or against the municipality, to sign a certificate to the effect that the municipality used the best known, or only, or most practicable and available methods in exercising any power or performing any duty assigned to it in terms of any legislation, which certificate must, in accordance with the provisions of the Systems Act, on its mere production by any person be accepted by the court as evidence of that fact	D13	City Manager	COO	
	To approve the attendance by officials in the Office of the City Manager of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	D14	City Manager	COO	
	To sign the following documents – (a) documents to commence with any legal process, whether criminal or civil, on behalf of the Council and to defend or oppose any legal process, whether criminal or civil, against the Council; (b) documents necessary to submit or oppose an appeal to a higher court or other body in respect of a judgement given by a lower	D15	City Manager	COO	

	court or body concerned				
	To designate employees in the office of the City Manager as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	D16	City Manager	COO	
55(1) MSA	The implementation of the municipality's integrated development plan, and the monitoring of progress with implementation of the plan	D17	City Manager	COO	
55(1) MSA	The management of the provision of services to the local community in a sustainable and equitable manner	D18	City Manager	COO	
55(1) MSA	The administration and implementation of the municipality's by-laws and other legislation	D19	City Manager	COO	
55(1) MSA	The implementation of national and provincial legislation applicable to the municipality	D20	City Manager	COO	
55(1) MSA	Facilitating participation by the local community in the affairs of the municipality	D21	City Manager	COO	
55(1) MSA	Developing and maintaining a system whereby community satisfaction with municipal services is assessed	D22	City Manager	COO	
67(4) MSA	On written request by a staff member, to make a copy of or extract from the staff systems and procedures of the municipality, including any amendments, available to that staff member	D23	City Manager	COO	
67(4) MSA	To ensure that the purpose, contents and consequences of the staff systems and procedures of the municipality and the code of conduct for officials are explained to staff members who cannot read	D24	City Manager	COO	
	To grant special leave to employees who are sportsmen and women, coaches and referees /umpires, for the purpose of participation in sports events and tournaments at provincial and national level	D25	City Manager	COO	
22 MFMA	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	D26	City Manager	COO	In accordance with Chapter 4 of the Systems Act. In consultation with the City Manager
68(b) MFMA	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	D27	City Manager	COO	
69(3)(b) MFMA	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(1)(b) of the Municipal Systems Act for the City Manager and all senior managers	D28	City Manager	COO	An annual performance agreement must be concluded on or before 31 July of each year in terms of section 57(2)(a) of the

					Systems Act
72(1)(a) MFMA	Performing an assessment of the Municipality's performance during the first half of each financial year	D29	City Manager	COO	In consultation with the City Manager
72(1)(b) MFMA	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury and the Provincial Treasury	D30	City Manager	COO	On or before 25 January each year. In consultation with the City Manager
79(1)(a) MFMA	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	D31	City Manager	COO	
84(1)(b) MFMA	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	D32	City Manager	COO	
84(2)(a)(i) (bb) MFMA	Inviting the local community, organised labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	D33	City Manager	COO	In consultation with City Manager
116(3)(b) MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	D34	City Manager	COO	
116(3) MFMA	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 chain management policy of the municipal entity concerned	D35	City Manager	COO	
116(3)(a) MFMA	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality in the Council	D36	City Manager	COO	
116(3)(b) MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of a municipal entity of which the Municipality is a parent municipality and inviting the local community to submit representations to the Municipality	D37	City Manager	COO	
121(1) MFMA	Preparing an annual report for the Municipality	D38	City Manager	COO	
121(4)(f) MFMA	Determining any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality	D39	City Manager	COO	
126(1)(a)	Submitting the annual financial statements of the Municipality to	D40	City Manager	COO	

MFMA	the Auditor-General on or before 31 August of each year				
126(1)(b) MFMA	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	D41	City Manager	COO	In consultation with City Manager
126(3)(b) MFMA	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)	D42	City Manager	COO	In consultation with City Manager
127(1) MFMA	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality	D43	City Manager	COO	
129(2)(b) MFMA	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	D44	City Manager	COO	

5. Executive Director Corporate Services powers delegated by the City Manager

The powers set out hereunder are delegated by the City Manager to the Executive Director Corporate Services

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	In the case of a new appointment, if such an appointee has been obliged to change his place of residence as a result of the appointment, to grant permission in terms of the Council's employment policy for the payment of removal costs in respect of the appointee's movable property: Provided that sufficient proof of such costs that had been incurred, is furnished	E1	City Manager	ED Corporate Services	
	To decide about confirming the appointment of an employee that was appointed on probation, on a permanent basis or to extent the probation period in the light of the performance and competence of the appoint ee, subject to the provisions of the labour legislation	E2	City Manager	ED Corporate Services	In consultation with the executive director concerned
	To discharge with proper notice, any temporary employee, whether in a permanent or temporary post, if his services are no longer required, subject to the provisions of the labour legislation	E3	City Manager	ED Corporate Services	In consultation with the executive director concerned
	To decide about the acceptance or not of a notice of termination	E4	City Manager	ED Corporate	In consultation with the

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	of service received from an employee on a shorter period than the period set in the conditions of service of the employee			Services	executive director concerned
	To grant specific permission to an employee to reside outside the municipal area	E5	City Manager	ED Corporate Services	In consultation with the executive director concerned
	To grant permission to an employee who apply therefore, to pursue a paid side-line work in his or her spare time	E6	City Manager	ED Corporate Services	In consultation with the executive director concerned and provided that the granting of permission does not adversely affect the employee's work performance
	To approve payment of an acting allowance to an employee in terms of his conditions of service, on receipt of a certificate issued by the executive director concerned, certifying that the employee did in fact fully act in the post concerned for the period as indicated	E7	City Manager	ED Corporate Services	
	To extent the validity of non-accumulative leave of an employee	E8	City Manager	ED Corporate Services	In consultation with the executive director concerned
	To grant study bursaries to employees	E9	City Manager	ED Corporate Services	
	To grant study loans to officials in terms of Council policy	E10	City Manager	ED Corporate Services	
	To grant special leave to employees who are sportsmen and women, coaches and referees/umpires, for the purpose of participation in sports events and tournaments at provincial and national level	E11	City Manager	ED Corporate Services	
	To give written authorisation to officials concerned, to get access at all reasonable hours to premises in the municipality 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	E12	City Manager	ED Corporate Services	
	To determine the working hours that is applicable to the various posts on the staff establishment	E13	City Manager	ED Corporate Services	
	To annually adjust the schedule of uniforms and protective clothing	E14	City Manager	ED Corporate Services	
	To allocate travel allowances to employees	E15	City Manager	ED Corporate Services	
	To approve applications for educational assistance submitted by employees of the former Mangaung City Council to be effected in	E16	City Manager	ED Corporate Services	In consultation with the Executive Director Finance

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	accordance with the existing policy and the agreement of that Council				
	To make a final decision in respect of the termination of the services of an employee due to ill health, subject to the provisions of the labour legislation	E17	City Manager	ED Corporate Services	
	To keep custody of all records and documents of the municipality, except where otherwise provided	E18	City Manager	ED Corporate Services	In consultation with COO
	To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	E19	City Manager	ED Corporate Services	
	To allow time off for employees (post levels 1 - 7) for those overtime hours devoted to attending meetings	E20	City Manager	ED Corporate Services	
	To give written authorisation to officials concerned, to get access at all reasonable hours to premises in the municipality 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	E21	City Manager	ED Corporate Services	
	To sign the following documents - (a) contracts for the maintenance of lifts in municipal buildings as well as maintenance contracts in respect of Council equipment (b) contracts concerning the installation of telephones for official purposes or concerning applications made by persons occupying Council premises (c) contracts which may be necessary for the maintenance of Council's corporate buildings (d) lease contract for the leasing of Council's facilities (halls etc) (e) apprenticeship and learner-ship contract	E22	City Manager	ED Corporate Services	
	To allocate or re-allocate dates for street collections for which formal applications have been received	E23	City Manager	ED Corporate Services	
	To decide upon architectonic maintenance, including the provision of funds	E24	City Manager	ED Corporate Services	
	To grant permission to persons and bodies to examine the records of the central registration of the Council for research purposes	E25	City Manager	ED Corporate Services	
	To decide not to lease a hall of the Council if he is of the opinion that the risk involved is too high	E26	City Manager	ED Corporate Services	
	To grant of permission for the free use of Council premises and facilities for functions of the various executive directorates and	E27	City Manager	ED Corporate Services	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	other municipal-orientated activities/ and events				
	To approve ex-gratia payments for sport to employees who represent the RSA at national level	E28	City Manager	ED Corporate Services	
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa: Provided that the necessary funds are available	E29	City Manager	ED Corporate Services	
55(1) MSA	To promote sound labour relations in compliance with the applicable labour legislation	E30	City Manager	ED Corporate Services	
62(1)(f)(iv) MFMA	Deciding the reasonable steps to be taken to ensure that that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	E31	City Manager	ED Corporate Services	
75(1) MFMA	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first	E32	City Manager	ED Corporate Services	
111, 115(1)(a) MFMA	Making and implementing the Municipality's supply chain management policy	E33	City Manager	ED Corporate Services	

6. Executive Director Infrastructural Services powers delegated by the City Manager

The powers set out hereunder are delegated by the Council to the Executive Director Infrastructural Services

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To authorise consultants that were appointed by the Council to appoint site staff to supervise contract works	F1	City Manager	ED Infrastructural Services	
	To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	F2	City Manager	ED Infrastructural Services	
	To sign all documents and contracts in respect of applications for exploitation authority (mining licenses) to excavate gravel	F3	City Manager	ED Infrastructural	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	and stone within the municipal area, in terms of the provisions of the Minerals Act,1991 (Act No 50 of 1991)			Services	
	To sign contracts concluded by the municipality for waste handling and disposal related works;	F4	City Manager	ED Infrastructural Services	
	In an emergency, to render all possible assistance as quickly as possible to Bloemwater to resolve any water crisis which may occur and to recover the costs thus incurred from Bloemwater, subject thereto that an official order for the services rendered is obtained as soon as possible	F5	City Manager	ED Infrastructural Services	
	To grant permission for the repair of the water meters of other municipalities on the following conditions - (a) that these damaged water meters are delivered to Council's plumber workshop for repair, and fetched after the repair work has been completed; (b) that the water meters are of a type of which parts are available; (c) that the municipality concerned pays for the actual labour costs and parts plus a 10% levy with a minimum of 5 water meters per order; (d) that that other municipality provides an official order to the Council on each occasion	F6	City Manager	ED Infrastructural Services	
	To permit private persons or organizations to perform work on Council property: Provided that this does not prejudice the Council's interests and furthermore that the Council is indemnified in writing against any damages and claims which may arise or result from such activities The authority to grant permission for the excavation of gravel from a registered mine belonging to the municipality at a tariff as determined by the Council from time to time, or at a standard tariff as determined by legislation, whichever is applicable, after the necessary approvals have been obtained in line with the applicable legislation	F7 F8	City Manager City Manager	ED Infrastructural Services ED Infrastructural Services	 In consultation with the Executive Director Development and Community Services and the COO
	To adjust the tariffs contained in the contracts concluded with consultants from time to time, in accordance with the applicable tariffs as published in the Government Gazette in terms of the legislation concerned	F9	City Manager	ED Infrastructural Services	
	The authority to enforce the penalty clauses contained in Council's contracts for the late delivery of goods and services	F10	City Manager	ED Infrastructural	In consultation with the Executive Director Finance

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
				Services	
	The authority to approve the provision of funds for unforeseen road improvements during the execution of a project to an estimated amount of R100 000.00 per project	F11	City Manager	ED Infrastructural Services	In consultation with the Executive Director Development and Community Services and the COO
	To enter and inspect any site or premises within the municipal area and to question any person found on such a site or premises in respect of any matter which may be relevant at such a time	F12	City Manager	ED Infrastructural Services	
	To approve applications for the provision of water outside the municipal area	F13	City Manager	ED Infrastructural Services	
	The authority to exercise those powers of the Council in terms of the provisions of sections 2,3,4 and 5 of the Noise Control Regulations which relate to the specific powers and activities of his directorate	F14	City Manager	ED Infrastructural Services	In consultation with the executive directors concerned
	As mine manager, to make the necessary appointments in terms of the provisions of the Mining and Industry Act, 1956 (Act No 27 of 1956) as well as the provisions of the Explosive Materials Act, 1956 (Act No 26 of 1956)	F15	City Manager	ED Infrastructural Services	
	The provision of technical assistance, support and training to other municipalities, private persons and organizations that are deemed necessary and essential, without prejudice to the training of the municipality's own personnel	F16	City Manager	ED Infrastructural Services	In consultation with the COO
	To deal with and finalise the fitting of antennas to existing masts and structures	F17	City Manager	ED Infrastructural Services	
	To consider requests from deserving organizations, for the acquisition of broken cement tiles for use on their private ground	F18	City Manager	ED Infrastructural Services	
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	F19	City Manager	ED Infrastructural Services	
	To give power of attorney to a nominee of the motor dealer from whom a motor vehicle is purchased for the Council, to license and register the vehicle in the Council's name	F20	City Manager	ED Infrastructural Services	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To exercise the following powers that vest in the Council in terms of the provision of national policies other than that contained in legislation - (a) Integrated Pollution and Waste Management Policy; (b) National Waste Management Strategy policy, strategy and action plans regarding - ❖ Waste Management Planning; ❖ Waste inventories, reporting and data management; ❖ Pollution prevention, Waste Minimisation, Impact Control remediation; ❖ Cleaner technologies, products and production; ❖ Hazardous waste, including radioactive waste and medical waste;	F21	City Manager	ED Infrastructural Services	
	To approve applications for the provision of waste removal or vacuum services outside the municipal area per tariff as approved by the Council	F22	City Manger	ED Infrastructural Services	
	To approve applications for the removal of specified types of waste by private persons and companies	F23	City Manager	ED Infrastructural Services	

7. Executive Director Economic Development and Planning powers delegated by the City Manager

The powers set out hereunder are delegated by the City Manager the Executive Director Economic Development and Planning

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To approve or reject all building plans and to decide about building line concessions, lateral and rear spaces as set out in the Town Planning Scheme: Provided that building plans in respect of Pres. Brand Street must be submitted to the Council for consideration	G1	City Manager	ED Economic Development and Planning	
	To consider and finalise all applications for advertisements (temporary and permanent) in accordance with the provisions of the applicable by-laws	G2	City Manager	ED Economic Development and Planning	
	To allocate departmental and sundry residential units relating to	G3	City Manager	ED Economic	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	his directorate			Development and Planning	
	To rule in respect of the Council's pre-emptive sales right in accordance with relevant housing legislation	G4	City Manager	ED Economic Development and Planning	
	To permit lessees of municipal housing to put up temporary or permanent boarders, subject to conditions	G5	City Manager	ED Economic Development and Planning	
	To permit lessees of municipal housing to effect smaller changes, fixtures and improvements to the leased property	G6	City Manager	ED Economic Development and Planning	
	To approve or reject requests for the purchase or lease of municipal residential units built with state funds	G7	City Manager	ED Economic Development and Planning	
	To evaluate and approve or reject, conditionally or unconditionally, traffic impact studies submitted by developers for rezoning and development purposes, except for cases where the impact of such developments may have financial implications for Council	G8	City Manager	ED Economic Development and Planning	
	To waive Council's rights in respect of servitudes, to approve or reject requests for the use servitude areas created for municipal purposes, for building purposes or for the erection of other structures: Provided that such use of the servitude area does not prejudice the purpose for which the servitude was registered	G9	City Manager	ED Economic Development and Planning	In consultation with the Executive Director Infrastructural Services
	To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	G10	City Manager	ED Economic Development and Planning	
	To sign the following documents - (a) contracts concluded by the Council for building and civil works; (b) contracts concluded by the Council with consultants in respect of projects executed by this directorate; (c) a declaration by the seller for the payment of transfer duties in connection with all property transactions, including declarations concerning buildings which were erected with funds obtained from any state department, the so-called RDP houses;	G11	City Manager	ED Economic Development and Planning	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	<ul style="list-style-type: none"> (d) contracts for the acquisition and alienation of immovable property or rights in respect thereof; (e) lease contracts in respect of the leasing of Council property as well as property leased by the Council, including documents concerning the leasing of buildings erected with funds received from national or provincial government; (f) all documents which are necessary for the registration of erven or other immovable property alienated by the Council, including documents for the registration of erven or other immovable property alienated by the Council on which buildings are erected with funds received from national or provincial government, the so-called RDP houses; (g) all documents which may be necessary for the registration of immovable property in the Council's name irrespective of the way in which the Council acquired such immovable property; (h) contracts which may be necessary for the alienation of any rights in immovable property owned by the Council; (i) all documentation necessary for compliance with the provisions of the Expropriation Act, 1975 (Act No 63 of 1975); (j) all documents which may be necessary for the registration of servitudes or notarial contracts to which the Council is a party, and (k) contracts regarding branch-railway lines and third party rights; (l) the purchaser's declaration to pay transfer duties as well as the documents for the cession of buildings erected for residential purposes with State funds; (m) all contracts and documents in respect of application for the extension and establishment of landfill sites; (n) all contracts and documents in respect of application for the extension and establishment of services, works and facilities related to night-soil and vacuum services; 				
	To give power of attorney to the attorney concerned to process and sign all documents which are necessary for the registration of erven or other immovable property alienated by the Council and on which buildings are erected with funds received from national	G12	City Manager	ED Economic Development and Planning	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	or provincial government, the so-called RDP houses, in the Council's name				
	To grant approval for the erection of a second residential unit on a stand or premises in terms of the Town Planning Schemes and other relevant legislation	G13	City Manager	ED Economic Development and Planning	
	To consider and approve applications for the erection of cellular base stations or structures associated with communication networks as well as access roads leading to these structures, subject to compliance with the Environmental Impact Assessment Regulations according to section 26 of the Environment Conservation Act, 1989 (Act No 73 of 1989) and any other appropriate conditions	G14	City Manager	ED Economic Development and Planning	
	To grant permission for a deviation or relaxation in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977), except for a regulation concerning the strength and stability of buildings	G15	City Manager	ED Economic Development and Planning	
	To decide on the placement of legal, exclusive parking bays	G16	City Manager	ED Economic Development and Planning	
	To decide on the erection of appropriate traffic signs and affecting of appropriate traffic measurements	G17	City Manager	ED Economic Development and Planning	
	To issue a certificate of condonation in terms of the provisions of section 4(5) of the Sectional Titles Act, 1986 (Act No 95 of 1986)	G18	City Manager	ED Economic Development and Planning	
	To approve applications for the consolidation of land which does not belong to the municipality and, where necessary, the setting of building-clause conditions to be registered against the titles of the erven concerned, as well as the determination of servitudes for the protection of services and their application in cases in which sub-divisions are made	G19	City Manager	ED Economic Development and Planning	
	To approve applications for subdivision of land which does not belong to the municipality and also the approval of applications for the abrogation of a title condition which prohibits such a subdivision and, where necessary, the setting of building-clause conditions to be registered against the titles of the erven concerned, as well as the determination of servitudes to protect services and their application in cases in which sub-divisions are made	G20	City Manager	ED Economic Development and Planning	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To approve relaxations in respect of the height restrictions of buildings to a maximum of 10 meters	G21	City Manager	ED Economic Development and Planning	
	To authorize consultants that were appointed by the Council to appoint site staff to supervise contract works	G22	City Manager	ED Economic Development and Planning	
	To grant a postponement for the period in which the vested rights, as determined by the Council, must be exercised in cases in which a consent use has been approved by the Council in terms of its Town Planning Schemes and other relevant legislation	G23	City Manager	ED Economic Development and Planning	
	To approve the placement of neighbourhood watch notice boards on Council property, as well as restricting the number thereof	G24	City Manager	ED Economic Development and Planning	
	To finalize all applications for subdivisions in the suburbs of Universitas, Heuwelsig, Waverley and Pentagon Park in terms of the Town Planning Scheme	G25	City Manager	ED Economic Development and Planning	
	To enter and inspect any site or premises and to question any person found on such a site or premises in respect of any matter which may be relevant at such a time	G26	City Manager	ED Economic Development and Planning	
	To take the necessary steps to secure a suitable court order which obliges the owner or occupier of land or premises to meet the requirements of the Town Planning Scheme in the event that owners or occupiers of land or premises fail to meet the requirements of the said Town Planning Scheme	G27	City Manager	ED Economic Development and Planning	
	To sanction a relaxation in respect of any structural changes to buildings in terms of the provisions of the by-laws in relation to Crèches and Crèches-cum-nursery Schools: Provided that the provisions of the National Building Regulations, 1977 are not contravened	G28	City Manager	ED Economic Development and Planning	
	To approve rezoning applications in respect of land within the guideline areas	G29	City Manager	ED Economic Development and Planning	
	To make recommendations and comments in respect of applications for the cancellation, suspension or amendment of title conditions which are restrictive, in order to bring the title deed of a premises in line with the Town Planning Scheme, except in cases in which a reversionary clause in favour of the Council exists in the title deed	G30	City Manager	ED Economic Development and Planning	
	To make recommendations to the relevant government	G31	City Manager	ED Economic	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	departments concerned in respect of the approval or rejection of applications to demolish or reconstruct houses			Development and Planning	
	To grant the necessary sanction, until a professional surveyor is appointed, to give out cadastral work on a proportion basis to local surveying firms, subject thereto that the fees concerned shall be as stipulated in the statutory prescribed scales, and provided that no single appointment exceeds the amount of R100 000.00	G32	City Manager	ED Economic Development and Planning	
	When applications are made for relaxations of street building lines in respect of single residential stands within the area of the Bainsvlei Town Planning Scheme, to finalize such applications administratively provided that the mentioned building lines are relaxed to a maximum of 50%, in which case this is adequately provided for by the scheme	G33	City Manager	ED Economic Development and Planning	
	To consider and approve applications for home industries and house cafes in terms of the applicable Town Planning Scheme, subject thereto that he may, in cases which he considers to be of a controversial nature or might have a significant impact on the surrounding community, or shall, in the case of objections being lodged by surrounding property owners, refer it to the Council for a decision	G34	City Manager	ED Economic Development and Planning	
	To issue building clause and waiver certificates as well as certificates for the raising of property title conditions to bring it in line with the provisions of Council's Town Planning Schemes To exercise those powers of the Council in terms of the provisions of sections 2,3,4 and 5 of the Noise Control Regulations which relate to this directorate	G35 G36	City Manager City Manager	ED Economic Development and Planning ED Economic Development and Planning	In consultation with the executive directors concerned
	To adjust the tariffs contained in contracts concluded with consultants from time to time, in accordance with the applicable tariffs as published in accordance with the legislation concerned	G37	City Manager	ED Economic Development and Planning	
	To issue a certificate, in compliance with the requirements of the Free State Township Board, that an applicant who has applied for township establishment, have in fact provided services to the satisfaction the Council	G38	City Manager	ED Economic Development and Planning	
	To evaluate and approve or reject, conditionally or unconditionally, traffic impact studies submitted by developers for rezoning and development purposes, except for cases where the impact of such development may have financial implications for Council	G39	City Manager	ED Economic Development and Planning	
	To give consent for alterations to municipal houses leased in	G40	City Manager	ED Economic	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	terms of a lease agreement			Development and Planning	
	To finalise all return of premises from the state to the Council	G41	City Manager	ED Economic Development and Planning	
	To decide on the sale of municipal industrial sites	G42	City Manager	ED Economic Development and Planning	In consultation with the COO and Executive Director Finance
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	G43	City Manager	ED Economic Development and Planning	
	To evaluate and approve privately initiated geometric design plans, including road markings and traffic control measures	G44	City Manager	ED Economic Development and Planning	
	To approve the placing of signposts indicating the locality of churches	G45	City Manager	ED Economic Development and Planning	
	To exercise the relevant powers and functions that vest in the Council in terms of the national policy relating to transport planning, as contained in the National Land Transport Transition Act, 2000 (Act No 22 of 2000)	G46	City Manager	ED Economic Development and Planning	
	To evaluate and approve or reject, conditionally or unconditionally, site development plans for privately initiated development projects and building plans, according to the proposed standards published by the South African Department of Transport in the documents “ Parking Standards (Second Edition)”, report No PG 3/85 and “Guidelines for off-street loading facilities”, report No U12/7/4/23	G47	City Manager	ED Economic Development and Planning	
23 MPRA	To draw up and maintain a register in respect of properties situated in the municipality	G48	City Manager	ED Economic Development and Planning	

8. Executive Director Community and Social Development powers delegated by the City Manager

The powers set out hereunder are delegated by the City Manager to the Executive Director Community and Social Development

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To pay a reward to a person, excluding an employee of the municipality, in an amount of not more than R500 – (a) in the event where information was provided that resulted in the conviction of a person who has damaged or stolen Council property; (b) in the event where information was provided concerning damages to Council property that resulted to a third party being held responsible for such damages	H1	City Manager	ED Community and Social Development	
	To issue all statutory notices for the elimination of nuisances	H2	City Manager	ED Community and Social Development	
	To grant written permission for a caravan to be occupied in a residential area for a period exceeding 21 days, but in any event not exceeding 4 months	H3	City Manager	ED Community and Social Development	
	To grant permission for and to make all arrangements with regard to funerals of destitute persons who die within the Municipality, ie deceased persons found in the area of jurisdiction of the Municipality who are unclaimed, for whom no competent person undertakes to stand in for the burial, and who did not die in a hospital or other institution	H4	City Manager	ED Community and Social Development	
	To consider applications for the licensing of businesses in accordance with the provisions of the Business Act, 1991 (Act No 71 of 1991) To take the necessary readings for the measurements of dBA values as contemplated in regulation 6 of the Noise Control Regulations	H5 H6	City Manager City Manager	ED Community and Social Development ED Community and Social Development	
	The authority to exercise those powers of the Council in terms of the provisions of sections 2,3,4 and 5 of the noise control regulations which relate to the specific functions and activities of this directorate	H7	City Manager	ED Community and Social Development	In consultation with the executive directors concerned
	To grant a postponement for the period in which a prescribed instruction has to be complied with, where consent has been approved by the Council in terms of relevant legislation	H8	City Manager	ED Community and Social Development	
	To pay a reward to a person, excluding an employee of the municipality, in the amount of not more than R500.00 in the event	H9	City Manager	ED Community and Social	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	where information was provided that resulted in the conviction of a person who has illegally dumped waste			Development	
	To make decisions in respect of the removal or pruning of trees on Council property	H10	City Manager	ED Community and Social Development	
	The authority to purchase, exchange and sell animals at the Zoo to a maximum value of R25 000.00 each, provided that adequate accommodation is available before final negotiations take place and subject to the fulfillment of the provisions of the by-laws relating to Finance	H11	City Manager	ED Community and Social Development	In consultation with the COO
	To approve or reject the applications of sports clubs, which fall under the Council's sports scheme, to improve their facilities at their own expense	H12	City Manager	ED Community and Social Development	In consultation with the ED: IS and the ED: ED & P
	To arrange for coaching times at municipal swimming pools	H13	City Manager	ED Community and Social Development	
	The authority to allocate premises at Tempe airfield to a prospective lessee after Council's approval for the lease has been obtained	H14	City Manager	ED Community and Social Development	In consultation with the Executive Director Infrastructural Services and executive directors concerned
	To approve applications for the subletting of sport club facilities	H15	City Manager	ED Community and Social Development	In consultation with the Executive Director Finance
	To allocate departmental and sundry residential units relating to his directorate	H16	City Manager	ED Community and Social Development	
	To decide on the renting of inner tubes	H17	City Manager	ED Community and Social Development	
	The authority to consider and approve applications for the lease of Loch Logan island, and thereafter to conclude a lease agreement with the successful applicant	H18	City Manager	ED Community and Social Development	In consultation with the executive directors concerned and the COO
	To conclude caretaker's agreements for municipal sport and recreation facilities with successful applicants	H19	City Manager	ED Community and Social Development	
	To decide on the opening and closure dates and times of public swimming pools and sport and recreational facilities in accordance with operational and seasonal requirements	H20	City Manager	ED Community and Social Development	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To remove a metered parking base in urgent cases	H21	City Manager	ED Community and Social Development	
	To grant permission for the use of loudspeakers in the streets to advertise functions and events, which may take place in terms of Council policy	H22	City Manager	ED Community and Social Development	
	To act on a complaint received from a member of the public or a police officer about an alleged irregularity in respect of fund raising, to request any person who is raising funds to produce the concession or special concession in terms of which the raising of funds is taking place in compliance with the provisions of relevant legislation	H23	City Manager	ED Community and Social Development	
	To decide whether the fire and rescue division may be utilized for fire fighting, rescue, humanitarian and other related services outside the boundaries of the municipality	H24	City Manager	ED Community and Social Development	
	In cases where merit exists, to repay removal and storage costs for impounded vehicles	H25	City Manager	ED Community and Social Development	
	To authorize, amend or revoke an assessment rendered for fire fighting services	H26	City Manager	ED Community and Social Development	In consultation with the Executive Director Finance and in accordance with the provisions of the Fire Brigade Services Act, 1987 (Act No 99 of 1987)
	To grant permission for parades, athletic and other events to be conducted in streets within the municipal area, as well as for the temporary closing of a street	H27	City Manager	ED Community and Social Development	
	To act as responsible officer in terms of the provisions of the Regulation of Gatherings Act, 1993 (Act No 205 of 1993)	H28	City Manager	ED Community and Social Development	
	To perform the functions and exercise the powers that vest in the Council in respect of the use or discharge of fireworks, firearms or similar devices as contained in the provisions of the Explosives Act, 1956 (Act No 26 of 1956), and the provisions of the Noise Control Regulations, promulgated in terms of the Environment Conservation Act, 1989 (Act No 73 of 1989)	H29	City Manager	ED Community and Social Development	
	To approve participation of the fire brigade division in public demonstrations, public displays and welfare functions	H30	City Manager	ED Community and Social Development	

SECTION IN ACT	POWER	POWER NUMBER	DELEGATING AUTHORITY	DELEGATED BODY	CONDITIONS
	To close the Council's libraries on a temporary basis	H31	City Manager	ED Community and Social Development	
	To decide whether costs incurred by the Disaster Management organization for the provision of assistance, must be recovered by the Council	H32	City Manager	ED Community and Social Development	
	To decide whether food must be supplied to workers of the Disaster Management organisation during the provision of assistance, and to approve a maximum contribution of R2 000 from the relief fund for this purpose, provided that purchases are made as far as is possible in consultation with the Procurement Manager and in keeping with the stipulations of the Financial Regulations	H33	City Manager	ED Community and Social Development	
	To exercise the powers that vest in the Council in terms of the provisions of: (a) sections 3(1) to 3(7) of the Civil Protection Ordinance, 1977 (Ordinance No 10 of 1977). Any financial implication in terms of this delegation must be submitted to the Council for approval; (b) the Hazardous Substances Act, 1973 (Act No 15 of 1973)	H34	City Manager	ED Community and Social Development	
	To approve the attendance by officials in the directorate of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted within the boundaries of the Republic of South Africa : Provided that the necessary funds are available	H35	City Manager	ED Community and Social Development	
	To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act	H36	City Manager	ED Community and Social Development	