

Annexure A
National Statutes

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Constitution of the Republic of South Africa 1996 (Act No 108 of 1996)					
6	Determination of a language policy	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee and taking into account the language preferences and usage in the municipal area
23(3)	Forming/ joining an employer's organisation	Council	None		Subject to receiving and considering a report of the Executive Committee
25(2)	Expropriation of property and rights in, to or over property	Council	Executive Committee		In consultation with the Mayor
25(3)	Determining the amount of compensation payable for expropriated property	Council	Executive Committee		In consultation with the Mayor
43(c)	Exercising the municipality's legislative power	Council	None		None
99	Concluding an agreement with a Cabinet member to receive a function or power assigned to the municipality	Council	Executive Committee		Subject to the agreement having been approved by the council
126	Concluding an agreement with a member of the provincial Executive Committee to receive a function or power assigned to the municipality	Council	Executive Committee		Subject to the agreement having been approved by the council
139	Considering a directive issued by the provincial government pursuant to the municipality failing to fulfil an executive obligation in terms of legislation	Council	None		Subject to receiving and considering a report of the Executive Committee
152	Deciding the actions that must be taken to achieve the objects of local government	Council	Exco	MM/ Mayor	Subject to receiving and considering a report of the Executive Committee
153	Deciding on the structure and management of the municipality's administration and budgeting and planning processes to give priority to the basic needs of the community and to promote the social and economic development of	Council	Municipal Manager	HOD	Subject to a policy framework determined by the council after receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	the community				
153	Deciding on the nature and scope of the municipality's participation in national and provincial development programmes	Council	Executive Committee		In consultation with the Mayor
154(2)	Making representations regarding draft legislation affecting the status, institutions, powers or functions of local government	Council	Exco	MM/ Mayor	
156(1)	Deciding which of the local government matters assigned to the municipality must be performed	Council	None		Subject to receiving and considering a report from the Executive Committee
156(4)	Concluding an agreement for the assignment of a matter to the municipality by the national or provincial government	Council	Executive Committee	MM	Subject to the agreement having been approved by the Exco.
160(1)(b)	Electing a chairperson (speaker)	Council	None		None
160(1)(c)	Electing an executive and other committees	Council	None		In the case of a- <ul style="list-style-type: none"> ▲ section 79-committee, after receiving the report and recommendations of the Speaker ▲ section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to receiving and considering a report and recommendations from the Executive Committee
160(6)	Making bylaws that prescribe rules and orders	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
160(7)	Deciding to close a meeting of the council or those of its committees	Council	The councillor/ person presiding at the meeting concerned at the time the motion to close the meeting concerned is made		Taking into account the reasonableness of the motion having regard to the nature of the business being transacted
163	Deciding to become and remain a member of an organisation representing municipalities	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
195(4)	Deciding whether to appoint a number of persons on policy considerations	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
217	Determining a procurement system that is fair, equitable, transparent, competitive and cost-effective when it contracts for goods or services	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
227(1)	Deciding on the allocation of the equitable share of revenue raised nationally accruing to the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
229(1)	Imposing rates on property and surcharges on fees for services provided by or on behalf of the municipality and, to the extent authorized by national legislation, other taxes, levies and duties appropriate to local government or to the category of local government into which the municipality falls	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in the form of a draft annual budget or adjustments budget
229(4)	Deciding to share revenue raised by the municipality with municipalities that have fiscal power and functions in the municipality's area	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in the form of a draft annual budget or adjustments budget
230	Deciding to raise loans for capital or current expenditure	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
Local Government: Municipal Demarcation Act 1998 (Act No 20 of 1998)					
21(4)	Submitting an objection regarding the determination or redetermination of the municipality's boundaries to the Demarcation Board	Council	Exco		
26(3)	Considering a written invitation by the Demarcation Board to make representations regarding the intended demarcation of the municipality's boundaries	Council	Exco		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ Party	Further Delegated	Conditions
Local Government: Municipal Structures Act 1998 (Act No 117 of 1998)					
12(4)	Participating in any consultations regarding the establishment of a municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
15	Reviewing and rationalising the by-laws, regulations and resolutions (including standing delegations) of any preceding municipalities that binds the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
16(3)	Participating in any consultation regarding an amendment to the notice establishing the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
18(4)	Designating councillors determined by the MEC for local government to be full-time councillors	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
19(2)	Annual reviewing of the needs of the community	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
19(2)	Annual reviewing of the municipality's priorities to meet those needs	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
19(2)	Annual reviewing of the municipality's processes for involving the community	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
19(2)	Annual reviewing of the municipality's organisational and delivery mechanisms for meeting the needs of the community	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
19(2)	Annual reviewing of the municipality's overall performance in achieving the objects of local government set out in the Constitution	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
19(3)	Developing mechanisms to consult the community and community organisations in performing its functions and exercising its powers	Council	Exco		

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29(1)	Deciding when and where a council meets	Speaker	None		None
29(1)	Convening special council meetings at a place and time set out in a request received in terms of section 29(1) of the Structures Act	Speaker	None		None
29(2)	Determining the time, date and place of the first council meeting after a council has been declared elected	Municipal Manager	None		None
30(4)	Casting a casting vote when there is an equality of votes	Councillor presiding at a meeting	None		None
30(5)	Submitting the report and recommendation of the Executive Committee before the council considers- <ul style="list-style-type: none"> ▪ any matter mentioned in section 160 (2) of the Constitution; ▪ the approval of an integrated development plan for the municipality, and any amendment to that plan; and ▪ the appointment and conditions of service of the Municipal Manager and a head of a department of the municipality. 	Executive Committee	None		Subject to the report and recommendations having been prepared In consultation with the Mayor
33	Determining whether the establishment of a particular committee is necessary	Council	None		In the case of a- <ul style="list-style-type: none"> ▲ section 79-committee, subject to receiving the report and recommendations of the Speaker ▲ section 80 and advisory committees in terms of section 17(4) of the Systems Act, subject to receiving and considering a report and recommendations from the Executive Committee
34	Deciding to dissolve the council	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report and recommendations must have been prepared In consultation with the Mayor

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
36(2)	Electing a Speaker to fill a vacancy in the position of Speaker	Council	None		None
40	Deciding to remove the Speaker from office	Council	None		Provided that notice of the motion to remove the Speaker has been given to all councillors
41	Electing an acting Speaker	Council	None		None
44	Deciding to have an Executive Committee	Council	None		Subject to receiving a report from the Municipal Manager
43	Electing an Executive Committee	Council	None		None
44(1)(b)	Receiving reports from committees of the council and forwarding such reports together with a recommendation to the council when the matter cannot be disposed of by the Executive Committee in terms of its delegated powers	Executive Committee	None		None
44(2)(a)	Identifying the needs of the municipality	Executive Committee	None		In consultation with the Mayor
44(2)(b)	Reviewing and evaluating the identified needs of the municipality in order of priority	Executive Committee	None		In consultation with the Mayor
44(2)(c)	Recommending to the council strategies, programmes and services to address priority needs through the integrated development plan and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Committee	None		In consultation with the Mayor
44(2)(d)	Recommending or determining the best way, including partnership and other approaches, to deliver the strategies, programmes and services that were recommended to the maximum benefit of the community	Executive Committee	None		In consultation with the Mayor
44(3)	Identifying and developing criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general	Executive Committee	None		In consultation with the Mayor
44(3)	Evaluating progress against the key	Executive	None		In consultation with the Mayor

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	performance indicators determined by the council	Committee			
44(3)	Reviewing the performance of the municipality in order to improve the economy, efficiency and effectiveness of the municipality; the efficiency of credit control and revenue and debt collection services and the implementation of the municipality's by-laws	Executive Committee	None		In consultation with the Mayor
44(3)	Monitoring the management of the municipality's administration in accordance with the policy directions of the council	Executive Committee	None		In consultation with the Mayor
44(3)	Overseeing the provision of services to communities in a sustainable manner	Executive Committee	None		In consultation with the Mayor
44(3)	Annual reporting on the involvement of communities and community organisations in the affairs of the municipality	Executive Committee	None		In consultation with the Mayor
44(3)	Ensuring that regard is given to public views and report on the effect of consultation on the decisions of the council	Executive Committee	None		In consultation with the Mayor
44(4)	Reporting to the council on decisions taken by the Executive Committee	Executive Committee	None		None
48	Electing a member of the Executive Committee as a Mayor	Council	None		None
50	Deciding when and where the Executive Committee meets	Mayor	None		None
50	Convening a meeting if the majority of the Executive Committee members request	Mayor	None		None
51	Determining its own procedures subject to any rules and orders of the municipal council	Executive Committee	None		By resolution taken with the supporting vote of the majority of its members.
53	Removal from office one or more or all the members of its Executive Committee	Council	None		None
79(1)(a)	Establishing committees	Council	None		Subject to receiving and considering a report and recommendations from the Speaker
79(1)(b)	Appointing members of committees	Council	None		Subject to receiving and considering a report and recommendations from the Speaker

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79(1)(c)	Dissolving committees	Council	None		Subject to receiving and considering a report and recommendations from the Speaker
79(2)(a)	Determining the functions of a committee	Council	None		Subject to receiving and considering a report and recommendations from the Speaker
79(2)(b)	Appointing the chairperson of a committee	Council	None		None
79(2)(c)	Authorising a committee to co-opt advisory members who are not members of the council and setting limits on such co-option	Council	None		Subject to receiving and considering a report and recommendations from the Speaker
79(2)(d)	Removing a member of a committee	Council	None		None
79(2)(e)	Determining a committee's procedures	Council	None		None
80(1)	Appointing committees to assist the Executive Committee	Council	None		Subject to receiving and considering a report and recommendations from the Speaker after consultation with the Executive Committee
80(2)(a)	Appointing the chairperson of a section 80 committee	Executive Committee	None		None
80(2)(d)	Varying or revoking decisions of a section 80 committee	Executive Committee	None		None
81(3)	Determining a procedure for consulting traditional leaders on any matter directly affecting the area of a traditional authority	Council	Executive Committee		None
82(1)	Determining the suitable qualifications of a person to be appointed as Municipal Manager	Council	Council		Executive Committee
82(1)	Appointing a Municipal Manager	Council	Council	Exco	None

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82(2)	Appointing an acting Municipal Manager	Council	Exco	MM	
83(3)	Determining the activities to be performed to achieve the integrated, sustainable and equitable social and economic development of its area as a whole	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
83(3)(a)	Determining the activities to ensure integrated development planning for the district as a whole	Council	None		None
83(3)(b)	Determining the activities to promote bulk infrastructural development and services for the district as a whole	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
83(3)(c)	Determining the activities to build the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
83(3)(d)	Determining the activities to promote the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within the area.	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
84(1)	Determining the extent to which the municipality performs the functional competencies assigned to it	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
87(2)	Deciding whether to object to the temporary assignment of a functional competency of another municipality to the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
88(1)	Deciding on the nature and scope of the assistance to be provided to another municipality	Council	Exco		
88(2)	Deciding to request another municipality for financial, technical and administrative assistance	Council	Exco		
88(2)(a)	Deciding the nature, scope and duration of the financial, technical and administrative	Council	Exco		

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	support services to be provided to a local municipality within its area				
Local Government: Municipal Systems Act 2000 (Act No 32 of 2000)					
4(2)(e)	Determining processes, mechanisms and procedures for consulting the community about the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider and the available options for service delivery	Council	Exco		
4(2)(c)	Determining processes, mechanisms and procedures for encouraging the involvement of the community	Council	Exco		
4(2)(d)	Determining processes, mechanisms and procedures for ensuring that municipal services are provided to the community in a financially and environmentally sustainable manner	Council	Exco		
4(2)(h)	Determining processes, mechanisms and procedures for promoting gender equity in the exercise of the municipality's executive and legislative authority	Council	Exco		
4(2)(j)	Determining the contribution to be made by the municipality, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
5(1)(a)	Determining the processes, mechanisms and procedures for the community to contribute to the decision-making processes of the municipality and submit written or oral recommendations, representations and complaints to the council or to another political structure or a political office bearer or the administration of the municipality	Council	Exco		
5(1)(b)	Determining the processes, mechanisms	Council	Exco		

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	and procedures to provide to the community prompt responses to their written or oral communications, including complaints, to the council or to another political structure or a political office bearer or the administration of the municipality				
5(1)(c)	Determining the processes, mechanisms and procedures for informing the community of decisions of the council, or another political structure or any political office bearer of the municipality, affecting their rights, property and reasonable expectations	Council	Exco		
5(1)(d)	Determining the processes, mechanisms and procedures for regularly disclosing to the community to regular disclosure of the state of affairs of the municipality, including its finances	Council	Exco		
5(1)(e)	Determining the processes, mechanisms and procedures through which the community may demand that the proceedings of the council and those of its committees must be open to the public, conducted impartially and without prejudice and untainted by personal self-interest	Council	Exco		
6(2)(a)	Determining the processes, mechanisms and procedures for the administration to be responsive to the needs of the community	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
6(2)(b)	Determining the processes, mechanisms and procedures for facilitating a culture of public service and accountability amongst staff	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
6(2)(c)	Determining the processes, mechanisms and procedures for preventing corruption	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
6(2)(d)	Determining the processes, mechanisms and procedures for establishing clear relationships, and facilitating co-operation	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	and communication, between it and the community				
6(2)(e)	Determining the processes, mechanisms and procedures for giving members of the community full and accurate information about the level and standard of municipal services they are entitled to receive	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
6(2)(f)	Determining the processes, mechanisms and procedures for informing the community how the municipality is managed, of the costs involved and the persons in charge	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
11(2)	Entering into a written agreement with another municipality to exercise executive authority in the area of that other municipality	Council	Executive Committee		Subject to the agreement being approved by the council
13(a)	Determining a practical way to bring the contents of the by-law to the attention of the community	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
14(3)	Deciding whether to adopt a standard bylaw promulgated by the Minister for Provincial and Local Government or the MEC for local government, the extent of such adoption and any modifications and qualifications to such standard bylaw	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
15(1)	Compiling and maintaining in bound or loose-leaf form, and when feasible also in electronic format, a compilation of all the by-laws, including any provisions incorporated by reference as by-laws of the municipality	Council	Municipal Manager	HOD	None
15(3)	Determining a reasonable fee for a copy of or an extract from the municipal code of the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
16(1)(a)	Determining the processes, mechanisms and procedures for encouraging, and creating conditions for, the community to participate in the affairs of the municipality, including in the preparation, implementation and review of its integrated development plan, the	Council	EXCO		

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	establishment, implementation and review of its performance management system, the monitoring and review of its performance, including the outcomes and impact of such performance, the preparation of its budget and strategic decisions relating to the provision of municipal services				
16(1)(b)	Determining the processes, mechanisms and procedures for contributing to building the capacity of the community to enable it to participate in the affairs of the municipality and councillors and staff to foster community participation	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
16(1)(c)	Determining the annual allocation of funds in the budget, as may be appropriate for the purpose of implementing a culture of municipal governance that complements formal representative government with a system of participatory governance	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
17(2)(a)	Determining appropriate mechanisms, processes and procedures for the receipt, processing and consideration of petitions and complaints lodged by members of the community	Council	EXCO	MM	
17(2)(b)	Determining appropriate mechanisms, processes and procedures for notification and public comment procedures, when appropriate	Council	Exco		
17(2)(c)	Determining appropriate mechanisms, processes and procedures for public meetings and hearings by the council and other political structures and political office bearers of the municipality, when appropriate	Council	EXCO		

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17(2)(d)	Determining appropriate mechanisms, processes and procedures for consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities	Council	Exco		
17(2)(e)	Determining appropriate mechanisms, processes and procedures for report-back to the community	Council	Exco		
17(4)	Establishing and appointing the members of one or more advisory committees consisting of persons who are not councillors to advise the council on any matter within the council's competence	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
18(1)	Determining appropriate mechanisms, processes and procedures for communicating to the community information concerning the available mechanisms, processes and procedures to encourage and facilitate community participation, the matters with regard to which community participation is encouraged, the rights and duties of members of the community and municipal governance, management and development	Council	EXCO		
19(1)	Determining the manner in which the Municipal Manager must give notice to the public of the time, date and venue of every ordinary meeting of the council and every special or urgent meeting of the council, except when time constraints make this impossible	Council	Municipal Manager		None
20(4)(b)	Determining reasonable steps to regulate public access to, and public conduct at, meetings of the council and its committees	Council	The councillor/ person presiding at a meeting		After consultation with the Municipal Manager

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21(1)(b)	Determining newspapers circulating in the area as newspapers of record	Council	Exco		
21(2)	Determining the official languages in which municipal notices must be published	Council	EXCO		
25(1)	Adopting an integrated development plan for the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
26(a)	Determining the council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs to be incorporated in the IDP	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
26(c)	Determining the council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs to be incorporated in the IDP	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
26(f)	Determining the council's operational strategies to be incorporated in the IDP	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee in terms of the municipality's integrated development plan or a proposed amendment thereto
27(1)	Adopting a framework for integrated development planning in the area as a whole	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
27(1)	Determining the consultative process with the local municipalities within its area that must be followed prior to adopting a framework for IDP	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
28(1)	Adopting a written process to guide the planning, drafting, adoption and review of its integrated development plan	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
28(2)	Determining appropriate mechanisms, processes and procedures for consulting the community before adopting a process to guide the planning, drafting, adoption and review of its integrated development plan	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

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30	Managing the drafting of the municipality's integrated development plan, assignment of responsibilities in this regard to the Municipal Manager and submitting the draft plan to the council for adoption	Executive Committee	None		In consultation with the Mayor
32(1)(a)	Submitting the approved IDP to the MEC	Municipal Manager	None		None
32(3)	Considering the MEC's request to reconsider the IDP or to follow the approved process/work plan	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
34	Annual reviewing and amending of the IDP	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
39	Managing the development of the municipality's performance management system, assignment of responsibilities in this regard to the Municipal Manager and submission of the proposed system to the council for adoption.	Executive Committee	None		In consultation with the Mayor
40	Establishing mechanisms to monitor and review the municipality's performance management system	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
42	Determining mechanisms, processes and procedures to involve the community in the development, implementation and review of the municipality's performance management system, the setting of appropriate key performance indicators and performance targets for the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
44	Determining the manner to make known, both internally and to the general public, the key performance indicators and performance targets the council set for purposes of its performance management system	Council	EXCO		

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46	Preparing the municipality's annual performance report	Council	Mayor	Municipal manager	Together with the managers directly accountable to the Municipal Manager
46(4)(a)	Determining a reasonable price for a copy of the municipality's annual performance report	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(1)	Defining the specific role and area of responsibility of each political structure and political office-bearer of the municipality and of the Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(5)	Determining the relationships among the political structures and political office bearers and the Municipal Manager, and the manner in which they must interact	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(5)	Determining the appropriate lines of accountability and reporting for the political structures and political office-bearers and the Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(5)	Determining the mechanisms, processes and procedures for minimising cross-referrals and unnecessary overlapping of responsibilities between the political structures and political office-bearers and the Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(5)	Determining the mechanisms, processes and procedures for resolving disputes between the political structures and political office-bearers and the Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
53(5)	Determining the mechanisms, processes and procedures for interaction, between the political structures and political office-bearers and the Municipal Manager and other staff members of the municipality and councillors and the Municipal Manager and other staff members of the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
55(1)(a)	Subject to the policy directions of the council, forming and developing an economical, effective, efficient and accountable administration equipped to carry out the task of implementing the	Municipal Manager	None		None

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	municipality's integrated development plan, operating in accordance with the municipality's performance management system and responsive to the needs of the community to participate in the affairs of the municipality				
55(1)(b)	Subject to the policy directions of the council managing the municipality's administration in accordance with legislation applicable to the municipality	Municipal Manager	None		None
55(1)(c)	Subject to the policy directions of the council implementing the municipality's integrated development plan, and monitoring progress with implementation of the plan	Municipal Manager	HOD's		
55(1)(d)	Subject to the policy directions of the council managing the provision of services to the community in a sustainable and equitable manner	Municipal Manager	HOD's		
55(1)(e)	Subject to the policy directions of the council appointing staff other than managers directly accountable to the Municipal Manager subject to the Employment Equity Act, 1998	Municipal Manager	None		In consultation with the HOD's
55(1)(f)	Subject to the policy directions of the council managing, effectively utilising and training of staff	Municipal Manager	HOD's	Human Resources	
55(1)(g)	Subject to the policy directions of the council maintaining discipline of staff	Municipal Manager	HOD's	Human Resources	
55(1)(h)	Subject to the policy directions of the council promoting sound labour relations and compliance by the municipality with applicable labour legislation	Municipal Manager	HOD's	Human Resources	
55(1)(i)	Subject to the policy directions of the council advising the political structures and political office bearers of the municipality	Municipal Manager	HOD's		
55(1)(j)	Subject to the policy directions of the council managing communications between the municipality's administration	Municipal Manager	HOD's		

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	and its political structures and political office-bearers				
55(1)(k)	Subject to the policy directions of the council carrying out the decisions of the political structures and political office-bearers of the municipality	Municipal Manager	HOD's		
55(1)(l)	Subject to the policy directions of the council administering and implementing of the municipality's by-laws and other legislation	Municipal Manager	HOD's		
55(1)(n)	Subject to the policy directions of the council facilitating participation by the community in the affairs of the municipality	Municipal Manager	None		In consultation with the HOD's
55(1)(o)	Subject to the policy directions of the council developing and maintaining a system whereby community satisfaction with municipal services is assessed	Municipal Manager	WSM/EDCS	Customer Care / ISD	
55(1)(p)	Subject to the policy directions of the council implementing national and provincial legislation applicable to the municipality	Municipal Manager	HOD's		
56(a)	Determining the manner in which to consult the Municipal Manager regarding the appointment of managers of managers directly accountable to the Municipal Manager	Council	EXCO		
56(b)	Determining the relevant skills and expertise to perform the duties associated with a post of manager directly accountable to the Municipal Manager	Council	EXCO		
57(1)	Approving the employment contract between the municipality and the Municipal Manager and a manager directly accountable to the Municipal Manager	Council	EXCO		
57(1)	Signing an employment contract with the Municipal Manager or a manager directly accountable to the Municipal Manager	Council	Executive Committee	Mayor	Subject to the contract being approved by the council
57(3)	Approving the first and annual performance agreement between the	Council	Executive Committee	Mayor	

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	municipality and the Municipal Manager and a manager directly accountable to the Municipal Manager				
57(6)(a)	Determining the term of employment of the Municipal Manager	Council	EXCO		
57(6)(b)	Determining a provision for the cancellation of a contract of employment or performance agreement between the municipality and a Municipal Manager or manager directly accountable to a Municipal Manager for non-compliance with the employment contract or performance agreement	Council	EXCO		
57(7)	Deciding whether a manager directly accountable to the Municipal Manager must be appointed for a fixed term of employment	Council	EXCO		Subject to receiving and considering a report and recommendations from the Municipal Manager
57(7)	Determining the term of employment of a manager directly accountable to a Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
59(1)	Developing a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
60(1)	Determining a policy framework for taking decisions to expropriate immovable property or rights in or to immovable property	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
60(1)	Determining a policy framework for taking decisions regarding the determination or alteration of the remuneration, benefits or other conditions of service of the Municipal Manager or managers directly responsible to the Municipal Manager	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
62(4)(c)	Appointing an appeal authority consisting of a committee of councillors who were not involved in the decision, for considering appeals against a decision taken by a political structure, political office-bearer, councillor or staff member of the municipality in terms of a power delegated	Council	Speaker		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	or sub-delegated that affects the rights of a person				
65(1)	Considering a report of the Municipal Manager regarding the review of the municipality's delegated powers	Council	None		None
66(1)	Determining a policy framework for a staff establishment for the municipality, a job description for each post on the staff establishment, the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation attached to posts in the establishment and a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the it and the remuneration and conditions of service	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
67(1)	Developing and adopting systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
68(2)	Determining the allocation provided for in the budget for the development and implementation of training programmes	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
71	Establishing mechanisms, procedures and processes for compliance with collective agreements concluded in the bargaining council	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
74(1)	Adopting and implementing a tariff policy on the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
75(1)	Adopting by-laws to give effect to the implementation and enforcement of the tariff policy	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
77	Reviewing current and determining appropriate mechanisms to provide municipal services	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
85(1)	Establishing a part of the municipality as an internal municipal service district to facilitate the provision of a municipal service in that part of the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
86(1)	Developing and adopting a policy framework for the establishment, regulation and management of an internal municipal service district	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
87	Deciding to establish, together with another municipality a multi-jurisdictional municipal service district to facilitate the provision of a municipal service in the relevant municipal areas or parts of those municipal areas	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
95(a)	Establishing a customer management system	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(b)	Establishing mechanisms for users of services and ratepayers to give feedback to the municipality or other service provider regarding the quality of the services and the performance of the service provider	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(c)	Stipulating the reasonable steps that must be taken to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(d)	Stipulating the reasonable steps that must be taken to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems where the consumption of services has to be measured	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
95(e)	Stipulating the steps that must be taken to ensure that persons liable for payments,	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	receive regular and accurate accounts that indicate the basis for calculating the amounts due				Manager
95(f)	Establishing accessible mechanisms for persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(g)	Establishing accessible mechanisms for dealing with complaints from persons, for promptly replying to complaints and corrective action	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(h)	Establishing mechanisms to monitor the response time and efficiency in complying with complaints from persons, for promptly replying to complaints and corrective action	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
95(i)	Determining the number and location of pay points and other mechanisms for settling accounts or for making pre-payments for services	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
96(b)	Adopting, maintaining and implementing a credit control and debt collection policy which is consistent with the municipality's rates and tariff policies	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
98(1)	Adopting by-laws to give effect to the credit control and debt collection policy, its implementation and enforcement	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
99(c)	Determining the frequency during which the Executive Committee must report to the council on the implementation and enforcement of the municipality's credit control and debt collection policy and by-laws, the performance of the Municipal Manager in implementing the policy and by-laws and the evaluation or review of the policy and by-laws or the implementation of the policy and by-laws, in order to improve efficiency of its credit control and debt collection mechanisms,	Council	None		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	processes and procedures				
101	Issuing written authorisation to an employee to access at all reasonable hours premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
102(1)	Deciding to consolidate separate accounts of persons liable for payments to the municipality and to credit a payment by such a person against any account of that person	Council	Municipal Manager		After consultation with the Chief Financial Officer
103(1)	Obtaining the consent of employees of other employers to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
103(1)	Entering into agreement with the employers of other employees to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
103(2)	Determining special incentives for employers to enter into agreements with the municipality to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
103(2)	Determining special incentives for employees of other employers to enter into agreements with the municipality to deduct any payment of rates or other taxes, or fees for municipal services from their salaries and wages	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
109(2)	Deciding to compromise or compound any action, claim or proceedings and	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	submission to arbitration of any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws.				Manager
110	Issuing a certificate, to be used in legal proceedings involving the municipality, that the municipality used the best known, or the only, or the most practicable and available methods in exercising any of its powers or performing any of its functions	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
112	Obtaining the approval of the national prosecuting authority to enable an employee to institute criminal proceedings and conduct prosecutions in respect of bylaws and other legislation applicable to the municipality	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
117	Custody of all records and documents of the municipality	Council	Municipal Manager		None
118	Issuing of a rates clearance certificate	Council	Chief Financial Officer		None
Sch 1(4)(1)	Considering applications submitted by councillors for leave of absence from meetings they are required to attend	Council	Chairperson of the body concerned		None
Sch 1(4)(1)	Imposing a fine as determined by the standing rules and orders on a councillor for not attending a meeting which that councillor is required to attend or failing to remain in attendance at such a meeting	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(4)(3)	Adopting a uniform standing procedure for the imposition of a fine or the removal of a councillor	Council	None		Subject to receiving and considering a report from the Speaker

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Sch 1(5)(b)	Determining whether a councillor's	Council	The body at		Taking into account a policy framework

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	declared personal or private business interest in any matter before the council or a committee of the council is trivial or irrelevant		which the councillor concerned makes the declaration		determined by the council
Sch 1(6)(2)	Considering an application by a councillor to be a party to or beneficiary under a contract for the provision of goods or services to the municipality or the performance of any work otherwise than as a councillor for the municipality, or to obtain a financial interest in any business of the municipality or to appear on behalf of any other person before the council or a committee for a fee or other consideration	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(7)(4)	Determining which of the financial interests of councillors must be made public having regard to the need for confidentiality and the public interest for disclosure	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(8)	Considering and refusing or consenting to an application of a full-time councillor to undertake other paid work	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(10)	Granting permission to a councillor to disclose privileged or confidential information of the council or committee to an unauthorised person	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(11)	Mandating a councillor to interfere in the management or administration of any department or give an instruction to an employee	Council	None		Subject to receiving and considering a report from the Speaker
Sch 1(13)	Authorising an investigation into an alleged breach of the code of conduct for councillors	Speaker	Speaker		None
Sch 1(14)(1)	Investigating and making a finding on any alleged breach of a provision of the code of conduct for councillors or establishment of a special committee to investigate and make a finding on any alleged breach of the code and to make appropriate recommendations to the council	Council	None		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Sch 1(14)(2)	Imposing a penalty on a councillor having been found guilty of a breach of the code of conduct for councillors	Council	None		None
Sch 1(14)(3)	Making representations to the MEC regarding an appeal of a councillor that has been found guilty of a breach of the code of conduct form councillors	Council	Speaker		None
Sch 1(15)(3)	Imposing a penalty on a traditional leader having been found guilty of a breach of the code of conduct for councillors	Council	None		None
Sch 2(4)(2)	Obtaining the council's permission to obtain an interest in a contract with the municipality, a financial interest in the business of the municipality or to perform any other work, trade or profession	Council	None		None
Sch 2(5)(2)	Receiving a declaration of an employee of her/his interest in a contract with the municipality	Council	Municipal Manager		None
Sch 2(13)	Receiving a report from an employee regarding an alleged breach of the code of conduct for employees	Municipal Manager, Executive Committee, Speaker, department al heads and supervisors	None		None
Remuneration of Public Office-Bearers Act 1998 (Act No 20 of 1998)					
7(4)	Determining the salary, allowances and benefits payable to councillors	Council	None		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Promotion of Access to Information Act 2000 (Act No 2 of 2000)					
17(1)	Designating such number of persons as deputy information officers as are necessary to render the municipality as accessible as reasonably possible for requesters of its records	Municipal Manager	None		After consultation with the managers directly accountable to the Municipal Manager
Promotion of Administrative Justice Act 2000 (Act No 3 of 2000)					
3(3)	Granting to a person whose rights or legitimate expectations may be materially affected by intended administrative action by the municipality, an opportunity to obtain assistance and, in serious or complex cases, legal representation, to present and to dispute information and arguments and to appear in person before the decision-making body.	Council	Executive Committee		After consultation with the Speaker
4(1)	Deciding, in cases where an administrative action materially and adversely affects the rights of the public, whether to hold a public inquiry or to follow a notice and comment procedure, or to hold a public enquiry and follow a procedure of notice and comment in order to give effect to the right to procedurally fair administrative action	Council	Speaker		After consultation with the Executive Committee
Promotion of Equality and Prevention of Unfair Discrimination Act 2000 (Act No 4 of 2000)					
26	Adopting appropriate equality plans, codes, regulatory mechanisms and other appropriate measures for the effective promotion of equality in the spheres of the municipality's operation, enforcing and monitoring the enforcement of the equality plans, codes and regulatory mechanisms developed by the municipality and making	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	regular reports to the relevant monitoring authorities or institutions as may be provided in regulations, where appropriate.				
28(3)	Determining mechanisms, processes and procedures to eliminate discrimination on the grounds of race, gender and disability and promote equality in respect of race, gender and disability.	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
Water Services Act 1998 (Act No 107 of 1998)					
3	Determining the processes, mechanisms, plans and programmes for realising the right of access to basic water supply and basic sanitation.	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
4	Determining conditions for the provision of water services	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
7	Granting permission to obtain water for industrial use from any source other than the distribution system of a water services provider nominated by the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
11(6)	Determining reasonable limits on the use of water	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
19	Determining whether to perform the functions of a water services provider itself or to enter into a written contract with a water services provider or form a joint venture with another water services institution to provide water services	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
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Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
21	Making bylaws which contain conditions for the provision of water services	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
22	Considering applications to operate as water services provider within the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
Housing Act 1997 (Act No 107 of 1997)					
10	Deciding to apply for accreditation to administer national housing programmes	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
Regional Services Councils Act 1985 (Act No 109 of 1985)					
4(3)(a)	Deciding whether to enter into an agreement with a local municipality or other person or body in terms of which the district municipality undertakes to exercise a power or discharge a duty of that local municipality or body	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
4(3)(a)	Deciding whether to enter into an agreement with a local municipality or other person or body in terms of which that local municipality or other body undertakes to exercise a power or discharge a duty of the district municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
11(3)	Receiving an appeal from a local municipality against a resolution of the council	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
12(4)	Submitting a copy of the municipality's budget to the Minister of Finance	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
12(11A)	Obtaining the Minister of Finance's	Council	None		Subject to receiving and considering a

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	approval to borrow or lend money				report and recommendations from the Executive Committee
Labour Relations Act 1995 (Act No 66 of 1995)					
12(4)	Setting conditions as to time and place that are reasonable and necessary to safeguard life or property or to prevent the undue disruption of work when any office-bearer or official of a trade union enters the municipality's premises in order to recruit or communicate with members, or otherwise serve members' interests, to hold meetings with employees outside their working hours at the employer's premises and to vote at the employer's premises in any election or ballot contemplated in that trade union's constitution.	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
15(1)	Granting of leave to union representatives and office-bearers for union activities	Council	Municipal Manager		After consultation with the relevant departmental head and the HOD: Corporate Services and subject to the Organisational Rights Agreement
16(2) and (3)	Deciding whether or not to disclose information to a union representative or union	Council	Municipal Manager		After consultation with HOD: Corporate Services
23	Ensuring compliance with collective agreements	Council	Municipal Manager		After consultation with the relevant departmental head and the HOD: Corporate Services and subject to the relevant agreement
69(2)	Considering an application by a trade union to picket inside the municipality's premises	Council	Municipal Manager		After consultation the HOD: Corporate Services and subject to the relevant code of good practice
72	Entering into a minimum service level agreement in respect of essential services provided by the municipality	Council	Municipal Manager		After consultation the HOD: Corporate Services
76	Deciding to take into employment one or more replacement workers during a strike or similar action and determining there conditions of employment	Council	Municipal Manager		After consultation with the relevant departmental head and the HOD: Corporate Services and subject to the relevant agreement

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
142	Applying to the CCMA to subpoena a person to appear in proceedings before the CCMA	Council	Municipal Manager		After consultation the HOD: Corporate Services
142A	Applying to the CCMA to make a settlement agreement an arbitration award	Council	Municipal Manager		After consultation the HOD: Corporate Services
188A(1)	Seeking the consent of an employee accused of misconduct or poor work performance to consent to arbitration regarding the allegations	Council	Municipal Manager		After consultation the HOD: Corporate Services
188A(1)	Applying to the SALGBC or the CCMA to arbitrate any allegation relating to an employee's conduct or capacity	Council	Municipal Manager		After consultation the HOD: Corporate Services
189	Deciding whether to dismiss one or more employees based on the municipality's operational requirements	Council	Municipal Manager		After consultation the HOD: Corporate Services
189A(3)	Requesting the CCMA to appoint a facilitator to facilitate consultation between the municipality and other consulting parties regarding the proposed dismissal of one or more employees based on the municipality's operational requirements	Council	Municipal Manager		After consultation the HOD: Corporate Services
191	Appointing a person or body to represent the municipality in any proceedings before the SALGBC or the CCMA	Council	Municipal Manager		After consultation the HOD: Corporate Services
Sch 8(8)(a)	Deciding whether to appoint a newly-hired employee on probation	Council	Municipal Manager		After consultation the HOD: Corporate Services
Sch 8(8)(d)	Determining the period of probation with reference to the nature of the job and the time it takes to determine the employee's suitability for continued employment	Council	Municipal Manager		After consultation the HOD: Corporate Services
Sch 8(8)(e)	Determining the basis and methodology of assessing the performance of an employee appointed on probation	Council	Municipal Manager		After consultation the HOD: Corporate Services
Sch 8(8)(e)	Determining the reasonable evaluation, instruction, training, guidance or counselling in order to allow an employee appointed on probation to render satisfactory service	Council	Municipal Manager		After consultation the HOD: Corporate Services and the departmental head concerned
Sch 8(8)(f)	Deciding to extend a employee's period of probation	Council	Municipal Manager		After consultation the HOD: Corporate Services and the departmental head concerned

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Basic Conditions of Employment Act 1997 (Act No 75 of 1997)					
7	Regulating the working time of each employee in accordance with the provisions of any Act governing occupational health and safety, with due regard to the health and safety of employees and the Code of Good Practice on the Regulation of Working Time and with due regard to the family responsibilities of employees	Council	Municipal Manager		After consultation the HOD: Corporate Services
9(2)	Concluding an agreement to extend the working hours of an employee by up to 15 minutes in a day but not more than 60 minutes in a week to enable an employee whose duties include serving members of the public to continue performing those duties after the completion of ordinary hours of work	Council	Municipal Manager		After consultation the HOD: Corporate Services and the relevant departmental head
10(1)(a)	Concluding an agreement with an employee requiring that employee to work overtime and a further agreement to extend such agreement	Council	Municipal Manager		After consultation the HOD: Corporate Services and the relevant departmental head
10(3)	Determining, by way of agreement, whether an employee who works overtime will be paid in cash for such overtime work or time off in lieu of such pay	Council	Municipal Manager		After consultation the HOD: Corporate Services and the Chief Financial Officer
11(1)	Concluding an agreement in writing requiring or permitting an employee to work up to twelve hours in a day, inclusive of the meal intervals, without receiving overtime pay.	Council	Municipal Manager		After consultation the HOD: Corporate Services and the relevant departmental head
14(1)	Determining of meal intervals	Council	Municipal Manager		After consultation the HOD: Corporate Services
14(3)	Concluding an agreement in writing reducing the meal interval to not less than 30 minutes; and dispensing with a meal interval for an employee who works fewer than six hours on a day.	Council	Municipal Manager		After consultation the HOD: Corporate Services

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
17(2)	Concluding an agreement requiring or permitting an employee to perform night work, provided that the employee is compensated by the payment of an allowance, which may be a shift allowance, or by a reduction of working hours and transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift.	Council	Municipal Manager		After consultation the HOD: Corporate Services and the relevant departmental head
17(2)	Determining a night work allowance	Council	Municipal Manager		After consultation the HOD: Corporate Services and the Chief Financial Officer
18(1)	Concluding an agreement requiring an employee to work on a public holiday	Council	Municipal Manager		After consultation the HOD: Corporate Services and the relevant departmental head
20(4)	Granting of annual leave not later than six months after the end of an employee's annual leave cycle	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
20(6)	Permitting an employee, at the employee's written request, to take leave during a period of unpaid leave	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
20(7)	Reducing an employee's entitlement to annual leave by the number of days of occasional leave on full remuneration granted to the employee at the employee's request in that leave cycle	Council	HOD: Corporate Services		None
20(9)	Ensuring that an employee who has been granted leave does not work during such leave	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
21	Concluding an agreement with an employee who has been granted annual leave to be paid on her/his usual payday	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
22(6)	Concluding an agreement to reduce an employee's pay during that employee's absence from work on sick leave	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
23(1)	Deciding whether an employee who has been absent from work for more than two consecutive days or on more than two occasions during an eight-week period and, on request by the employer, does not	Council	HOD: Corporate Services		With the authority to sub-delegate to other departmental heads

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury must submit such a certificate or be charged				
25	Granting of maternity leave	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
26(1)	Making arrangements to ensure that a pregnant employee or an employee who is nursing her child to perform work that is hazardous to her health or the health of her child	Council	HOD: Corporate Services		After consultation with the relevant departmental head
26(2)	Making arrangements during an employee's pregnancy, and for a period of six months after the birth of her child for suitable, alternative employment on terms and conditions that are no less favourable than her ordinary terms and conditions of employment, if the employee is required to perform night work or her work poses a danger to her health or safety or that of her child and it is practicable for the employer to do so	Council	HOD: Corporate Services		After consultation with the relevant departmental head
27(1)	Granting of not more than 3 days family responsibility leave to an employee during an annual leave cycle	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
27(5)	Deciding whether an employee who applied for or who has been granted family responsibility leave must submit reasonable proof of the event for which the leave was required	Council	HOD: Corporate Services		With the authority to sub-delegate to departmental heads
29(1)	Supplying the written particulars of her/his employment to a newly appointed employee	Council	HOD: Corporate Services		None
29(2)	Amending the written particulars of employment issued to an employee when any such particular changes	Council	HOD: Corporate Services		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
29(3)	Explaining, in cases where an employee is	Council	HOD:		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	not able to understand the written particulars of her/his employment to the employee the written particulars in a language and in a manner that the employee understands.		Corporate Services		
29(4)	Keeping the written particulars of an employee for a period of three years after the termination of employment	Council	HOD: Corporate Services		None
30	Ensuring the display at the workplace where it can be read by employees a statement in the prescribed form of the employee's rights under Basic Conditions of Employment Act in the official languages which are spoken in the workplace.	Council	HOD: Corporate Services		None
31(1)	Keeping of the following minimum records in respect of each employee: (a) The employee's name and occupation; (b) the time worked by each employee; (c) the remuneration paid to each employee; (d) the date of birth of any employee under 18 years of age; and (e) any other prescribed information.	Council	HOD: Corporate Services		None
38(1)	Deciding whether to require an employee who has resigned or has been dismissed to work during the notice period or whether the notice period is waived	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
41	Determining the severance pay payable to an employee dismissed due to the operational requirements of the municipality	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer
69(4)	Ensuring that a copy of a compliance order is displayed prominently at a place accessible to the affected employees at each workplace named in it	Council	HOD: Corporate Services		None
69(5)	Ensuring compliance with a compliance order within the time period stated in the order	Council	Municipal Manager		In consultation with the HOD: Corporate Services
71	Deciding to object to a compliance order	Council	Municipal Manager		In consultation with HOD: Corporate Services

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
72	Deciding to appeal against a decision of the Director-General of Labour regarding an object of the municipality to a compliance order	Council	Municipal Manager		In consultation HOD: Corporate Services
Occupational Health and Safety Act 1993					
7(1)	Ensuring compliance with a directive issued by notice in the Government Gazette, to prepare a written policy concerning the protection of the health and safety of employees at work and the arrangements for carrying out and reviewing that policy	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
7(3)	Ensuring that the municipality's health and safety policy is signed by the Municipal Manager and displayed in the workplace where employees normally report for service	Council	HOD: Corporate Services		None
8(1)	Ensuring that, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees is provided and maintained.	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
9(1)	Ensuring, as far as is reasonably practicable, that persons other than employees who may be directly affected by the municipality's activities are not thereby exposed to hazards to their health or safety	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
10(1)	Ensuring that any article supplied for use at work is, as far as is reasonably practicable, safe and without risks to health when properly used and that it complies with all prescribed requirements	Council	Municipal Manager		With the authority to sub-delegate to departmental heads
10(2)	Ensuring that, during the erection or installation of any article for use at work on or in any premises of the municipality is, as far as is reasonably practicable, nothing about the manner in which it is erected or installed makes it unsafe or creates a risk to health when properly	Council	Municipal Manager		With the authority to sub-delegate to departmental heads

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	used				
16(1)	Ensuring that the duties of the municipality as contemplated in Occupational Health and Safety Act are properly discharged	Municipal Manager	None		None
17(1)	Designating, in writing for a specified period, health and safety representatives for every workplace where more than 20 employees work, or for different sections thereof.	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
17(2)	Consulting with recognised representatives of employees in good faith regarding the arrangements and procedures for the nomination or election, period of office and subsequent designation of health and safety representatives	Council	Municipal Manager		After consultation with the HOD: Corporate Services
17(2)	Recognising employees for the purpose consulting about the election or appointment of health and safety representatives	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
17(6)	Complying with a directive of a labour inspector with regard to the appointment of additional health and safety representatives at a workplace	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
18(3)	Providing such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of her/his functions	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
19(1)	Establishing a health and safety committee for every workplace where two or more health and safety representatives has been appointed	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
19(1)	Consulting with the health and safety	Council	Municipal		With the authority to sub-delegate to the

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work		Manager		relevant departmental head
19(2)	Determining the number of members of a health and safety committee	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
19(2)	Designating persons to represent the employer in a health and safety committee	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
20(1)	Receiving and considering reports and recommendations of the health and safety committee	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
Employment Equity Act 1998 (Act No 55 of 1998)					
5	Taking steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice.	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
7(1)	Deciding whether an employee or an applicant for employment must submit for medical testing	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
8	Ensuring that any psychometric test or similar assessment has been scientifically shown to be valid and reliable, can be applied fairly to employees or applicants for employment and is not biased against any employee or applicant for employment or group	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
13(1)	Implementing affirmative action measures (i.e. measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in all occupational categories and levels in the workforce) for people from designated groups in order to achieve employment equity	Council	Municipal Manager		None
16	Taking reasonable steps to consult and attempt to reach agreement with a representative trade union representing members at the workplace on –	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	<p>a) conducting an analysis of the municipality's employment policies, practices, procedures and the working environment, in order to identify employment barriers which adversely affect people from designated groups and a profile of the workforce within each occupational category and level in order to determine the degree of under representation of people from designated groups in various occupational categories and levels in the workforce.</p> <p>b) preparing and implementing an employment equity plan which will achieve reasonable progress towards employment equity in the workforce.</p> <p>and</p> <p>c) an annual report regarding employment equity</p>				
24	Assigning one or more senior managers to take responsibility for monitoring and implementing an employment equity plan and providing such manager(s) with the authority and means to perform their functions	Council	Municipal Manager		None
25(1)	Ensuring that a notice informing employees about the provisions of the Employment Equity Act is displayed at the workplace where it can be read by employees	Council	HOD: Corporate Services		None
25(2)	Placing in prominent places that are accessible to all employees the most recent report submitted by the municipality to the Director-General and any compliance order, arbitration award or order of the labour court concerning the provisions of the Employment Equity Act in relation to the municipality	Council	HOD: Corporate Services		None
27(1)	Submitting a statement to the Employment Conditions of Commission on the	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	remuneration and benefits received in each occupational category and level of that employer's workforce.				
36	Issuing a written undertaking to comply with the provisions of the Employment Equity Act when requested by a labour inspector	Council	Municipal Manager		After consultation with the HOD: Corporate Services
39	Objecting to a compliance order issued by a labour inspector in terms of section 38 of the Employment Equity Act	Council	Municipal Manager		After consultation with the HOD: Corporate Services
40	Appealing against a compliance order issued by the Director-General of Labour in terms of section 39 of the Employment Equity Act	Council	Municipal Manager		After consultation with the HOD: Corporate Services
Skills Development Act 1998					
10(1)	Prepare, adopt and amend a work place skills plan	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Corporate Services
17	Entering in to a learnership agreement	Council	Municipal Manager		
Municipal Finance Management Act 2003 (Act No 53 of 2003)					
7(1)	Opening and maintaining at least one bank account in the name of the municipality.	Council	None		None
8(5)	Submitting to the National Treasury, the relevant provincial treasury and the Auditor-General, in writing, the name of the bank where the primary bank account of the municipality is held, and the type and number of the account.	Municipal Manager			With the authority to sub-delegate to the Chief Financial Officer
9	Submitting bank account details in writing to provincial treasuries and Auditor-General: (a) within 90 days after the municipality has opened a new bank account, the name of the bank where the account has been opened, and the type and	Municipal Manager			With the authority to sub-delegate to the Chief Financial Officer

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	number of the account; and (b) annually before the start of a financial year, the name of each bank where the municipality holds a bank account, and the type and number of each account.				
10(1)	Administering all the municipality's bank accounts, including the bank account referred to in section 12 or 48(2)(d) and being accountable to the Municipal Council for such accounts.	Municipal Manager			With the authority to sub-delegate to the Chief Financial Officer
11(1)	Withdrawing money or authorise the withdrawal of money from any of the municipality's bank accounts.	Municipal Manager			Withdrawals permitted only on written authority of the Municipal Manager
11(4)	Within 30 days after the end of each quarter- (a) tabling in the municipal council a consolidated report of all withdrawals made in terms of subsection (1)(b) to (j) during that quarter; and (b) submitting a copy of the report to the relevant provincial treasury and the Auditor-General.	Municipal Manager			With the authority to sub-delegate to the Chief Financial Officer
12(2)	Opening a separate bank account in the name of the municipality for the purpose of a relief, charitable, trust or other fund.	Municipal Manager			
13(2)	Establishing an appropriate and effective cash management and investment policy in accordance with any framework that may be prescribed by the Minister.	Council			Subject to receiving and considering a report and recommendations from the Executive Committee
14(2)	Transferring ownership or otherwise disposing of a capital asset needed to provide the minimum level of basic municipal services.	Council	Municipal Manager (only for assets below a value determined by Council)		Only after the municipal council, in a meeting open to the public- (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
16(1)	Approving an annual budget for the	Council	None	None	Subject to receiving and considering a

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	municipality before the start of the financial year.				report and recommendations from the Executive Committee
16(2)	Tabling the annual budget at a council meeting at least 90 days before the start of the budget year.	Mayor	None	None	Subject to consultation with the Executive Committee
19(3)	Approving capital projects below a prescribed value either individually or as part of a consolidated capital programme.	Council			Subject to receiving and considering a report and recommendations from the Executive Committee
21(1)(a)	Co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible	Mayor	None	None	Subject to consultation with the Executive Committee
21(1)(b)	At least 10 months before the start of the budget year, tabling in the municipal council a time schedule outlining key deadlines for- (i) the preparation, tabling and approval of the annual budget; (ii) the annual review of- (aa) the IDP; and (bb) the budget-related policies; and (iii) the tabling and adoption of any amendments to the IDP and the budget-related policies.	Mayor	None	None	Subject to consultation with the Executive Committee
22(a)	Make public the annual budget and the documents referred to in section 17(3) and invite the local community to submit representations in connection with the budget.	Municipal Manager			Subject to the annual budget being tabled at the Municipal Council.

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
22(b)	Submitting the annual budget in both	Municipal			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	printed and electronic formats to the National Treasury and the relevant provincial treasury and in either format to any prescribed national or provincial organs of state and to other municipalities affected by the budget.	Manager			
24(1)	Considering approval of the annual budget at least 30 days before the start of the budget year.	Council	None	None	Subject to receiving and considering a report and recommendations from the Executive Committee
24(3)	Submitting the approved annual budget to the National Treasury and the relevant provincial treasury.	Municipal Manager			
27(1) 27(3)	Informing the Council, MEC for finance and National Treasury in the province, in writing, of impending non-compliance by the municipality of any provisions of this Act or any other legislation pertaining to the tabling or approval of an annual budget.	Mayor	None	None	Subject to consultation with the Executive Committee
28(4)	Tabling an adjustment budget in the municipal council.	Mayor	None	None	An adjustment budget may only be tabled within any prescribed limitations as to timing or frequency.
29(1)	Authorising unforeseeable and unavoidable expenditure for which no provision was made in an approved budget.	Mayor	None	None	Any such expenditure- (a) must be in accordance with any framework that may be prescribed; (b) may not exceed a prescribed percentage of the approved annual budget; (c) must be reported by the mayor to the municipal council at its next meeting; and (d) must be appropriated in an adjustments budget.
32(2)	Recovering unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure.	Council			Subject to receiving and considering a report and recommendations from the Executive Committee
32(4)	Informing the Mayor, the MEC for local government in the province and the Auditor-General, in writing, of- (a) any unauthorised, irregular or fruitless and wasteful expenditure incurred by	Municipal Manager	None		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	<p>the municipality;</p> <p>(b) whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure; and</p> <p>(c) the steps that have been taken-</p> <p>(i) to recover or rectify such expenditure; and</p> <p>(ii) to prevent a recurrence of such expenditure</p>				
32(6)	<p>Reporting to the South African Police Service all cases of alleged-</p> <p>(a) irregular expenditure that constitute a criminal offence; and</p> <p>(b) theft and fraud that occurred in the municipality.</p>	Municipal Manager	None		None
32(7)	<p>Taking all reasonable steps to ensure that all cases referred to in subsection (6) are reported to the South African Police Service if-</p> <p>(a) the charge is against the accounting officer; or</p> <p>(b) the accounting officer fails to comply with that subsection.</p>	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
37(1)(a)	Promoting co-operative government in accordance with Chapter 3 of the Constitution and the Intergovernmental Fiscal Relations Act.	Council	None		None
37(1)(b)	Providing budgetary and other financial information to relevant municipalities and national and provincial organs of state.	Council			
37(1)(c)	Promptly meeting all financial commitments towards other municipalities or national and provincial organs of state.	Council			None
37(2)	Transferring of any allocation to another municipality and notifying the receiving municipality of the projected amount of any allocation proposed to be transferred to that municipality during each of the next three financial years.	Municipal Manager			By no later than 120 days before the start of the Municipality's budget year.
45(1)	Incurring short-term debt only in	Council			A municipality may incur short-term debt

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	accordance with and subject to any applicable provisions of this Act				only if- (a) a resolution of the municipal council, signed by the mayor, has approved the debt agreement; and (b) the accounting officer has signed the agreement or other document which creates or acknowledges the debt.
46(1)	Incurring long-term debt only in accordance with and subject to any applicable provisions of this Act	Council			A municipality may incur long-term debt only if- (a) a resolution of the municipal council, signed by the mayor, has approved the debt agreement; and (b) the accounting officer has signed the agreement or other document which creates or acknowledges the debt.
46(3)(i)	At least 21 days prior to the meeting of the council at which approval for the long term debt is to be considered, making public an information statement setting out particulars of the proposed debt, including the amount of the proposed debt, the purposes for which the debt is to be incurred and particulars of any security to be provided.	Municipal Manager			
46(3)(ii)	Inviting the public, the National Treasury and the relevant provincial treasury to submit written comments or representations to the council in respect of the proposed long-term debt.	Municipal Manager			
46(3)(b)	Submitting a copy of the information statement to the municipal council at least 21 days prior to the meeting of the council, together with particulars of- (i) the essential repayment terms, including the anticipated debt repayment schedule; and (ii) the anticipated total cost in connection with such debt over the repayment period.	Municipal Manager			
48(1)	Providing security for: a) any of its debt obligations;	Council			Subject to receiving and considering a report and recommendations from the

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	b) any debt obligations of a municipal entity under its sole control; or c) 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 for the purpose of achieving the objects of local government in terms of section 152 of the Constitution.				Executive Committee
52(a)	Providing general political guidance over the fiscal and financial affairs of the municipality.	Mayor	None		Subject to consultation with the Executive Committee
52(b)	Monitoring and, to the extent provided in this Act, oversee the exercise of responsibilities assigned in terms of this Act to the accounting officer and the chief financial officer, but may not interfere in the exercise of those responsibilities.	Mayor	None		Subject to consultation with the Executive Committee
52(c)	Taking all reasonable steps to ensure that the municipality performs its constitutional and statutory functions within the limits of the municipality's approved budget.	Mayor	None		Subject to consultation with the Executive Committee
52(d)	Submitting a report to the council on the implementation of the budget and the financial state of affairs of the municipality within 30 days of the end of each quarter.	Mayor	None		Subject to consultation with the Executive Committee
53(1)(a)	Providing general political guidance over the budget process and the priorities that must guide the preparation of a budget.	Mayor	None		Subject to consultation with the Executive Committee
53(1)(b)	Co-ordinating the annual revision of the integrated development plan in terms of section 34 of the Municipal Systems Act and the preparation of the annual budget, and determine how the integrated development plan is to be taken into account or revised for the purposes of the budget.	Mayor	None		Subject to consultation with the Executive Committee
53(c)(i)	Taking all reasonable steps to ensure- Ensuring that the municipality approves its	Mayor	None	None	Subject to consultation with the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	annual budget before the start of the budget year.				
53(c)(ii)	Ensuring that the municipality's service delivery and budget implementation plan is approved within 28 days after the approval of the budget.	Mayor	None	None	Subject to consultation with the Executive Committee
53(c)(iii)	Ensuring that the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the municipal manager and all senior managers- (aa) comply with this Act in order to promote sound financial management; (bb) are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan; and (cc) are concluded in accordance with section 57(2) of the Municipal Systems Act.	Mayor	None	None	Subject to consultation with the Executive Committee
53(2)	Promptly reporting to the municipal council and the MEC for finance in the province 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.	Mayor	None	None	Subject to consultation with the Executive Committee
53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, as set out 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.	Mayor	None	None	Subject to consultation with the Executive Committee
53(3)(b)	Ensuring that the performance agreements of the municipal manager, senior managers and any other categories	Mayor	None	None	Subject to consultation with the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	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. Copies of such performance agreements must be submitted to the council and the MEC for local government in the province.				
54(1)(b)	On receipt of a statement or report submitted by the accounting officer, checking whether the municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan.	Mayor	None	None	Subject to consultation with the Executive Committee
54(1)(c)	Considering and, if necessary, making any revisions to the service delivery and budget implementation plan.	Mayor	None	None	Provided that 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)(e)	Identifying any financial problems facing the municipality, including any emerging or impending financial problems.	Mayor	None		None
54(2)(a)	Responding to and initiating any remedial or corrective steps proposed by the accounting officer to deal with such financial problems.	Mayor	None		Subject to consultation with the accounting officer
54(2)(b)	Alerting the council and the MEC for local government in the province to any financial problems.	Mayor	None		Subject to consultation with the Executive Committee
60(b)	Providing guidance and advice on compliance with this Act to- (i) the political structures, political office-bearers and officials of the municipality; and (ii) any municipal entity under the sole or shared control of the municipality.	Municipal Manager			With the authority to sub-delegate to the Chief Financial Officer
62(1)	Managing the financial administration of the municipality.	Municipal Manager			
62(1)(a)	Ensuring that the resources of the municipality are used effectively, efficiently and economically.	Municipal Manager			
62(1)(b)	Ensuring that full and proper records of	Municipal			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	the financial affairs of the municipality are kept in accordance with any prescribed norms and standards.	Manager			
62(1)(c)	Ensuring that the municipality has and maintains effective, efficient and transparent systems- (i) of financial and risk management and internal control; and (ii) of internal audit operating in accordance with any prescribed norms and standards.	Municipal Manager			
62(1)(d)	Ensuring that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented.	Municipal Manager			
62(1)(e)	Ensuring 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.	Municipal Manager			
62(1)(f)(i)	Ensuring that the municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act.	Municipal Manager			
62(1)(f)(ii)	Ensuring that the municipality has and implements a rates policy as may be required in terms of any applicable national legislation.	Municipal Manager			
62(1)(f)(iii)	Ensuring that the municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act.	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
62(1)(f)(iv)	Ensuring that the municipality has and implements a supply chain management policy in accordance with Chapter 11.	Municipal Manager			
63(1)(a)	Management of the assets of the municipality, including the safeguarding and the maintenance of those assets.	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
63(1)(b)	Management of the liabilities of the municipality.	Municipal Manager			
63(2)(a)	Ensuring that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality.	Municipal Manager			
63(2)(b)	Ensuring that the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Municipal Manager			
63(2)(c)	Ensuring that that the municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed.	Municipal Manager			
64(1)	Management of the revenue of the municipality.	Municipal Manager			
64(2)(a)	Ensuring that the municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the municipality's credit control and debt collection policy.	Municipal Manager			
64(2)(b)	Ensuring that revenue due to the municipality is calculated on a monthly basis.	Municipal Manager			
64(2)(c)	Ensuring that accounts for municipal tax and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical.	Municipal Manager			
64(2)(d)	Ensuring that all money received is promptly deposited in accordance with this Act into the municipality's primary and other bank accounts.	Municipal Manager			
64(2)(e)	Ensuring that the municipality has and maintains a management, accounting and information system which- (i) recognises revenue when it is earned; (ii) accounts for debtors; and (iii) accounts for receipts of revenue.	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
64(2)(f)	Ensuring that the municipality has and maintains a system of internal control in respect of debtors and revenue, as may be prescribed.	Municipal Manager			
64(2)(g)	Ensuring that the municipality charges interest on arrears, except where the council has granted exemptions in accordance with its budget- related policies and within a prescribed framework.	Municipal Manager			
64(2)(h)	Ensuring that all revenue received by the municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis.	Municipal Manager			
64(3)	Informing the National Treasury of any payments due by an organ of state to the municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	Municipal Manager			
64(4)(a)	Ensuring that any funds collected by the municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis.	Municipal Manager			
65(1)	Management of the expenditure of the municipality.	Municipal Manager			
65(2)(a)	Ensuring that the municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds.	Municipal Manager			
65(2)(b)	Ensuring that the municipality has and maintains a management, accounting and information system which- (i) recognises expenditure when it is incurred; (ii) accounts for creditors of the municipality; and (iii) accounts for payments made by the municipality	Municipal Manager			
65(2)(c)	Ensuring that the municipality has and	Municipal			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	maintains a system of internal control in respect of creditors and payments.	Manager			
65(2)(d)	Ensuring that payments by the municipality are made- (i) directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed; and (ii) either electronically or by way of non-transferable cheques, provided that cash payments and payments by way of cash cheques may be made for exceptional reasons only, and only up to a prescribed limit.	Municipal Manager			
65(2)(e)	Ensuring that all money owing by the municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure.	Municipal Manager			
65(2)(f)	Ensuring that the municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments.	Municipal Manager			
65(2)(g)	Ensuring that any dispute concerning payments due by the municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state.	Municipal Manager			
65(2)(h)	Ensuring that the municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework.	Municipal Manager			
65(2)(i)	Ensuring that the municipality's supply chain management policy referred to in section 111 is implemented in a way that is fair, equitable, transparent, competitive and cost-effective.	Municipal Manager			
65(2)(j)	Ensuring that all financial accounts of the municipality are closed at the end of each month and reconciled with its records.	Municipal Manager			
66	Reporting to the council on all expenditure	Municipal			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	incurred by the municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure.	Manager			
68(a)	Assisting the mayor in performing the budgetary functions assigned to the mayor in terms of Chapters 4 and 7.	Municipal Manager			
68(b)	Providing the mayor with the administrative support, resources and information necessary for the performance of those functions.	Municipal Manager			
69(1)	Implementing the municipality's approved budget.	Municipal Manager			
69(1)(a)	Ensuring that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan.	Municipal Manager			
69(1)(b)	Ensuring that revenue and expenditure are properly monitored.	Municipal Manager			
69(2)	When necessary, preparing an adjustments budget and submitting it to the mayor for consideration and tabling in the municipal council.	Municipal Manager			
69(3)(a)	No later than 14 days after the approval of an annual budget submitting to the mayor a draft service delivery and budget implementation plan for the budget year.	Municipal Manager			
69(3)(b)	No later than 14 days after the approval of an annual budget submitting to the mayor drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the municipal manager and all senior managers.	Municipal Manager			
70(1)	Report in writing to the municipal council- (a) any impending- (i) shortfalls in budgeted revenue; and (ii) overspending of the municipality's budget; and	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	(b) any steps taken to prevent or rectify such shortfalls or overspending.				
70(2)	Notifying the National Treasury in the prescribed format if the consolidated balance of all the Municipality's bank accounts shows a net overdrawn position for a period exceeding a prescribed period.	Municipal Manager			
72(1)(a)	Assessing the performance of the municipality during the first half of the financial year.	Municipal Manager			
72(1)(b)	Submitting a report on such performance assessment to- (i) the mayor of the municipality; (ii) the National Treasury; and (iii) the relevant provincial treasury.	Municipal Manager			
73	Informing the provincial treasury, in writing, of- (a) any failure by the council of the municipality to adopt or implement a budget-related policy or a supply chain management policy referred to in section 111; or (b) any non-compliance by a political structure or office-bearer of the municipality with any such policy.	Municipal Manager			
74	Submitting to the National Treasury, the provincial treasury, the department for local government in the province or the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.	Municipal Manager			
75(1)	Placing and updating all documents referred to under this section on the website of the municipality.	Municipal Manager			
78(1)(a)	Ensuring that the system of financial management and internal control established for the municipality is carried out diligently.	Senior Managers			
78(1)(b)	Ensuring that the financial and other	Senior			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	resources of the municipality are utilised effectively, efficiently, economically and transparently.	Managers			
78(1)(c)	Ensuring that any unauthorised, irregular or fruitless and wasteful expenditure and any other losses are prevented.	Senior Managers			
78(1)(d)	Ensuring that all revenue due to the municipality is collected.	Senior Managers			
78(1)(e)	Ensuring that the assets and liabilities of the municipality are managed effectively and that assets are safeguarded and maintained to the extent necessary.	Senior Managers			
78(1)(f)	Ensuring that all information required by the accounting officer for compliance with the provisions of this Act is timeously submitted to the accounting officer.	Senior Managers			
79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the municipality's financial administration.	Municipal Manager			
81(1)(a)	Administratively in charge of the budget and treasury office.	Chief Financial Officer			
81(1)(b)	Advising the accounting officer on the exercise of powers and duties assigned to the accounting officer in terms of this Act.	Chief Financial Officer			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
81(1)(c)	Assisting the accounting officer in the administration of the municipality's bank accounts and in the preparation and implementation of the municipality's budget.	Chief Financial Officer			
81(1)(d)	Advising senior managers and other senior officials in the exercise of powers and duties assigned to them in terms of section 78 or delegated to them in terms of section 79.	Chief Financial Officer			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
81(1)(e)	Performing such budgeting, accounting, analysis, financial reporting, cash management, debt management, supply chain management, financial management, review and other duties as may in terms of section 79 be delegated by the accounting officer.	Chief Financial Officer			
81(1)(f)	Sub-delegating any of the duties referred to in section 81(1)(b), (d) and (e).	Chief Financial Officer			
111	Implementing a supply chain management policy which gives effect to then provisions of this Part.	Council	Municipal Manager		Subject to receiving and considering a report and recommendations from the Executive Committee
115(1)(b)	Ensuring 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.	Municipal Manager			
116(2)(a)	Ensuring that a contract or agreement procured through the supply chain management policy of the municipality or municipal entity is properly enforced.	Municipal Manager			
116(2)(b)	Monitoring on a monthly basis the performance of the contractor under the contract or agreement.	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
116(2)(d)	Regularly reporting to the council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contractor.	Municipal Manager			
120(1)	Entering into a public-private partnership agreement.	Council			Subject to receiving and considering a report and recommendations from the Executive Committee

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
120(6)(a)	Submitting the report on a feasibility study together with all other relevant documents to the council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership.	Municipal Manager			
126(1)	Preparing the annual financial statements of the municipality and, within two months after the end of the financial year to which those statements relate, submitting the statements to the Auditor-General for auditing.	Municipal Manager			
127(2)	Tabling in the municipal council the annual report of the municipality and of any municipal entity under the municipality's sole or shared control within seven months after the end of a financial year.	Mayor			Subject to consultation with the Executive Committee
127(5)(a)(i)	Making public the annual report immediately after an annual report is tabled in the council.	Municipal Manager			
127(5)(a)(ii)	Inviting the local community to submit representations in connection with the annual report.	Municipal Manager			
127(5)(b)	Submitting the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province.	Municipal Manager			
129(1)	Considering the annual report of the municipality and of any municipal entity under the municipality's sole or shared control, and by no later than two months from the date on which the annual report was tabled in the council in terms of section 127 and adopting an oversight report containing the council's comments on the annual report.	Council			Subject to receiving and considering a report and recommendations from the Executive Committee
129(2)(a)	Attending council and council committee meetings where the annual report is discussed, for the purpose of responding to questions concerning the report.	Municipal Manager			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
129(2)(b)	Submitting copies of the minutes of those meetings to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province.	Municipal Manager			
131(1)	Addressing any issues raised by the Auditor-General in an audit report.	Mayor			Subject to consultation with the Executive Committee
132(1)(a)	Submitting the annual report of the municipality to the provincial legislature.	Municipal Manager			Must be submitted within seven days after the municipal council has adopted the relevant oversight report in terms of section 129(1).
132(1)(b)	Submitting all oversight reports on those annual reports adopted in terms of section 129(1) to the provincial legislature.	Municipal Manager			
133(1)	Tabling in the council a written explanation setting out the reasons for the failure to submit financial statements to the Auditor-General and the failure to table the annual report of the municipality or a municipal entity in the council.	Mayor			None
166(2)(a)	Advising the municipal council, the political office-bearers, the accounting officer and the management staff of the municipality, or the board of directors, the accounting officer and the management staff of the municipal entity, on matters relating to- (i) internal financial control and internal audits; (ii) risk management; (iii) accounting policies; (iv) the adequacy, reliability and accuracy of financial reporting and information; (v) performance management; (vi) effective governance; (vii) compliance with this Act, the annual Division of Revenue Act and any other applicable legislation; (viii) performance evaluation.	Audit Committee			
166(2)(b)	Reviewing the annual financial statements to provide the council of the municipality, with an authoritative and credible view of	Audit Committee			

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	the financial position of the municipality, its efficiency and effectiveness and its overall level of compliance with this Act, the annual Division of Revenue Act and any other applicable legislation.				
166(2)(c)	Responding to the council on any issues raised by the Auditor- General in the audit report.	Audit Committee			

Annexure B
Regulations in terms of National Statutes

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Dispensing of Tender Regulations 1998					
2	Deciding to dispense with the calling of tenders	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
2	Setting a lower threshold for dispensing with the calling of tenders	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
Government: Municipal Planning and Performance Management Regulations, 2001					
3(3)	Ensuring compliance with the municipality's rules and orders regarding an amendment to the integrated development plan	Council	Speaker		None
3(4)(b)	Publishing a proposed amendment to the municipality's integrated development plan	Council	Municipal Manager		None
3(5)(a)	Consulting with the local municipalities within the municipal area about a proposed amendment of the integrated development plan	Council	Executive Committee		In consultation with the Mayor
3(5)	Determining the manner of consulting local municipalities with regard to a proposed amendment to the integrated development plan	Council	Executive Committee		In consultation with the Mayor
3(5)(b)	Considering the comment of local municipalities, if any, on any proposed amendment of the integrated development plan	Council	Executive Committee		In consultation with the Mayor
4(2)(b)	Making and submitting written representations regarding an objection to the proposed amendments to the municipality's integrated development plan suggested by the MEC	Council	Executive Committee		In consultation with the Mayor
6(b)	Preparing action plans for the implementation of strategies identified by municipality	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
8	Adopting a performance management system	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
9(1)	Setting key performance indicators, including input indicators, output indicators and outcome indicators, in respect of each of the development priorities and objectives contained in the integrated development plan	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
9(2)	Determining the manner and frequency of the involvement of the community in setting key performance indicators	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
11	Annually reviewing of the municipality's key performance indicators	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
12	Determining performance targets in respect of each key performance indicator	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
13(1)	Involving the community in developing and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
13(1)	Approving and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
14(1)(a)	Developing and implementing mechanisms, systems and processes for auditing the results of performance measurements as part of the municipality's internal auditing processes	Council	Municipal Manager		After consultation with the Chief Financial Officer
14(1)(c)	Auditing the performance measurements of the municipality and submitting quarterly reports to the Municipal Manager and the performance audit committee	Internal audit	None		None
14(2)	Establishing a performance audit committee	Council	None		Subject to receiving and considering a report from the Speaker
14(2)	Appointing the members of a performance audit committee	Council	None		Subject to receiving and considering a report from the Speaker

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
14(2)(c)	Deciding whether to have a separate performance audit committee or a consolidated audit committee	Council	None		Subject to receiving and considering a report from the Speaker
14(2)(d)	Designating a member of the performance audit committee as chairperson	Council	None		None
14(2)(f)	Filling of any casual vacancy in the performance audit committee	Council	None		None
14(2)(g)	Provision of secretariat services to the performance audit committee	Council	Municipal Manager		With authority to sub-delegate to the Head: Office of the Speaker
14(2)(i)	Determination of the remuneration of members of the performance audit committee who are not councillors or employees of the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
14(3)(a)	Calling of ordinary meetings of the performance audit committee	Chairperson of the committee	None		None
14(3)(a)	Determining the time, date and place of meetings of the performance audit committee	Chairperson of the committee	None		None
14(3)(b)	Calling a special meeting of the performance audit committee	Chairperson of the committee	None		None
14(3)(c)	Determining the procedures of the performance audit committee	Performance audit committee	None		Subject to receiving and considering a report from the Municipal Manager
15(1)(a)	Deciding to establish an IDP Forum	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
15(1)(b)	Determining appropriate mechanisms, to invite the community to identify persons to serve on the IDP forum	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
15(1)(b)	Inviting the community to identify persons to serve on the IDP forum, including representatives from ward committees, if any	Council	Municipal Manager		None
15(2)	Convening meetings of the IDP Forum	Council	Municipal Manager		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
General Machinery Regulations					
2(1)	Designating a person in a full-time capacity in respect of every premises on or in which machinery is being used	Council	Municipal Manager		
7	Notifying the inspector of any incident involving machinery	Council	Municipal Manager		With the authority to sub-delegate to the relevant departmental heads
Regulations regarding the calculation and payment of regional establishment levy and regional services levy					
2	Publishing the rate of the regional services levy in the Government Gazette	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
5	Publishing of the rate of the regional establishment levy in the Government Gazette	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
9(2)	Determining the date on which a levy payer must pay the levy owed if the amount owed is less than R 50 in total	Council	None		
10(1)	Determining a registration date	Council	None		
10(1)	Obtaining the Minister of Finance's approval for the registration date	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
10(1)	Publishing the details of the registration date in the Government Gazette	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
11(1)	Estimating the amount of a levy owed by a person in the event of her/his failure to submit a return and making an assessment of the amount of the unpaid levy	Council	Chief Financial Officer		
11(3)	Notifying a levy payer of an assessment	Council	Chief Financial Officer		
12(1)	Determining whether a person has paid an amount exceeding the levy or interest payable by her/him	Council	Chief Financial Officer		
12(3)	Considering applications for refunds	Council	Chief Financial Officer		
12(4)	Allowing a levy payer to set an amount owed by her/him, against an amount owing to her/him by the municipality	Council	Chief Financial Officer		

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
13(2)	Deciding to hand any levy payer suspected of not having paid in full any levy for which she/he is liable over to the Commissioner of Inland Revenue	Council	Chief Financial Officer		
14(1)	Receiving an objection against an assessment of a levy payers indebtedness to the municipality	Council	Chief Financial Officer		
14(4)	Considering an assessment and objection thereto	Council	Chief Financial Officer		
Financial regulations for regional services councils					
3(2)	Supplying of relevant information to departmental heads for the preparation of the annual budget	Chief Financial Officer	None		
3(3)	Determining a date for the submission of draft departmental budgets to the Chief Financial Officer	Chief Financial Officer	None		
3(4)	Determining the date for the submission of the consolidated draft budget to the Municipal Manager	Municipal Manager	None		
3(5)	Submission of the approved budget to the Minister of Finance	Speaker	None		
4(3)	Determining the manner in which and time at which moneys collected must be balanced	Chief Financial Officer	None		
5(2)	Deciding to establish a capital development fund	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
6(2)	Determining the manner in which monies may be invested	Council	Municipal Manager		After consultation with the Chief Financial Officer
8(1)	Authorisation of employees to sign cheques drawn on the municipality's bank account	Council	Municipal Manager		After consultation with the Chief Financial Officer
8(2)	Authorisation of a person to authorize and certify payments by the municipality	Council	Municipal Manager		After consultation with the Chief Financial Officer
8(4)	Submitting a report seeking approval for over expenditure in respect of an amount authorized by the council	Municipal Manager	Relevant departmental head		After consultation with the Chief Financial Officer

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
8(5)	Determining the amount that may be kept in an imprest account, the nature and extent of payments that may be made from it and the supporting vouchers that are to be completed in respect of payments	Chief Financial Officer	None		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Organisational rights agreement					
3.3	Granting permission to trade union office-bearers and officials to access the workplace to conduct union business during working hours	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
4.1	Deducting union subscription fees and fees for union-initiated schemes in respect of employees that supplied it with written authorization	Council	Chief Financial Officer		None
5.1	Granting applications for leave of absence for trade union activities and training	Council	Departmental head concerned and, in the case of a departmental head, the Municipal Manager and, in the case of the Municipal Manager, the Executive Committee		After ascertaining whether the applicant has leave available
5.4	Considering requests for further time off from shop stewards	Council	Departmental head concerned and, in the case of a departmental head, the Municipal Manager and, in the case of the Municipal Manager, the Executive Committee		Within a policy framework established by the council
7.1	Establishing a local labour forum	Council	Municipal		After consultation with the managers

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
			Manager		directly accountable to the Municipal Manager
7.3	Agreeing with trade unions on a date for meetings of the local labour forum	Council	HOD: Corporate Services		
7.4	Circulation of the agendas for meetings of the local labour forum	Council	HOD: Corporate Services		
7.5	Keeping and distribution of minutes of the local labour forum	Council	HOD: Corporate Services		
7.6	Informing the trade union of the employer's intention to SALGA officials to attend a meeting of the local labour forum	Council	HOD: Corporate Services		
8.2	Approving the date for the holding of a meeting between shop stewards and members of the union concerned	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
8.2	Considering a request by a shop stewards committee for additional meetings between shop stewards and union members or additional meeting time	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
8.4	Deciding on the facilities to be made available to shop stewards of a union	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer
10.3	Convening a meeting with a trade union wishing to define its constituencies	Council	Municipal Manager		After consultation with the HOD: Corporate Services
10.3	Concluding an agreement with a trade union regarding the number of shop stewards it may have	Council	Municipal Manager		After consultation with HOD: Corporate Services
10.4	Concluding an agreement with a trade union regarding the delimitation of its constituencies	Council	Municipal Manager		After consultation with the HOD: Corporate Services
B2.2	Granting permission to a shop steward to leave her/his workplace to carry out her/his functions as shop steward	Council	Departmental head concerned and, in the case of a departmental head, the Municipal Manager and, in the case of		

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
			the Municipal Manager, the Executive Committee		
B2.4	Deciding to recognise a departmental head as a shop steward	Council	Municipal Manager		After consultation with the HOD: Corporate Services
B5.1	Granting access to the workplace to a trade union to conduct elections for the election of shop stewards	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
B5.5	Receiving notification of a trade union of its elected shop stewards	Council	HOD: Corporate Services		
B6.3	Notifying a trade union of non-compliance by a full-time shop steward of the terms of the organizational rights agreement	Council	HOD: Corporate Services		After consultation with the HOD: Corporate Services
B6.4	Deciding not to recognise a full-time shop steward	Council	Municipal Manager		
B6.5	Notifying a trade union that its membership has declined to less than 1000	Council	HOD: Corporate Services		
B6.5	Suspending the right of a trade union whose membership has fallen below 1000 to full-time shop stewards	Council	Municipal Manager		After consultation with the HOD: Corporate Services
B6.6	Receiving a notice from a trade union to increase the number of full-time shop stewards to which it is entitled	Council	Municipal Manager		After consultation with the HOD: Corporate Services
B8.5	Making arrangements for the performance of the official duties of a full-time shop steward during her/his term of office as a full-time shop steward	Council	Departmental head concerned and, in the case of a departmental head, the Municipal Manager and, in the case of the Municipal Manager, the Executive Committee		After consultation with the HOD: Corporate Services and the Chief Financial Officer
B11.1	Receiving and deciding a request by a trade union for an office and furniture and	Council	Municipal Manager		After consultation with HOD: Corporate Services and the Chief Financial Officer

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	other office facilities				
B11.2	Establishing and agreeing to a budget in relation to an office for full-time shop stewards	Council	Municipal Manager		After consultation with the Chief Financial Officer and the HOD: Corporate Services
B12.1	Designating the manager to whom full-time shop stewards must report	Council	Municipal Manager		After consultation with the HOD: Corporate Services
C1.3	Appointing the municipality's representatives in the local labour forum	Council	Council		Subject to receiving and considering a report and recommendations from the Executive Committee
C2.1	Deciding whether a matter is submitted to the local labour forum for consultation or negotiation	Council	Municipal Manager		After consultation with HOD: Corporate Services
C3.1	Agreeing with the trade unions on the dates for meetings of the local labour forum	Council	Municipal Manager		After consultation with the HOD: Corporate Services
C3.2	Deciding to call a special meeting of the local labour forum	Council	Municipal Manager		After consultation with the HOD: Corporate Services
C3.4	Representing the employer during the compilation of the agenda for a meeting of the local labour forum	Council	HOD: Corporate Services		After consultation with the Municipal Manager and managers directly accountable to the Municipal Manager
C4.1	Appointment of technical advisors to assist the employer during meetings of sub-committees of the local labour forum	Council	Municipal Manager		After consultation with the Director Corporate Services
Disciplinary code collective agreement					
4.2.2	Determination of dress requirements for employees	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
5.3	Recording written warnings and other penalties in an employee's personal file	HOD: Corporate Services	None		None
5.5	Imposing a sanction of suspension without pay as penalty for misconduct	Council	Presiding officer of a disciplinary tribunal		Subject to the agreement
6.1	Appointing persons to investigate written allegations of misconduct	Municipal Manager	Departmental heads		Subject to the directives of the Municipal Manager
6.1	Deciding whether there is prima facie proof of alleged misconduct so as to warrant	Municipal Manager	Departmental heads		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
	disciplinary proceedings				
6.2	Deciding whether or not to refer alleged misconduct to a departmental enquiry or disciplinary tribunal	Municipal Manager	Departmental heads		None
6.4.1	Appointing the members and presiding officer of a disciplinary tribunal/departmental enquiry	Municipal Manager	Departmental heads		None
6.4.1	Deciding to appoint an outside person as presiding officer for a disciplinary tribunal	Municipal Manager	Departmental heads		None
6.4.2	Appointing a prosecutor for a disciplinary enquiry	Municipal Manager	Departmental heads		None
7.1	Determining the procedure to be followed at a disciplinary enquiry	Presiding officer at the enquiry	None		None
7.7	Agreeing with an employee accused on misconduct to supply the summary procedure	Council	Municipal Manager		None
8.1	Accepting a resignation to avoid dismissal	Municipal Manager	HOD: Corporate Services		None
9.2	Considering and deciding an application for the presiding officer's recusal from a disciplinary tribunal	Presiding officer during an enquiry	Presiding officer during an enquiry		None
10	Making a mechanical recording of the proceedings at a disciplinary tribunal and saving it	HOD: Corporate Services	None		None
13	Deciding to suspend and employee accused of misconduct	Municipal Manager	Municipal Manager		None
13.3	Deciding any representations regarding the intention to suspend an employee accused of misconduct	Municipal Manager	Municipal Manager		None
14.3	Appointing a presiding officer of a disciplinary appeal board	Municipal Manager	Municipal Manager		None
14.4	Entering into an agreement with an employee to submit an appeal before an independent arbitrator	Municipal Manager	Municipal Manager		None

Section	Power conferred	Delegating authority	Delegated body/ party	Further Delegated	Conditions
15	Entering into an agreement with an employee to conduct an arbitration into allegations about the conduct or capacity of an employee	Municipal Manager	Municipal Manager		None
Wage an salary exemption procedure and policy					
3.1	Deciding to apply for an exemption from a wage agreement	Council	None		None
Agency shop collective agreement					
5.2.1	Deducting from an employee who is not a member of IMATU or SAMWU the agency shop levy	Chief Financial Officer	None		None

Annexure D
Incidental powers (Powers not explicitly conferred by statute)

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Commencing with any legal process, whether civil or criminal, on behalf of the municipality	Council	Municipal Manager		
Defending or opposing any legal process, whether civil or criminal, against the municipality	Council	Municipal Manager		
Submitting or opposing an appeal to a higher court or other judicial tribunal in respect of a judgment handed down by a lower court or tribunal	Council	Municipal Manager		
Obtaining the services of an attorney or advocate for official purposes	Council	Municipal Manager		
Incurring expenses relating to obtaining the services of investigators to obtain evidence in cases of alleged irregular conduct or misconduct	Council	Municipal Manager		After consulting the Chief Financial Officer and the HOD: Corporate Services
Applying penalty clauses of contracts in the event of late delivery of goods and services to the municipality	Council	Departmental head concerned		After consulting the Municipal Manager and the Chief Financial Officer
Granting of legal aid to employees of the municipality	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer
Deciding the payment of an award not exceeding an amount determined from time to time by the council to a person, other than an employee, who willingly reported an incident that resulted in the conviction of an accused person by a court for an offence relating to damage to or theft of municipal property	Council	Municipal Manager		After consultation with the Chief Financial Officer
Granting study loans and bursaries to employees of the municipality	Council	Municipal Manager		After consultation with the Chief Financial Officer and the HOD: Corporate Services
Deciding on the replacement at the municipality's expense of an employee's tools which were damaged or broken whilst in the use of the municipality in cases where an employee is expected to provide her/his own tools	Council	Departmental head concerned		Replacement tools must be of similar quality and identical nature than the tools which are replaced After consultation with the HOD: Corporate Services, the Chief Financial Officer
Allocating official tele- and mobile phones to employees	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Approving the attendance by employees of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic	Council	Departmental head concerned and, in the case of a departmental head, the Municipal Manager and, in the case of the Municipal Manager, the Executive Committee		Subject to the necessary funds being available
Deciding on the use of the coat of arms of the municipality for commemorative and other purposes	Council	Municipal Manager		
Signing, authenticating and/or executing any document conferring freedom of the municipality or honorary residence to a person, pursuant to a council resolution	Council	Municipal Manager		Together with the Executive Committee
Signing, authenticating and/or executing documents relating to the transfer or acquisition of immovable property	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing documents to commence with any legal process, whether criminal or civil, on behalf of the municipality and to defend or oppose any legal process against the municipality	Council	Municipal Manager		None
Signing, authenticating and/or executing documents necessary to submit, oppose or defend any appeal to a higher court or other body in respect of judgement handed down by a lower court or body	Council	Municipal Manager		None
Signing, authenticating and/or executing any other document the signing, authentication or execution of which had not been delegated to another person	Council	Municipal Manager		None
Signing, authenticating and/or executing contracts relating to the construction of buildings and civil works	Council	Municipal Manager		With authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing a declaration by a seller for the payment of transfer	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
duties in connection with all property transactions, including declarations concerning buildings constructed with funds obtained from the state, including the national or provincial housing fund				
Signing, authenticating and/or executing contracts for the acquisition and alienation of immovable property and rights in respect thereof	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
Signing, authenticating and/or executing contracts for the leasing of property by or to the municipality	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
Signing, authenticating and/or executing any and all documentation regarding the registration of immovable property in the municipality's name, irrespective of the manner in which such property was acquired	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
Signing, authenticating and/or executing contracts which may be necessary for the alienation of any rights of the municipality in immovable property owned by the municipality	Council	Municipal Manager		With the authority to sub-delegate to the Chief Financial Officer
Signing, authenticating and/or executing any and all documentation relating to the expropriation of immovable property by the municipality	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing any and all documents relating to the registration in favour of the council or another party of servitudes and notarial deeds	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing contracts for the handling and disposal of waste	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing any and all documents relating to obtaining statutory required permits and licences, including the establishment, extension and closing of landfill sites and cemeteries and the treatment and disposal of wastewater and industrial effluent	Council	Municipal Manager		With the authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing contracts relating to the provision of water and electricity to the municipality whether in bulk or retail quantities	Council	Municipal Manager		With authority to sub-delegate to the HOD: Technical Services
Signing, authenticating and/or executing contracts relating to the removal of night soil	Council	Municipal Manager		With authority to sub-delegate to the HOD: Technical Services

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Signing, authenticating and/or executing any and all documents relating to the registration, deregistration or changes to sectional title schemes	Council	Municipal Manager		With authority to sub-delegate to the HOD: Technical Services
Granting permission to persons to examine the records of the municipality for research purposes	Council	Chief Financial Officer		
Considering and granting or refusing any application by third parties to use the facilities of the municipality	Council	Chief Financial Officer		
Turning down applications for donations that are obviously contrary to the municipality's policy governing grants and donations	Council	Chief Financial Officer		
Granting special leave to employees who are sportsmen and –women, referees or umpires, to participate in national and provincial sports activities	Council	Departmental head concerned		
Granting <i>ex gratia</i> payments to employees who were selected to a national sports team for participating in international sporting events	Council	Municipal Manager		After consultation with the Chief Financial Officer and the HOD: Corporate Services
Granting of permission for the free use of municipal facilities for departmental purposes	Council	Chief Financial Officer		
Negotiating and entering into contracts for the provision of goods, services and the performance of work for a department concerned exceeding R 10 000 per contract or occasion, including- <ul style="list-style-type: none"> ▪ purchasing, leasing and maintaining equipment, machinery and installations which are required for a department concerned to achieve its objectives ▪ obtaining the services of a professional service provider (consultant) regarding a matter under a departmental head's control 	Council	Municipal Manager		In consultation with the relevant departmental head and provided the necessary funds are available
Negotiating and entering into contracts for the provision of goods, services and the performance of work for the department concerned not exceeding R 50 000 per contract or occasion, including- <ul style="list-style-type: none"> ▲ purchasing, leasing and maintaining equipment, machinery and installations which are required for the department concerned to achieve its objectives ▲ obtaining the services of a professional service provider (consultant) regarding a matter under a departmental head's control 	Council	Departmental heads		Provided the necessary funds are available

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Awarding of contracts for the supply of goods, services or the performance of work to the municipality that will result in the approved budget being exceeded	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee which report has been prepared In consultation with the Mayor
Deciding to refund tender deposits in respect of any tender where the municipality is not contractually obliged to refund deposits	Council	Municipal Manager		After consultation with the Chief Financial Officer
Adjusting the tendered tariffs of professional service providers in accordance with the published tariffs in terms of legislation concerned	Council	Chief Financial Officer		After consultation with the departmental head concerned
Creating temporary positions on the staff establishment to cope with a temporary increase in work	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer
Construction, demolition or extension of permanent municipal buildings	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
Considering the sub-division, consolidation or changing the legitimate use of land owned by the municipality	Council	None		Subject to receiving and considering a report from the Executive Committee
Considering the acquisition of land and other fixed property for the municipality	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee
Considering reports of the audit committee and performance audit committee	Council	None		
Nominating, electing and appointing representatives of the municipality in public bodies	Council	None		
Appointing councillors to attend meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic	Council	Executive Committee		Subject to there being adequate funds available
Appointing councillors and employees to attend meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted outside the national territory of the Republic	Council	Speaker		In consultation with the Executive Committee and subject to there being adequate funds available
Considering departmental reports	Council	Council		Subject to receiving and considering a report and recommendations from the Executive Committee
Deciding whether or not a report submitted to the	Council	Council		None

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
council is for the council's information for consideration				
Approving over expenditure of the budget or any vote in the budget	Council	None		Subject to- (a) The receipt and consideration of a report and recommendations of the Executive Committee and (b) a corresponding saving being affected in another vote in the same budget
Determining signatories on the municipality's bank account	Council	Municipal Manager		After consultation with the Chief Financial Officer
Authorising the opening and closing of bank accounts of the municipality	Council	Municipal Manager		After consultation with the Chief Financial Officer
Appointment of professional service-providers including insurance brokers and management consultants, attorneys, conveyancers, notaries public, surveyors, valuers, appraisers, engineers and town and regional planners	Council	None		Subject to receiving and considering a report and recommendations from the Executive Committee, which report must be prepared In consultation with the Mayor
Authorising employees to work overtime	Council	Departmental head concerned		Subject to there being an agreement between the municipality and the relevant employee that she/he will work overtime and the necessary funds being available
Disposing of documents and other records in terms of relevant legislation regulation archives	Council	Departmental head concerned		
Enforcing national, provincial and local legislation, including the institution of criminal proceedings for the alleged contravention thereof	Council	Departmental head concerned		
Instituting criminal or civil proceeding against any former employee who neglected or failed to return any property of the municipality which she/he may have had in her/his possession at the time of terminating her/his employment	Council	HOD: Corporate Services		
Implementing and enforcing the municipality's debt collection and credit control policies, including the institution legal proceedings to recover monies owed to the municipality, the signing, execution and authentication of any documents in this regard and the appointment of attorneys and advocates to represent the municipality in such cases	Council	Chief Financial Officer		
Claiming from and making payments to professional	Council	Chief Financial		

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
firms and companies		Officer		
Granting study loans and bursaries to employees of the municipality	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer and subject to there being adequate funds available
Deducting any monies owed by an employee to the municipality from her/his pay	Council	Chief Financial Officer		
Instituting legal proceedings against any third party for damages to property of the municipality caused by such third party and for injuries sustained by an employee of the municipality whilst on duty as a result of the action or inaction of a third party	Council	Chief Financial Officer		
Considering of requests for making available address lists of consumers, rates and levy payers	Council	Chief Financial Officer		
Considering and granting of vehicle loans to employees of the municipality that participate in the municipality's locomotion scheme	Council	Municipal Manager		After consultation with the Chief Financial Officer
Submitting and finalising insurance claims	Council	Chief Financial Officer		
Enforcing penalty clauses for late delivery of goods and services or the completion of work	Council	Municipal Manager		After consultation with the Chief Financial Officer

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Maintaining the municipality's financial registers relating to the leasing of property by or to the municipality	Council	Chief Financial Officer		
Granting permission for reimbursement of the relocation cost incurred by a newly appointed employee	Council	Chief Financial Officer		
Discharging any temporary employee or employee appointed for a fixed term at the expiration of her/his term of employment or when her/his services are no longer required	Council	Departmental head concerned		After consultation with the HOD: Corporate Services
Extending the validity of non-accumulative leave of an employee	Council	HOD: Corporate Services		After consultation with the departmental head concerned
Reviewing the schedule of uniforms and protective clothing	Council	HOD: Corporate Services		After consultation with the departmental heads concerned and the Chief Financial Officer
Determining which positions are locomotion allowance carrying positions	Council	Municipal Manager		After consultation with the HOD: Corporate Services and the Chief Financial Officer
Dismissing an employee for poor work performance due to ill-health or injury	Council	Departmental head concerned		After consultation with the HOD: Corporate Services
Leasing of municipal facilities, including halls, to third parties	Council	Chief Financial Officer		
Deciding not to lease any facilities of the municipality to a third party if the risk involved is deemed to be too high	Council	Chief Financial Officer		
Deciding to reduce the rent payable in respect of the leasing of the municipality's facilities in meticulous cases	Council	Chief Financial Officer		

Power	Delegating authority	Delegated body/ party	Further Delegated	Conditions
Appointing site staff to supervise the excavation, demolition and construction of building and other infrastructure performed on behalf of the municipality by independent contractors	Council	HOD: Technical Services		After consultation with the Director Corporate Services and the Chief Financial Officer
Granting permission to third parties to perform work on municipal property	Council	Chief Financial Officer		Provided that such work will not prejudice the municipality's interests and that the municipality is indemnified in writing against any claims and damages which may result from such work
Providing temporary or ad hoc technical, administrative and management assistance, including training, to another municipality	Council	Municipal Manager		After consultation with the managers directly accountable to the Municipal Manager
Granting power of attorney to any supplier of vehicles and other equipment that must be licensed to register such vehicle or equipment in the name of the municipality	Council	Chief Financial Officer		
Considering applications for the waiving of the municipality's rights under any servitude registered in favour of any property	Council	HOD: Technical Services		
Considering applications for the licensing of businesses	Council	HOD: Corporate Services		
Issuing notices regarding nuisances and unhygienic conditions on private properties	Council	HOD: Corporate Services		
Authorising the removal, pruning and planting of trees and other plants on property of the municipality	Council	HOD: Corporate Services		