

PARLIAMENTARY LEGISLATION

Local Government: Municipal Demarcation Act 1998 (Act No 27 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
21(4)	Submitting an objection regarding the determination or redetermination of the Municipality's boundaries to the Demarcation Board	Council	None		N
26(3)	Considering a written invitation by the Demarcation Board to make representations regarding the intended demarcation of the Municipality's boundaries	Council	None		N

Local Government: Municipal Structures Act 1998 (Act No 117 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
12(4)	Participating in any consultations regarding the establishment of a municipality	Council	None		N
15	Reviewing and rationalising the by-laws, regulations and resolutions (including standing delegations) of the preceding municipalities that binds the Municipality	Council	None		N
16(3)	Participating in any consultation regarding an amendment to the notice establishing the Municipality	Council	None		N
18(4)	Designating Councillors determined by the MEC for local government to be full-time Councillors	Council	None		N
19(2)	Annually reviewing the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in the form of an integrated development plan or a proposed amendment thereto	N
19(2)	Annually reviewing the Municipality's priorities to meet the needs of the community	Council	None	Subject to receiving and considering a report and recommendations from the IDP Committee in the form of an integrated development plan or a proposed amendment thereto	N
19(2)	Annually reviewing the Municipality's processes for involving the community	Council	None		N
19(2)	Annually reviewing the Municipality's organisational and delivery mechanisms for meeting the needs of the community	Council	None		N
19(2)	Annually reviewing the Municipality's overall performance in achieving the objects of local government set out in the Constitution	Council	None		N
	Developing mechanisms to consult	Council	None		N

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19(3)	the community and community organisations in performing the Municipality's functions and exercising its powers				
23(4)	Appointing the Municipality's representatives in the district council	Council	None	Within 14 days after the result of the election of the Council has been declared	N
25(3)	Calling and setting a date for a by-election	Municipal Manager	None	If the Municipal Manager is not the Municipal Elections Officer, after consultation with the Municipal Elections Officer and the Provincial Elections Officer	N
26(1)(b)	Replacing a representative in the district council as a result of a change in the Council's composition due to item 6(a) of Schedule 6A to the Constitution	Council	None		N
27(e)	Recalling and replacing the Council's representative in the district council	Council	None		N
29(1)	Deciding when and where the Council meets	Speaker	None		N
29(1)	Convening special Council meetings at a place and time set out in a written request received from a majority of the councillors	Speaker	None		N
29(2)	Determining the time, date and place of the first Council meeting after a Council has been declared elected	Municipal Manager	None		N
30(4)	Casting a casting vote when there is an equality of votes	Councillor presiding at a meeting	None		N
33	Determining whether the establishment of a particular committee is necessary	Council	None	After receiving the report and recommendations of the Speaker, except in the case of – (a) a special investigation committee in terms of item 14(1) of the Code of Conduct for Councillors; (b) a performance audit committee in terms of regulation 14(2) of the Local Government: Municipal	N

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				Planning and Performance Management Regulations, 2001; (c) an audit committee in terms of section 166 of the MFA; and (d) a committee in terms of section 32(2) of the MFMA	
34	Deciding to dissolve the Council	Council	None		N
36(2)	Electing a Speaker to fill a vacancy in the position of Speaker	Council	None		N
40	Deciding to remove the Speaker from office	Council	None	Provided that prior notice of the motion to remove the Speaker has been given to all Councillors	N
41	Electing an acting Speaker	Council	None		N
54	Deciding to have an Executive Mayor	Council	None	Subject to receiving a report from the Municipal Manager	N
55	Electing an Executive Mayor	Council	None	None	N
56(1)	Receiving reports from section 80-committees and forwarding such reports together with a recommendation to the Council when the matter cannot be disposed of by the Executive Mayor in terms of her/his delegated powers	Executive Mayor	None		N
56(2)	Identifying the needs of the Municipality	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(2)	Reviewing and evaluating the identified needs of the Municipality in order of priority	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(2)	Recommending to the Council strategies, programmes and services to address priority needs through the integrated development plan and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(2)	Recommending or determining the best way, including partnership and	Executive Mayor	None	Together with the other members of the Mayoral Committee	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	other approaches, to deliver the strategies, programmes and services that were recommended to the maximum benefit of the community				
56(3)	Identifying and developing criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators which are specific to the Municipality and common to local government in general	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Evaluating progress against the key performance indicators determined by the Council	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Reviewing the performance of the municipality in order to improve the economy, efficiency and effectiveness of the Municipality; the efficiency of credit control and revenue and debt collection services and the implementation of the Municipality's by-laws	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Monitoring the management of the Municipality's administration in accordance with the directions of the Council	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Overseeing the provision of services to communities in a sustainable manner	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Annually reporting on the involvement of communities and community organisations in the affairs of the Municipality	Executive Mayor	None	Together with the other members of the Mayoral Committee	N
56(3)	Ensuring that regard is given to public views and report on the effect of consultation on the decisions of	Executive Mayor	None	Together with the other members of the Mayoral Committee	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	the Council				
56(4)	Determining the ceremonial role, if any, to be performed by the Executive Mayor	Council	None		N
56(4)	Performing a ceremonial role as determined by the Council	Executive Mayor	The member of the Mayoral Committee designated by the Executive Mayor		N
56(5)	Reporting to the Council on decisions taken by the Executive Mayor	Executive Mayor	None		Y
58	Removing the Executive Mayor from office	Council	None	Providing that notice of the motion to remove the Executive Mayor from office has been given to all councillors	N
60(1)	Appointing a Mayoral Committee from among the councillors to assist the Executive Mayor	Executive Mayor	None		N
60(1)	Delegating specific responsibilities to members of the Mayoral Committee	Executive Mayor	None		N
60(1)	Dismissing members of the Mayoral Committee	Executive Mayor	None		N
60(2)	Determining the size of the Mayoral Committee	Executive Mayor	None		N
60(3)	Designating the powers and functions of the Executive Mayor that must be performed and exercised together with the other members of the Mayoral Committee	Council	None		N
72(2)	Deciding to implement a ward committee system	Council	None		N
73(2)(b)	Determining the number of members of a ward committee	Council	None	After receiving a report and recommendations of the Speaker	N
73(3)	Making rules regarding the procedures to elect members of ward committees, the circumstances under which those members must vacate office and the frequency of	Council	None	After receiving a report and recommendations of the Speaker	N

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	meetings of ward committees				
74	Deciding which powers to delegate to a ward committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N
78	Dissolving a ward committee	Council	None	Only if the committee fails to fulfil its object	N
79(1)(a)	Establishing committees	Council	None	After receiving the report and recommendations of the Speaker, except in the case of – (a) a special investigation committee in terms of item 14(1) of the Code of Conduct for Councillors; (b) a performance audit committee in terms of regulation 14(2) of the Local Government: Municipal Planning and Performance Management Regulations, 2001; (c) an audit committee in terms of section 166 of the MFA; (d) a committee in terms of section 62(4)(c)(ii) of the Systems Act; and (e) a committee in terms of section 32(2) of the MFMA	N
79(1)(b)	Appointing members of committees	Council	None		N
79(1)(c)	Dissolving a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N
79(2)(a)	Determining the functions of a committee	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N
79(2)(b)	Appointing the chairperson of a committee	Council	None		N
79(2)(c)	Authorising a committee to co-opt advisory members who are not members of the Council and setting limits on such co-option	Council	None	Subject to receiving and considering a report and recommendations from the Speaker	N
79(2)(d)	Removing a member of a committee	Council	None		N
79(2)(e)	Determining a committee's	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	procedures				
82(1)	Determining the suitable qualifications of a person to be appointed as Municipal Manager	Council	None		N
82(1)(a)	Appointing a Municipal Manager	Council	None		N
82(1)(b)	Appointing an acting Municipal Manager	Council	None		N
87(2)	Deciding whether to object to the temporary assignment of a functional competency of another municipality to the Municipality	Council	None		N
88(1)	Deciding on the nature and scope of the assistance to be provided to another Municipality	Council	None		N
88(2)	Deciding to request another Municipality for financial, technical and administrative assistance	Council	None		N

Local Government: Municipal Systems Act 2000 (Act No 32 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(2)(e)	Determining processes, mechanisms and procedures for consulting the community about the level, quality, range and impact of municipal services provided by or on behalf of the Municipality and the available options for service delivery	Council	None		N
4(2)(c)	Determining processes, mechanisms and procedures for encouraging the involvement of the community	Council	None		N
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	None		N
4(2)(h)	Determining processes, mechanisms and procedures for promoting gender equity in the exercise of the Municipality's executive and legislative authority	Council	None		N
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		N
5(1)(a)	Determining the processes, mechanisms and procedures for the community to contribute to the decision-making processes of the Municipality and to submit written or oral recommendations, representations and complaints to a political structure, a political office- bearer or the administration of the Municipality	Council	None		N
5(1)(b)	Determining the processes, mechanisms and procedures to provide to the community prompt responses to their written or oral communications, including complaints, to a	Council	None		N

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	political structure, 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 a political structure or any political office-bearer of the Municipality which affect their rights, property and reasonable expectations	Council	None		N
5(1)(d)	Determining the processes, mechanisms and procedures for regularly disclosing to the community the state of affairs of the Municipality, including its finances	Council	None		N
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	None		N
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	N
6(2)(b)	Determining the processes, mechanisms and procedures for facilitating a culture of public service and accountability amongst staff	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N
6(2)(c)	Determining the processes, mechanisms and procedures for preventing corruption	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N
6(2)(d)	Determining the processes, mechanisms and procedures for establishing clear relationships, and facilitating co-operation and communication, between the administration and the community	Municipal Manager	None	After consultation with the managers directly accountable to the Municipal Manager	N
6(2)(e)	Determining the processes, mechanisms and procedures for giving members of the	Municipal Manager	None	After consultation with the managers directly	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	community full and accurate information about the level and standard of municipal services they are entitled to receive			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	N
11(2)	Entering into a written agreement with another municipality to exercise executive authority in the area of that other municipality	Council	None		N
13(a)	Determining a practical way to bring the contents of a by-law to the attention of the community	Council	Municipal Manager	After consultation with the managers directly accountable to the Municipal Manager	Y
14(3)	Deciding whether to adopt a standard bylaw promulgated by the Minister of 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		N
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	Director Corporate Governance		Y
15(3)	Determining a reasonable fee for a copy of or an extract from the municipal code of the Municipality	Council	None	Subject to section 22 of the Promotion of Access to Information Act 2000 (Act No 2 of 2000) read with regulation 7 of the Regulations regarding the Promotion of Access to Information (Government Notice No R.187 of 15 February 2002)	N
16(1)(a)	Determining the processes, mechanisms and procedures for encouraging, and	Council	None		N

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	<p>creating conditions for, the community to participate in the affairs of the Municipality, including in –</p> <ul style="list-style-type: none"> the preparation, implementation and review of the integrated development plan, the establishment, implementation and review of its performance management system, the monitoring and review of its performance, including the outcomes and impact of such performance, the preparation of the 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		N
16(1)(c)	Determining the annual allocation of funds in the budget as may be appropriate for the purpose of implementing a culture of municipal governance that complements formal representative government with a system of participatory governance	Council	None	Subject to receiving recommendations of the Executive Mayor in the form of an annual or adjustments budget	N
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	None		N
17(2)(b)	Determining appropriate mechanisms, processes and procedures for notification and public comment procedures, when appropriate	Council	None		N
17(2)(c)	Determining appropriate mechanisms, processes and procedures for public	Council	None		N

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	meetings and hearings the political structures and political office-bearers of the Municipality, when appropriate				
17(2)(d)	Determining appropriate mechanisms, processes and procedures for consultative sessions with locally recognised community organisations	Council	None		N
17(2)(e)	Determining appropriate mechanisms, processes and procedures for report-back to the community	Council	None		N
17(4)	Establishing and appointing the members of one or more advisory committees consisting of persons who are not Councillors to advise the Council on any matter within its competence	Council	None		N
18(1)	Determining appropriate mechanisms, processes and procedures for communicating to the community information concerning – <ul style="list-style-type: none"> 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	None		N
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		N
20(4)(b)	Determining reasonable steps to regulate public access to, and public conduct at, meetings of the Council and its committees	Council	The Councillor/ person presiding at a meeting	After consultation with the Municipal Manager	N

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21(1)(b)	Determining newspapers circulating in the area as newspapers of record	Council	None		N
21(2)	Determining the official languages in which municipal notices must be published	Council	None	Subject to the Municipality's language policy in terms of section 6 of the Constitution	N
21B(1)	Deciding that the Municipality must have its own website	Council	None		N
21B(3)	Regularly updating and maintaining the Municipality's website	Municipal Manager	Director Corporate Governance		Y
25(1)	Adopting an integrated development plan for the Municipality	Council	None		N
26(a)	Determining the Council's vision for the long term development of the Municipality with special emphasis on its most critical development and internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in the form of an integrated development plan or a proposed amendment thereto	N
26(c)	Determining the Council's development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in the form of an integrated development plan or a proposed amendment thereto	N
26(f)	Determining the Council's operational strategies to be incorporated in the IDP	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor in the form of an integrated development plan or a proposed amendment thereto	N
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	N

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				Executive Mayor	
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 the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
30	Managing the drafting of the Municipality's integrated development plan, assignment of responsibilities in this regard to the Municipal Manager and submitting the draft plan to the Council for adoption	Executive Mayor	None		Y
32(1)(a)	Submitting the approved integrated development plan to the MEC	Municipal Manager	Manager Support Services		Y
32(3)	Considering the MEC's request to reconsider the integrated development plan or to follow the approved process plan	Council	Executive Mayor		N
34	Annual reviewing and amendment of the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	
39	Managing the development of the Municipality's performance management system, assignment of responsibilities in this regard to the Municipal Manager and submission of the proposed system to the Council for adoption.	Executive Mayor	None		Y
40	Establishing mechanisms to monitor and review the Municipality's performance management system	Council	Executive Mayor		Y
42	Determining mechanisms, processes and procedures to involve the community in – <ul style="list-style-type: none"> the development, implementation and review of the Municipality's performance management system; and the setting of appropriate key performance indicators and performance targets for the Municipality 	Council	None		N
	Determining the manner to make known,	Council	Executive Mayor		Y

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
44	both internally and to the general public, the key performance indicators and performance targets the Council set for purposes of its performance management system				
46	Preparing the Municipality's annual performance report	Council	Manager Support Services	Together with the Municipal Manager and the managers directly accountable to the Municipal Manager	N
46(4)(a)	Determining a reasonable price for a copy of the Municipality's annual performance report	Council	None		N
53(1)	Defining the specific role and area of responsibility of each political structure and political office-bearer of the Municipality and of the Municipal Manager	Council	None		N
53(5)	Determining the relationships among the political structures and political office-bearers and the Municipal Manager, and the manner in which they must interact	Council	None		N
53(5)	Determining the appropriate lines of accountability and reporting for the political structures and political office-bearers and the Municipal Manager	Council	None		N
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		N
53(5)	Determining the mechanisms, processes and procedures for resolving disputes between the political structures and political office-bearers and the Municipal Manager	Council	None		N
53(5)	Determining the mechanisms, processes and procedures for interaction between the political structures and political office-bearers and the Municipal Manager and other staff members of the Municipality and	Council	None		N

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	Councillors and the Municipal Manager and other staff members of the Municipality.				
55(1)(a)	Subject to the policy directions of the Council, forming and developing an economical, effective, efficient and accountable administration – <ul style="list-style-type: none"> equipped to carry out the task of implementing the 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 	Municipal Manager	None		N
55(1)(b)	Subject to the policy directions of the Council managing the administration in accordance with legislation applicable to the Municipality	Municipal Manager	Departmental heads		N
55(1)(c)	Subject to the policy directions of the Council implementing the integrated development plan and monitoring progress with implementation of the plan	Municipal Manager	Manager Support Services		N
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	Departmental heads		N
55(1)(e)	Subject to the policy directions of the Council appointing staff other than managers directly accountable to the Municipal Manager	Municipal Manager	Departmental heads	Subject to the Employment Equity Act 1998 (Act No 55 of 1998)	N
55(1)(f)	Subject to the policy directions of the Council managing, effective utilising and training of staff	Municipal Manager	Departmental heads		N
55(1)(g)	Subject to the policy directions of the Council maintaining the discipline of staff	Municipal Manager	Departmental heads		N
55(1)(h)	Subject to the policy directions of the Council promoting sound labour relations and compliance by the Municipality with	Municipal Manager	Departmental heads		N

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	applicable labour legislation				
55(1)(i)	Subject to the policy directions of the Council advising the political structures and political office-bearers of the Municipality	Municipal Manager	Departmental heads		N
55(1)(j)	Subject to the policy directions of the Council managing communications between the administration and the Municipality's political structures and political office-bearers	Municipal Manager	None		N
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	Departmental heads		Y
55(1)(l)	Subject to the policy directions of the Council administering and implementing the Municipality's by-laws and other legislation	Municipal Manager	Departmental heads		Y
55(1)(n)	Subject to the policy directions of the Council facilitating participation by the community in the affairs of the Municipality	Municipal Manager	Departmental heads		Y
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	Manager Support Services		N
55(1)(p)	Subject to the policy directions of the Council implementing national and provincial legislation applicable to the Municipality	Municipal Manager	Departmental heads		N
55(1)(q)	Subject to the policy directions of the Council performing any other function that may be assigned by the Council	Municipal Manager	None		N
56(a)	Determining the manner in which to consult the Municipal Manager regarding the appointment of managers directly accountable to the Municipal Manager	Council	None		N
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	None		N
57(1)	Approving the employment contract between the Municipality and the Municipal	Council	None		N

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	Manager and a manager directly accountable to the Municipal Manager				
57(1)	Signing an employment contract with the Municipal Manager	Council	Executive Mayor		N
	Signing an employment contract with a manager directly accountable to the Municipal Manager		Municipal Manager		N
57(3)	Approving the first and annual performance agreement between the Municipality and the Municipal Manager	Council	Executive Mayor		N
	Approving the first and annual performance agreement between the Municipality and a manager directly accountable to the Municipal Manager		Municipal Manager		N
57(6)(a)	Determining the term of employment of the Municipal Manager	Council	None		N
57(4B)	Evaluating the performance of the Municipal Manager in respect of a financial year	Council	Evaluation panel as prescribed		N
	Evaluating the performance of the managers directly accountable to the Municipal Manager in respect of a financial year	Municipal Manager			N
	Considering and approving a report regarding the evaluation of the performance of the Municipal Manager and managers directly accountable to the Municipal Manager	Council	None		N
57(6)(b)	Determining a provision for the cancellation of a contract of employment or performance agreement between the Municipality and the Municipal Manager or a manager directly accountable to a Municipal Manager for non-compliance with the employment contract or performance agreement	Council	None		N
57(7)	Deciding whether the provisions of section 57(6) of the Act must be applied to the employment of a manager directly accountable to the Municipal Manager	Council	None		N
57(7)	Determining the term of employment of a	Council	None	Only after the Council has	N

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	manager directly accountable to a Municipal Manager			decided to extend the application of the provisions of section 57(6) of the Act to the employment of a manager directly accountable to the Municipal Manager	
59(1)	Developing of a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances	Council	None		N
60(1)	Determining a policy framework for taking decisions to – <ul style="list-style-type: none"> • expropriate immovable property or rights in or to immovable property; and • 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		N
62(4)(c)	Appointing an appeal authority consisting of a committee of Councillors who were not involved in the decision, for considering appeals against a decision that affects the rights of a person taken by a political structure, political office-bearer, Councillor or staff member of the Municipality in terms of a delegated power	Council	Speaker		N
65(1)	Considering a report of the Municipal Manager regarding the review of the Municipality's delegated powers	Council	None		N
66(1)	Determining a policy framework for – <ul style="list-style-type: none"> • a staff establishment for the Municipality, • 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 	Council	None		N

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	legislation attached to posts in the establishment <ul style="list-style-type: none"> a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service 				
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	N
68(2)	Determining the allocation provided for in the budget for the development and implementation of training programmes	Council	None	Subject to receiving recommendations of the Executive Mayor in the form of an annual budget or adjustments budget	N
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	N
74(1)	Adopting and implementing of a tariff policy on the levying of fees for municipal services provided by or on behalf of the Municipality	Council	None		N
75(1)	Adopting by-laws to give effect to the implementation and enforcement of the tariff policy	Council	None		N
77	Reviewing of current service-delivery mechanisms and determining appropriate mechanisms to provide municipal services	Council	None		N
85(1)	Establishing a part of the Municipality as an internal municipal service district to facilitate the provision of a municipal service in that part of the Municipality	Council	None		N
86(1)	Developing and adopting a policy framework for the establishment, regulation and management of an internal municipal service district	Council	None		N
86C(1)	Deciding whether to establish or participate	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	in or acquire an interest in a private company.				
86G	Deciding to transfer ownership or otherwise dispose of a wholly owned private company or an interest in a private company	Council	None		N
86H	Passing a bylaw establishing a service utility	Council	None		N
86K	Passing a bylaw disestablishing a service utility	Council	None		N
87	Deciding to establish, together with another municipality, a multi-jurisdictional municipal service utility to facilitate the provision of a municipal service in the relevant municipal areas or parts of those municipal areas	Council	None		N
93D(1)	Designating, if the Municipality is a parent municipality, a councillor or official, or both, as the Municipality's representative(s) in a municipal entity's board of directors or shareholder meetings	Council	None		N
93D(2)	Calling or convening a meeting of the shareholders or board of directors of a municipal entity of which the Municipality is a parent municipality in order for the board of directors to give account for actions taken by it	Executive Mayor	None		N
93E	Determining the process for recruiting, selecting and appointing directors of the board of a municipal entity of which the Municipality is a parent municipality	Council	None		N
93G	Deciding to recall and remove a director appointed by the Municipality to the board of directors of a municipal entity	Council	None		N
95(a)	Establishing a customer management system	Council	Manager Support Services	After consultation with the managers directly accountable to the Municipal Manager	N
95(b)	Establishing mechanisms for users of services to give feedback to the Municipality or other service provider regarding the	Council	Manager Support Services	After consultation with the managers directly accountable to the	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	quality of the services and the performance of the service provider			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	N
95(d)	Stipulating the reasonable steps that must be taken to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems where the consumption of services has to be measured	Council	Chief Financial Officer	After consultation with the Director Infrastructure and Utilities	N
95(e)	Stipulating the steps that must be taken to ensure that persons liable for payments, receive regular and accurate accounts that indicate the basis for calculating the amounts due	Council	Chief Financial Officer	Subject to the Municipality's credit control policy and bylaws	N
95(f)	Establishing accessible mechanisms for persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts	Council	Chief Financial Officer	Subject to the Municipality's credit control policy and bylaws	N
95(g)	Establishing accessible mechanisms for dealing with complaints from persons, together with prompt replies and corrective action by the Municipality	Council	Chief Operations Officer	After consultation with the Director Infrastructure and Utilities and the Chief Financial Officer	N
95(h)	Establishing mechanisms to monitor the response time and efficiency in complying with complaints from such persons, together with prompt replies and corrective action by the Municipality	Council	Chief Operations Officer	After consultation with the managers directly accountable to the Municipal Manager	N
95(i)	Determining the number and location of pay points and other mechanisms for settling accounts or for making pre-payments for services	Council	Chief Financial Officer	Subject to the Municipality's credit control policy and bylaws	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
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		N
98(1)	Adopting by-laws to give effect to the Municipality's credit control and debt collection policy, its implementation and enforcement	Council	None		N
99(c)	<p>Determining the frequency during which the Municipal Manager must report to the Council on –</p> <ul style="list-style-type: none"> the implementation and enforcement of the Municipality's credit control and debt collection policy and by-laws; her/his performance 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 <p>in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures</p>	Council	None		N
101	Issuing of 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	N
102(1)	Deciding to consolidate any 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	Chief Financial Officer	After consultation with the Municipal Manager	N
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	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
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	N
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		N
109(2)	Deciding to compromise or compound any action, claim or proceedings and submission to arbitration of any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws.	Council	Municipal Manager		N
109A	Deciding to provide legal representation to a Councillor or employee where- (a) legal proceedings have been instituted against the employee or Councillor as a result of any act or omission by her/him in the exercise of her/his powers or the performance of her/his duties; or (b) the employee or the Councillor has been summoned to attend any inquest or inquiry arising from the exercise of her/his powers or the performance of her/his duties.	Council	In the case of a Councillor or the Municipal Manager, the Executive Mayor In the case of an employee (except the Municipal Manager), the Municipal Manager	No such legal representation may be provided if the Municipality instituted the legal proceedings against the Councillor or employee	N
110	Issuing a certificate, to be used in legal proceedings involving the Municipality, that the Municipality used the best known, or the only, or the most practicable and available methods in exercising any of its powers or performing any of its functions	Municipal Manager	None	After consultation with the manager directly accountable to the Municipal Manager who is responsible for the matter in respect of which the proceedings arose	N
112	Obtaining the approval of the National Prosecuting Authority to enable an employee	Municipal Manager	None	After consultation with the managers directly	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	to institute criminal proceedings and conduct prosecutions in respect of bylaws and other legislation applicable to the Municipality			accountable to the Municipal Manager	
117	Custody of all records and documents of the Municipality	Municipal Manager	Director Corporate Governance		N
118	Issuing of a rates clearance certificate	Council	Chief Financial Officer		N
Sch 1(4)(1)	Considering applications submitted by Councillors for leave of absence from meetings they are required to attend	Council	Chairperson of the political structure concerned		N
Sch 1(4)(1)	Imposing a fine as determined by the standing rules and orders on a Councillor for not attending a meeting which she/he is required to attend or failing to remain in attendance at such a meeting	Council	None		N
Sch 1(4)(3)	Adopting a uniform standing procedure for the imposition of a fine or the removal of a Councillor	Council	None		N
Sch 1(5)(b)	Determining whether a Councillor's declared personal or private business interest in any matter before the Council or a committee of the Council is trivial or irrelevant	Council	The political structure at which the Councillor concerned makes the declaration		N
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 of the Council for a fee or other consideration	Council	None	Subject to the provisions of the Municipal Supply Chain Management Regulations 2005 and the Municipality's supply chain management policy insofar as it relates to award contracts to the persons "in the service of the state"	N
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		N
Sch 1(8)	Considering and refusing or consenting to an application of a full-time Councillor to undertake other paid work	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
Sch 1(10)	Granting permission to a Councillor to disclose privileged or confidential information of the Municipality to an unauthorised person	Council	None		N
Sch 1(11)	Mandating a Councillor to intervene in the management or administration of any department or to give an instruction to an employee	Council	None		N
Sch 1(13)	Authorising an investigation into an alleged breach of the Code of Conduct for Councillors	Speaker	None		N
Sch 1(14)(1)	Investigating and making a finding on any alleged breach of a provision of the Code of Conduct for Councillors or establishing 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		N
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		N
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 for Councillors	Council	Speaker		N

Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
7(1)	Deciding to open a bank account for the Municipality	Council	Municipal Manager	After consultation with the Chief Financial Officer	N
	Deciding at which bank/banks to open a bank account	Council	Municipal Manager	1. Subject to section 8(2) of the MFMA 2. After consultation with the Chief Financial Officer	N
	Deciding to close a bank account	Council	Municipal Manager	After consultation with the Chief Financial Officer	N
7(2)	Determining into which bank account money collected or received by the Municipality must be deposited	Council	Chief Financial Officer	See section 48(2)(d) of the MFMA	N
8(1)	Designating a bank account as the Municipality's primary bank account	Council	Municipal Manager		N
8(3)	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the Municipality's primary bank account	Council	Chief Financial Officer		N
8(4)	Entering into an agreement with other parent municipalities of a municipal entity of which the Municipality is a parent municipality, as to which Municipality's primary bank account to use for the purpose of receiving allocations from organs of state to the municipal entity concerned	Council	Municipal Manager		N
8(5)	Submitting the Municipality's primary bank account details, and any impending change thereof	Municipal Manager	Chief Financial Officer		Y
9(a)	Submitting the prescribed details regarding any new bank accounts opened for the Municipality	Municipal Manager	Chief Financial Officer		Y
9(b)	Submitting the details of the Municipality's bank accounts annually before the start of a	Municipal Manager	Chief Financial Officer		Y

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	financial year				
10(1)(a)	Administering the Municipality's bank accounts	Municipal Manager	Chief Financial Officer		N
10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Municipal Manager	Chief Financial Officer		N
11(1)	Authorising staff to withdraw or authorise the withdrawal of money from the Municipality's bank account	Municipal Manager Chief Financial Officer	As determined by the Municipal Manager, after consultation with the Chief Financial Officer	1. Subject to the prescribed framework 2. If the Municipality has a primary bank account which is separate from its other bank accounts, only the Chief Financial Officer may be authorised to withdraw money or authorise the withdrawal of money from the Municipality's primary bank account in terms of section 11(2) of the MFMA	N
11(4)(a)	Preparing a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the Municipality's bank accounts	Municipal Manager	Chief Financial Officer	A quarterly consolidated report of all withdrawals made from the Municipality's bank accounts must be tabled in the Council, and submitted to the Provincial Treasury and the Auditor-General within 30 days after the end of each quarter.	Y
	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the Municipality's bank accounts in the Council	Municipal Manager	None		N
11(4)(b)	Submitting a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA to the Provincial Treasury and the Auditor-General	Municipal Manager	Chief Financial Officer		Y
12(1)	Deciding to set-up a relief, charitable, trust or other fund of whatever description	Speaker Executive Mayor Council Any political structure	None	Subject to obtaining the prior express approval of the Council	N
12(2)	Deciding to open a separate bank	Council	Municipal Manager	After consultation with the Chief	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	account in the name of the Municipality for the purpose of a relief, charitable, trust or other fund			Financial Officer	
12(4)	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	Municipal Manager	None	Such authorisation must be in accordance with decisions of the Council in this regard and only for the purposes for which, and subject to the conditions on which, the fund was established or the money in the fund was donated	N
13(2)	Establishing an appropriate and effective cash management and investment policy for the Municipality	Council	None	NOTE: In terms of section 60(2) of the Municipal Systems Act 2000 the Council may only delegate to the Chief Financial Officer the authority to make investment decisions on behalf of the Municipality	N
14(2)	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset	Council	None	On condition that – 1. the asset concerned is not needed to provide the minimum level of basic municipal services; and 2. the Council considered the fair market value of the asset concerned	N
14(2)(a)	Deciding, at a meeting open to the public and on reasonable grounds, that an asset of the Municipality is not needed to provide the minimum level of basic municipal services	Council	Municipal Manager	Only in respect of movable capital assets below R 1,000,000	N
14(2)(b)	Considering the fair market value of an asset to be disposed of and the economic and community value to be received in exchange for an asset to be disposed of	Council	Municipal Manager	Only in respect of movable capital assets below R1,000,000	N
14(4)	Determining the value of movable assets in respect of which the Municipal Manager may determine –	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	(a) whether an asset to be disposed of is not needed to provide the minimum level of basic municipal services; and (b) determining the fair market value of such asset and the economic and community value to be received in exchange for the asset				
16(1)	Approving an annual budget	Council	None	NOTE: 1. In terms of section 160(2)(b), read with section 160(3)(b) of the Constitution a budget must be approved by a decision taken by the Council with a supporting vote of a majority of its members, i.e. an absolute majority. 2. Approval of the budget must be considered on or before 1 June each year in terms of section 24(1) of the MFMA. 3. See section 25(1) of the MFMA	N
16(2)	Tabling the budget at a Council meeting	Executive Mayor	None	The annual budget must be tabled at least 90 days before 1 July each year	N
16(3)	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council	Executive Mayor	A separate appropriation must be made for each financial year	N
19(1)(b)	Approving a capital project, including its total cost	Council	Executive Mayor		N
19(1)(d)	Considering the sources of funding of a capital project	Council	Executive Mayor		N
19(2)	Considering, in respect of a capital project, the projected cost covering all financial years until the project is	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	operational and the future operational costs and revenue on the project, including municipal tax and tariff implications.				
19(3)	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital programme	Council	None		N
21(1)(a)	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's integrated development plan and budget-related policies	Executive Mayor	None		N
21(1)(b)	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the Municipality's budget-related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes forming part of the processes	Executive Mayor	None	At least 10 months before 1 July each year	N
21(2)(b)	Deciding the reasonable steps to be taken to review the Municipality's integrated development plan taking into account realistic revenue and expenditure projections for future years	Executive Mayor	None	After consultation with the IDP Committee	N
21(2)(d)	Determining the manner and timing of consultation of the district municipality and the other local municipalities within the district, the Provincial Treasury and such other organs of state as may be prescribed with regard to the	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Municipality's annual budget				
21(2)(e)	Providing information relating to the budget that may be requested to the National Treasury and any other organ of state	Executive Mayor	Municipal Manager	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury	N
22	Making the annual budget as tabled public, inviting the community to submit representations in connection therewith and submitting same to the National and Provincial Treasuries and affected municipalities	Municipal Manager	Chief Financial Officer	In accordance with Chapter 4 of the Local Government: Municipal Systems Act 2000	N
23(1)	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	Executive Mayor		N
23(2)	Deciding to give the Executive Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	Executive Mayor		N
24(3)	Submitting the approved annual budget to the National and Provincial Treasuries	Municipal Manager	Chief Financial Officer		Y
25(3)	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Executive Mayor	None	Immediately report the matter to the MEC responsible for local government	N
26(4)	Obtaining the MEC responsible for finance's approval to withdraw funds from the Municipality's bank accounts, if a budget has not been approved on or before 1 July of each year.	Council	Chief Financial Officer		N
27(1)	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation	Executive Mayor	None	After consultation with the Municipal Manager and the Chief Financial Officer	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	relating to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None		
	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes				N
27(2)	Deciding to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	After consultation with the Municipal Manager and the Chief Financial Officer	N
	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget				Y
27(3)	Informing the Council, the MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance	Executive Mayor	None		Y
28(1)	Deciding to revise an approved budget by way of an adjustments budget	Council	None		N
28(4)	Tabling an adjustments budget in the Council	Executive Mayor	None		N
29(1)	Deciding to authorise unforeseeable and unavoidable expenditure for which no provision was made in an	Executive Mayor	None	After consultation with the Municipal Manager and the Chief Financial Officer	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	approved budget in emergency or other exceptional circumstances				
29(2)(c)	Reporting to the Council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorisation was given	N
31(c)	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	Municipal Manager	Chief Financial Officer	Funds for the programme in question was appropriated for more than one financial year	N
31(d)	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Executive Mayor	None	After consultation with the Municipal Manager and the Chief Financial Officer	N
31(e)	Submitting a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit issued by the Municipal Manager and the Mayor's approval for exceeding the amount appropriated in respect of a capital programme to the provincial treasury and the Auditor-General	Council	Chief Financial Officer		N
32(2)	Deciding to recover unauthorised,	Council	Municipal Manager	Except, in the case of –	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	irregular or fruitless and wasteful expenditure from the person liable for that expenditure			<ol style="list-style-type: none"> 1. unauthorised expenditure, if the amount of the expenditure is authorised in an adjustments budget; or 2. is certified by the Council, after investigation by a Council committee, as irrecoverable and written off by the Council; and 3. irregular or fruitless and wasteful expenditure is, after investigation by a Council committee, certified by the Council as irrecoverable and written off by the Council 	
32(2)	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	Council	Municipal Manager		N
32(2)	Identifying the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure	Council	Municipal Manager		N
32(2)	Appointing a committee to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	Council	Executive Mayor		N
	Certifying unauthorised, irregular or fruitless and wasteful expenditure as irrecoverable	Council	None	After receipt of a report of the committee appointed to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	N
32(3)	Deciding whether a decision taken by the Council, Speaker or the Executive Mayor that is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer and the Chief Operations Officer	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Instructing an authorised official not to implement a decision taken by the Council, Speaker or the Executive Mayor that is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None		N
	Informing the Council or the Executive Mayor that a decision taken by the Council, Speaker or the Mayor that is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None		N
32(4)	Deciding whether an expenditure incurred by the Municipality was unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer	N
	Determining the amount of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N
	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	After consultation with the Chief Financial Officer and the Chief Operations Officer	N
	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N
	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer and Internal Auditor	N
	Informing the Executive Mayor, the MEC for local government and the	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure.				
32(6)	Determining whether an alleged irregular expenditure constitutes a criminal offence	Municipal Manager	None	After consultation with the Chief Financial Officer	N
	Determining whether alleged theft and fraud occurred in the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N
	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	Municipal Manager	None	After consultation with the Chief Financial Officer	N
32(7)	Determining whether an alleged irregular expenditure incurred by the Municipal Manager constitutes a criminal offence	Council	Executive Mayor		N
	Determining whether the Municipal Manager allegedly committed an act of theft and fraud	Council	Executive Mayor		N
	Reporting alleged irregular expenditure incurred by the Municipal Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the Municipal Manager to the SAPS	Council	Executive Mayor		N
33(1)	Deciding to enter into a contract which will impose financial obligations on the Municipality	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	beyond a financial year				
34(1)	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management	Council	Executive Mayor		Y
34(3)(a)	Considering the results of the provincial government's monitoring of the Municipality	Council	None		N
34(3)(b)	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality	Council	None		N
37(1)(a)	Determining the steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	Council	None		N
37(2)	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the receiving municipality thereof	Municipal Manager	Chief Financial Officer	Such notification must be given on or before 2 April each year	N
38(2)	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality	Council	None		N
39(3)	Determining the deputation that will appear before a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	Council	None		N
	Determining the case that will be presented to a committee of	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality				
44(1)	Deciding the reasonable steps to settle a dispute of a financial nature between the Municipality and another organ of state out of court	Council	None		N
44(2)(a)	Reporting a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury) to the National Treasury	Council	Municipal Manager		N
44(2)(b)	Deciding whether to request the National Treasury to mediate or to appoint a mediator to mediate a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury)	Council	Executive Mayor		N
45(1)	Deciding whether to incur short term debt	Council	None	<ol style="list-style-type: none"> 1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution 	N
45(2)(a)	Approving any short term debt agreement	Council	None		N
45(2)(b)	Signing a debt agreement or other document which creates or acknowledges any short term debt	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
46(1)	Deciding whether to incur long term debt	Council	None	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution	N
46(2)(a)	Approving any long term debt agreement	Council	None		N
46(2)(b)	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Municipal Manager	Chief Financial Officer		N
48(1)	Deciding whether to provide security for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	Council	None		N
48(2)	Deciding the form/nature of security to be provided for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the Municipality or such other person	Council	None		N
48(3)(a)	Deciding whether an asset or right that has been hypothecated in any	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	manner as security is necessary for providing the minimum level of basic municipal services				
48(3)(b)	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	Council	None		N
50	Deciding to issue a guarantee for any commitment or debt of any organ of state, person or municipal entity under the sole or shared control of the Municipality	Council	None		N
52(a)	Deciding the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	Executive Mayor	None		N
52(b)	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the Municipal Manager and the Chief Financial Officer of their powers, functions and duties in terms of the MFMA	Executive Mayor	None		N
52(c)	Deciding the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	Executive Mayor	None		N
52(d)	Submitting to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality	Executive Mayor	None		N
53(1)(a)	Deciding the nature and extent of, and manner in which political	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	guidance is to be given over the budget process and the priorities that must guide the preparation of a budget				
53(1)(b)	Deciding the steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	Executive Mayor	None		N
	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	Executive Mayor	None	After receiving a report from the Municipal Manager	N
53(1)(c)(i)	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	Executive Mayor	None	After receiving a report from the Municipal Manager	N
53(1)(c)(ii)	Determining the reasonable steps to be taken to ensure that the Mayor approves the Municipality's service delivery and budget implementation plan	Executive Mayor	None	The Mayor must approve the annual service delivery and budget implementation plan within 28 days after the approval of the budget	N
53(1)(c)(iii)	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the Municipal Manager and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan and are concluded in accordance with section 57(2) of the Municipal Systems Act	Executive Mayor	None	In terms of section 57(2)(a) of the Municipal Systems Act the annual performance agreements must be concluded on or before 30 July of each year	N
53(2)	Reporting to the Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	delivery and budget implementation plan or the signing of the annual performance agreements				
53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budget implementation plan	Executive Mayor	None		N
53(3)(b)	Ensuring that the performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after approval of the Municipality's service delivery and budget implementation plan	Executive Mayor	None		N
	Submitting the annual performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, to the Council and the MEC responsible for local government	Executive Mayor	None		N
54(1)(a)	Making arrangements for receiving a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report	Executive Mayor	None	<ol style="list-style-type: none"> 1. A statement regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of each month 2. The mid-year corporate performance assessment report must be submitted not later than 25 January of each year 	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
				3. The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year	
54(1)(b)	Determining the procedures, including reports, required to check whether the Municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan	Executive Mayor	None		N
54(1)(c)	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Executive Mayor	None	Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following approval of an adjustments budget	N
	Determining the process of formulating revisions to the service delivery and budget implementation plan				N
54(1)(d)	Determining the instructions to be given to the Municipal Manager to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget	Executive Mayor	None	If the Municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the Municipality's approved budget, the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems	N
	Determining the (proposed) remedial or corrective steps to deal with any serious financial problems facing the Municipality	Municipal Manager	Chief Financial Officer		N
54(1)(e)	Considering whether the Municipality faces any financial problems	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	including any emerging or impending financial problems				
54(3)	Making public any revisions of the service delivery and budget implementation plan	Executive Mayor	None		N
55	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	Executive Mayor	None		N
56	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	Executive Mayor	None	After receiving a report from the Municipal Manager	N
59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	Executive Mayor	None	<ol style="list-style-type: none"> 1. A delegation by the Executive Mayor must be in writing 2. A delegation by the Executive Mayor does not divest her/him of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty. 	N
59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor	Executive Mayor	None		N
59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	Executive Mayor	None	No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision	N
60(b)(i)	Determining the nature, extent and manner of providing guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the Municipality and any municipal entity under the sole or shared	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	control of the Municipality				
61(1)(b)	Deciding to disclose to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None		N
	Deciding the timing and manner of disclosing to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None		N
62(1)(a)	Deciding the reasonable steps to be taken to ensure that that the resources of the Municipality are used effectively, efficiently and economically	Municipal Manager	None		N
62(1)(b)	Deciding the reasonable steps to be taken to ensure that that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	Municipal Manager	Chief Financial Officer		N
62(1)(c)(i)	Deciding the reasonable steps to be taken to ensure that that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	Municipal Manager	Chief Financial Officer		N
62(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	any prescribed norms and standards				
62(1)(d)	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Municipal Manager	None		N
62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Municipal Manager	None		N
62(1)(f)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	Municipal Manager	None		N
62(1)(f)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a rates policy as required in terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004)	Municipal Manager	None		N
62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Systems Act	Municipal Manager	None		N
62(1)(f)(iv)	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	Municipal Manager	None		N
63(2)(a)	Deciding the reasonable steps to be	Municipal Manager	Chief Financial		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality		Officer		
63(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Municipal Manager	Chief Financial Officer		N
63(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	Municipal Manager	Chief Financial Officer		N
64(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy	Municipal Manager	Chief Financial Officer		N
64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the Municipality is calculated on a monthly basis	Municipal Manager	Chief Financial Officer		N
64(2)(c)	Deciding the reasonable steps to be taken to ensure 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	Chief Financial Officer		N
64(2)(d)	Deciding the reasonable steps to be taken to ensure that all money	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts				
64(2)(e)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Municipal Manager	Chief Financial Officer		N
64(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	Municipal Manager	Chief Financial Officer		N
64(2)(g)	Deciding the reasonable steps to be taken to ensure that the Municipality charges interest on arrears, except where the Council has granted exemptions in accordance with its budget-related policies and within a prescribed framework	Municipal Manager	Chief Financial Officer		N
	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget-related policies	Council	None		N
64(2)(h)	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	Municipal Manager	Chief Financial Officer		N
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	Municipal Manager	Chief Financial Officer	A copy of the report must forthwith be transmitted to the Executive Mayor	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	services, if such payments are regularly in arrears for periods of more than 30 days.				
64(4)(a)	Deciding the reasonable steps to be taken to ensure that any funds collected by the Municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	Municipal Manager	Chief Financial Officer		N
64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the Municipality on behalf of another organ of state are not used for purposes of the Municipality	Municipal Manager	Chief Financial Officer		N
65(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	Municipal Manager	Chief Financial Officer		N
65(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Municipal Manager	Chief Financial Officer		N
65(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	Municipal Manager	Chief Financial Officer		N
65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments by the Municipality are made directly to the person to whom it is due unless	Municipal Manager	Chief Financial Officer	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques				
65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing by the Municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	Municipal Manager	Chief Financial Officer		N
65(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Municipal Manager	Chief Financial Officer		N
65(2)(g)	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	Municipal Manager	None		N
65(2)(h)	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	Municipal Manager	Chief Financial Officer		N
65(2)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Municipal Manager	Chief Financial Officer		N
65(2)(j)	Deciding the reasonable steps to be	Municipal Manager	Chief Financial		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records		Officer		
66	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Municipal Manager	Chief Financial Officer		N
67(1)	<p>Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction, -</p> <p>(a) has the capacity to comply with any agreement with the Municipality,</p> <p>(b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement,</p> <p>(c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;</p> <p>(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and</p>	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA				
	Entering into an agreement with an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction	Municipal Manager	None		N
67(2)	Obtaining the approval of the provincial treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	Municipal Manager	Chief Financial Officer		N
67(3)	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with – (a) any agreement with the Municipality, (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement,	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	<p>(c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;</p> <p>(d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and</p> <p>(e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA</p>				
67(4)	Determining whether an organisation or body outside any sphere of government to whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor	Municipal Manager	None		N
68(a)	Assisting the Executive Mayor in performing the budgetary steps assigned to her/him	Municipal Manager	Chief Financial Officer		N
68(b)	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to her/him	Municipal Manager	None		N
	Making the administrative support, resources and information required by the Executive Mayor to perform	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	the budgetary steps assigned to the Executive Mayor available to her/him				
69(1)(a)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	Municipal Manager	Chief Financial Officer		N
69(1)(b)	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	Municipal Manager	Chief Financial Officer		N
69(2)	Determining whether it is necessary to prepare an adjustments budget	Municipal Manager	Chief Financial Officer		N
	Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Municipal Manager	Chief Financial Officer		N
69(3)(a)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year	Municipal Manager	None		N
69(3)(b)	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the Municipal	Municipal Manager	None	An annual performance agreement must be concluded on or before 31 July of each year in terms of section 57(2)(a) of the Municipal Systems Act	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Manager and all senior managers				
70(1)	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Municipal Manager	Chief Financial Officer		N
70(2)	Informing the National Treasury that the Municipality's bank account or, if the Municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	Municipal Manager	Chief Financial Officer		N
71(1)	Submitting to the Executive Mayor and the Provincial Treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the Municipality's budget	Municipal Manager	Chief Financial Officer	<ol style="list-style-type: none"> 1. The statement must contain the information referred to in section 71(1), (2) and (3) of the MFMA 2. The statement submitted to the Provincial Treasury must be in the form of a signed and an electronic document 	N
71(5)	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
72(1)(a)	Performing an assessment of the Municipality's performance during the first half of each financial year	Municipal Manager	None		N
72(1)(b)	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury and the Provincial Treasury	Municipal Manager	None	On or before 25 January each year	N
72(3)	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	Municipal Manager	Chief Financial Officer		N
73(a)	Informing the Provincial Treasury of any failure by the Council to adopt or implement a budget-related policy or a supply chain management policy	Municipal Manager	None		N
73(b)	Informing the Provincial Treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-related policy or the supply chain management policy	Municipal Manager	None		N
74(1)	Submitting to the National Treasury, the Provincial Treasury, the department for local government and the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.	Municipal Manager	Chief Financial Officer		N
74(2)	Reporting his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Executive Mayor and the Provincial Treasury	Municipal Manager	None		N
75(1)	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within five days after its	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	tabling in the Council or on the date on which it must be made public, whichever occurs first				
77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Municipal Manager	None		N
79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration for the proper application of the MFMA	Municipal Manager	None		N
79(1)(b)	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA	Municipal Manager	None	<ol style="list-style-type: none"> 1. No delegation may be made by the Municipal Manager to any political structure or political office-bearer of the Municipality 2. A delegation must be in writing; 3. A delegation is subject to such limitations and conditions as the Municipal Manager may impose in a specific case; 4. A delegation may either be to a specific individual or to the holder of a specific post in the Municipality; 5. A delegation may, in the case of a delegation to a member of the Municipality's top management authorise that member to sub-delegate the delegated power or duty to an 	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
				<p>official or the holder of a specific post in that member's area of responsibility; and</p> <p>6. A delegation does not divest the Municipal Manager of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty</p>	
79(1)(c)	Regularly reviewing delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of those delegations	Municipal Manager	None	Such review must be conducted at least once during a financial year	N
79(2)	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	Municipal Manager	None	No variation or revocation of a decision taken under delegated powers may detract from any rights that may have accrued as a result of the decision	N
80(1)(b)	Allocating officials of the Municipality to the Chief Financial Officer	Municipal Manager	None		N
81(1)(b)	Advising the Municipal Manager on the exercise of powers and duties assigned to her/him in terms of the MFMA	Chief Financial Officer	None		N
81(1)(c)	Assisting the Municipal Manager in administering the Municipality's bank accounts and in the preparation and implementation of the Municipality's budget	Chief Financial Officer	None		N
81(1)(d)	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	Chief Financial Officer	None		N
82	Deciding to sub-delegate any powers and duties to employees in	Chief Financial Officer	None	A sub-delegation must be in writing, is subject to such	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	the Budget and Treasury Office			limitations or conditions as the Chief Financial Officer may impose and does not divest the Chief Financial Officer of the responsibility concerning the delegated duty	
82(4)	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	Chief Financial Officer	None	No variation or revocation of a decision taken under sub-delegated powers may detract from any rights that may have accrued as a result of the decision	N
83(2)	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels	Council	None		N
84(1a)	Determining precisely the function or service that a municipal entity would perform on behalf of the Municipality when considering the establishment of, or participation in, such an entity	Council	None		N
84(1)(b)	Making an assessment of the impact of shifting a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	Municipal Manager	None		N
84(2)(a) (i) (aa)	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	Municipal Manager	Director Corporate Governance		Y
84(2)(a) (i) (bb)	Inviting the local community, organised labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity	Municipal Manager	Director Corporate Governance		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
84(2)(a)(ii)	Soliciting the views and recommendations of the National Treasury and the Provincial Treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Municipal Manager	Director Corporate Governance		N
84(2)(b)(i)	Considering an assessment of the impact of shifting a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, such an entity	Council	None		N
84(2)(b)(ii)	Considering the comments or representations received from the local community, organised labour and other interested persons in respect of the Municipality's intention to establish and/or participate in a municipal entity	Council	None		N
84(2)(b)(iii)	Considering the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Council	None		N
86(1)	Receiving information from a municipal entity of which the Municipality is the parent municipality regarding the entity's	Council	Chief Financial Officer		Y

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	bank account(s)				
86(2)	Submitting the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor-General, the National Treasury and the Provincial Treasury	Municipal Manager	Chief Financial Officer		Y
87(1)	Receiving a proposed budget for a municipal entity of which the Municipality is the parent municipality for each financial year	Council	Chief Financial Officer		Y
87(2)	Considering the proposed budget of a municipal entity of which the Municipality is the parent municipality and assessing the entity's priorities and objectives	Council	None		N
	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality	Council	None		N
87(3)	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council	Executive Mayor	None	Together with the Municipality's budget for the relevant financial year	N
87(5)(c)	Determining the limits, including any limits on tariffs, revenue, expenditure and borrowing, on the budget of a municipal entity of which the Municipality is the parent municipality	Council	None		N
87(6)	Considering an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity	Executive Mayor	None		N
87(9)	Tabling the budget or adjusted	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting				
87(11)	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	Municipal Manager	Chief Financial Officer		N
88(b)(ii)	Receiving and considering a mid-year performance assessment report of a municipal entity of which the Municipality is the parent municipality	Council	None		N
89(a)	Determining the upper limits of the salary, allowances and other benefits of the chief executive officer and senior managers of a municipal entity of which the Municipality is the parent municipality	Council	None		N
89(b)	Monitoring and ensuring that a municipal entity of which the Municipality is the parent municipality reports to the Council on all expenditure incurred by that municipal entity on directors and staff remuneration matters, and in a manner that discloses such expenditure per type of expenditure	Council	Chief Financial Officer		N
90(2)	Receiving an application from a municipal entity of which the Municipality is the parent municipality to transfer ownership or otherwise dispose of a capital asset other than an asset needed to provide the minimum level of basic municipal services	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Considering an application from a municipal entity of which the Municipality is the parent municipality to transfer ownership or otherwise dispose of a capital asset other than an asset needed to provide the minimum level of basic municipal services	Council	None	The power must be exercised in a meeting which is open to the public at which the Council – 1. must determine on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and 2. has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset	N
90(4)	Deciding to delegate to the Municipal Manager the power to determine on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset in respect of movable capital assets of a municipal entity of which the Municipality is the parent municipality below a value determined by the Council	Council	None		N
	Determining the value of movable capital assets of a municipal entity of which the Municipality is the parent municipality in respect of which the Municipal Manager may on reasonable grounds decide that the asset is not needed to provide the minimum level of basic municipal services and the fair market value of the asset and the economic and community value to be received in exchange for the asset	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Considering an application from a municipal entity of which the Municipality is the parent municipality to transfer ownership or otherwise dispose of a movable capital asset other than an asset needed to provide the minimum level of basic municipal services with a value below a value determined by the Council	Municipal Manager	None		N
97(3)	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for periods of more than 30 days	Municipal Manager	None		N
	Considering a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for periods of more than 30 days	Council	None		N
101(1)	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity	Council	Municipal Manager		N
101(2)	Tabling a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity in the first Council meeting next ensuing	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality on any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	Municipal Manager	None		N
103	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a councillor outside that councillor's assigned duties, in the financial affairs of the municipal entity or the responsibilities of the board of directors of the municipal entity	Executive Mayor	None		N
104(1)(b)	Deciding which information, returns, documents, explanations and motivations to require from the accounting officer of a municipal entity of which the Municipality is the parent municipality	Council	Municipal Manager		N
109	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems and the board of directors of the entity fails to act effectively – (a) to take appropriate steps to be taken in terms of the Municipality's rights and powers over the entity concerned, including its rights and powers in terms of any relevant service delivery or other agreement; (b) to impose a financial recovery	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	plan, which meets the criteria set out in section 142 of the MFMA; or (c) to liquidate and disestablish the entity.				
111	Making and implementing a supply chain management policy for the Municipality	Council	None		N
113(1)	Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process	Council	None		N
114(1)	Submitting a report containing the reasons for deviating from a recommendation relating to a bid to the Auditor-General, the Provincial Treasury and the National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved	Municipal Manager	None		N
	Receiving a report containing the reasons for deviating from a recommendation relating to a bid from the accounting officer of a municipal entity of which the Municipality is the parent municipality if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the municipal entity is approved	Municipal Manager	None		N
	Considering a report containing the reasons for deviating from a recommendation relating to a bid of the accounting officer of a municipal entity of which the Municipality is the	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	parent municipality if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the municipal entity is approved				
115(1)(a)	Implementing the Municipality's supply chain management policy	Municipal Manager	Chief Financial Officer		N
115(1)(b)	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	Municipal Manager	Chief Financial Officer		N
116(2)(a)	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is properly enforced	Municipal Manager	The relevant departmental head administering the contract concerned		N
116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Municipal Manager	The relevant departmental head administering the contract concerned		N
116(2)(c)	Determining the capacity that needs to be established within the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Municipal Manager	None		N
	Establishing the capacity in the Municipality's administration to assist the Municipal Manager to enforce	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis				
116(2)(d)	Regularly reporting to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Municipal Manager	Chief Financial Officer		N
	Determining the frequency/ regularity of reports to be submitted to the Council regarding the management of contracts and/or agreements and the performance of contractors.	Municipal Manager	Chief Financial Officer		N
116(3)(a)	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council	Municipal Manager	The relevant departmental head administering the contract concerned		N
116(3)(b)	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	Municipal Manager	Chief Financial Officer		N
116(3)	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of the Municipality and deciding whether to consent to the	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	amendment of the contract or agreement				
116(3)	Receiving an application from a municipal entity of which the Municipality is a parent municipality to amend a contract or agreement procured through the supply chain management policy of the municipal entity concerned	Municipal Manager	None		N
119(2)	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the Municipality to meet the prescribed competency levels	Council	Municipal Manager		N
120(1)	Deciding to enter into a public-private partnership agreement	Council	None		N
120(1)(a)	Determining whether a proposed public-private partnership agreement will provide value for money to the Municipality	Council	None		N
120(1)(b)	Determining whether a proposed public-private partnership agreement will be affordable for the Municipality	Council	None		N
120(1)(c)	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	Council	None		N
120(4)	Deciding to conduct a feasibility study before a public-private partnership is concluded	Council	None		N
120(5)	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility study regarding a proposed public-private partnership	Council	Executive Mayor		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
120(6)(a)	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the Municipality should continue with the proposed public-private partnership	Municipal Manager	None		N
120(6)(b)	Making the particulars of the proposed public-private partnership, including the report on the feasibility study, public and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Municipal Manager	Director Corporate Governance		N
120(6)(c)	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Municipal Manager	Director Corporate Governance		N
121(1)	Preparing an annual report for the Municipality	Council	Director Corporate Governance	Together with the managers directly accountable to the Municipal Manager	N
121(2)(e)	Performing an assessment of any arrears on municipal taxes and	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	service charges for inclusion in the Municipality's annual report				
121(2)(f)	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report	Municipal Manager	None	Together with the managers directly accountable to the Municipal Manager	N
121(4)(f)	Determining any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality	Council	None		N
122(1)/ 126(1)(a)	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	Municipal Manager	Chief Financial Officer		N
126(1)(a)	Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Municipal Manager	Chief Financial Officer	A copy of the AFS must forthwith be transmitted to the Executive Mayor	N
122(1)/ 126(1)(b)	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole or effective control (within the meaning of the Municipal Systems Act) of a municipal entity which is a	Municipal Manager	Chief Financial Officer		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	private company				
126(1)(b)	Submitting the consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole or effective control (if it is a private company) to the Auditor-General on or before 31 September of each year	Municipal Manager	Chief Financial Officer	A copy of the consolidated AFS must forthwith be transmitted to the Executive Mayor	N
126(2)(a)	Receiving the financial statements of municipal entity over which the Municipality has sole or effective control (if it is a private company)	Council	Municipal Manager		N
126(3)(b)	Receiving the audit report on the Municipality's annual financial statements and any consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole or effective control (if it is a private company)	Municipal Manager	None		N
126(4)	Receiving a report outlining the reasons for the delay from the Auditor-General if she/he is unable to complete an audit within three months after submission of the Municipality's annual financial statements and any consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole or effective control (if it is a private company)	Council	Municipal Manager		N
127(1)	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality	Municipal Manager	Director Corporate Governance		N
127(2)	Tabling in the Council the Municipality's annual report and the annual report of any municipal entity	Executive Mayor	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	under the Municipality's sole or shared control				
127(3)(a)	Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	Executive Mayor	None		N
127(5)(a)	Publishing the annual report and inviting the local community to submit representations in connection thereto	Municipal Manager	Director Corporate Governance		N
127(5)(b)	Submitting the annual report to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government	Municipal Manager	Director Corporate Governance		N
128	Monitoring whether the accounting officer of any municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance, to the Council, the Provincial Treasury and the Auditor-General	Municipal Manager	None		N
129(1)	Considering the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control	Council	None		N
	Adopting an oversight report containing the Council's comments on the annual report(s)	Council	None		N
129(2)(a)	Attending the meetings of the Council and its committees where	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	the annual report is discussed and responding to questions concerning the report				
129(2)(b)	Submitting copies of the minutes of meetings of the Council and its committees where the annual report was discussed to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government	Municipal Manager	Director Corporate Governance		N
129(3)	Publishing the oversight report regarding the annual report	Municipal Manager	Director Corporate Governance		N
129(5)	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report	Council	None		N
130(1)	Determining the reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Council	Speaker	None		N
131(1)	Ensuring that the Municipality addresses all the issues raised in an audit report	Executive Mayor	None		N
131(2)(a)	Submitting the Municipality's	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	responses to the issues raised in an audit report to the MEC for local government				
132(2)	Submitting the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	Municipal Manager	None		N
133(1)(a)	Tabling in the Council a written explanation setting out the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Executive Mayor	None		N
133(1)(b)	Receiving information from the Auditor-General regarding the failure to submit annual financial statements	Executive Mayor	None		N
	Submitting information received from the Auditor-General regarding the failure to submit annual financial statements to the Council	Executive Mayor	None		N
133(c)(i)	Deciding whether to request a councillor to investigate the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	or a municipal entity in the Council				
	Receiving the report of the appointed councillor regarding the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	None		N
133(c)(ii)	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the Auditor-General or that the annual report, including the financial statements and the audit report on those statements, is tabled in the Council, as the case may be	Council	Municipal Manager		N
133(c)(iii)	Deciding whether disciplinary steps should be taken against the Municipal Manager or other persons responsible for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	In the case of the Municipal Manager, the Executive Mayor In all other cases, the Municipal Manager		N
135(3)	Considering whether the Municipality is, or is likely to, encounter a serious financial problem in meeting its financial commitments	Council	None		N
135(3)(a)	Determining the manner of seeking	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality				
	Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	None		N
135(3)(b)	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Municipal Manager		N
135(3)(c)	Notifying organised local government of any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Municipal Manager		N
136(1)(a)	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	Executive Mayor	None		N
137(1)(d)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Executive Mayor	None		N
137(2)	Receiving an assessment of the seriousness of the financial problem in the Municipality, the determination of the provincial executive whether the financial problem experienced by the Municipality, singly or in	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	combination with other problems, is sufficiently serious or sustained that the Municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the Municipality				
139(1)(b)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	Executive Mayor	None		N
139(2)	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	Executive Mayor	None		N
	Receiving a copy of the Municipal Financial Recovery Service's determination of the reasons for the crisis in the Municipality's financial affairs and assessment of the Municipality's financial state	Council	None		N
141(3)(a) 144(2)	Participating in consultations with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality	Council	Executive Mayor		N
141(3)(c) 144(2)	Commenting on a draft financial recovery plan or an amendment to such plan for the Municipality	Council	Executive Mayor		N
143(3)(a)	Receiving an approved financial recovery plan for the Municipality	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
145(1)(a) 146(1)(a)	Implementing an approved financial recovery plan for the Municipality	Council	Municipal Manager		N
145(1)(b)	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality	Council	Municipal Manager	A copy of the report must forthwith be transmitted to the Executive Mayor	N
146(1)(c)	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	Municipal Manager	None	A copy of the report must forthwith be transmitted to the Executive Mayor	N
147(1)(b)	Receiving progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance	Council	None		N
148(1)(b) (i)	Declaring the Municipality's willingness to fulfil the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the Municipality	Council	None		N
148(3)(a)	Receiving a notification that an intervention in the Municipality has ended	Council	None		N
152(1)	Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Bringing an application to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the	Municipal Manager	None	After consultation with the Executive Mayor	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Municipality is unable to meet its financial commitments				
152(2)	Giving notice of an application by the Municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Municipal Manager	None	After consultation with the Executive Mayor	N
153(1)(a)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	Council	None	In consultation with the Executive Mayor	N
	Bringing an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	Municipal Manager	None	After consultation with the Executive Mayor	N
153(3)	Giving notice of an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality	Municipal Manager	None	After consultation with the Executive Mayor	N
153(1)(b)	Deciding to apply to the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	Council	None		N
	Bringing an application in the High Court for an order to suspend the	Municipal Manager	None	After consultation with the Executive Mayor	N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations				
153(3)	Giving notice of an application in the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the Municipality can meet those obligations	Municipal Manager	None	After consultation with the Executive Mayor	N
153(1)(b)	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Council	None		N
	Bringing an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Municipal Manager	None	After consultation with the Executive Mayor	N
153(3)	Giving notice of an application in the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Municipal Manager	None	After consultation with the Executive Mayor	N
165(1)	Deciding whether to establish an internal audit unit or to outsource the internal audit function	Council	None		N
166(1) and (6)	Deciding whether to establish an internal audit committee for – 1. the Municipality only; or	Council	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	2. the Municipality and the local municipalities within the district; or 3. the Municipality and any municipal entity under its sole control				
166(2)	Receiving reports of the audit committee	Municipal Manager	None		N
166(2)(d)	Requesting the audit committee to investigate the financial affairs of the Municipality or a municipal entity of which the Municipality is a parent	Council	Executive Mayor Municipal Manager		N
166(4)	Determining the number of members of the audit committee	Council	None		N
	Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee	Council	None		N
166(5)	Appointing the members of the audit committee of the Municipality and of a municipal entity of which the Municipality is a parent municipality	Council	Executive Mayor	The Executive Mayor may not waive or relax any requirements relating to skills, knowledge or experience determined by the Council or the MFMA	N
	Appointing from amongst the members of an audit committee who is not in the employ of the Municipality or municipal entity a chairperson	Council	Executive Mayor		N
167(2)(a)	Recovering any amount paid or given in cash or in kind to a person as a political office-bearer or as a member of a political structure of the Municipality otherwise than in accordance with the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any	Municipal Manager	None		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	bonus, bursary, loan, advance or other benefit				
168(3)	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA	Council	None		N
171(4)(a)	Investigating any allegations of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality unless those allegations are frivolous, vexatious, speculative or obviously unfounded	Council	In the case of the Municipal Manager, the Executive Mayor In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
	Deciding whether an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality is frivolous, vexatious, speculative or obviously unfounded		In all other cases, the relevant departmental head		N
174(4)(b)	Deciding whether an investigation of an allegation of financial misconduct against the Municipal Manager, the Chief Financial Officer, a senior manager or other official of the Municipality revealed anything that warrants the institution of disciplinary proceedings	Council	In the case of the Municipal Manager, the Executive Mayor In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager In all other cases, the relevant departmental head	Any disciplinary proceedings must be conducted in terms of the relevant collective agreement	N
176(2)	Deciding to recover from a political office-bearer or official of the Municipality any loss or damage suffered by it because of the	Council	In the case of a councillor, the Speaker		N

Section	Power/duty conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	deliberate or negligent unlawful actions of that political office-bearer or official when performing a function of office		<p>In the case of the Municipal Manager, the Executive Mayor</p> <p>In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager</p> <p>In all other cases, the relevant departmental head</p>		
178(2)(a)	Submitting to the National Treasury a list of all corporate entities in which the Municipality or a municipal entity under its sole or shared control has an interest	Council	Director Corporate Governance		N
178(2)(b)	Submitting to the National Treasury a list of all public-private partnerships to which the Municipality is a party, with a value of more than one million Rands in total or per annum	Council	Director Corporate Governance		N
178(2)(c)	Submitting to the National Treasury a list of all other types of contracts of the Municipality for a period beyond 1 January 2007 and with a value of more than one million Rands in total or per annum	Council	Director Corporate Governance		N

Remuneration of Public Office-Bearers Act 1998 (Act No 20 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
7(4)	Determining the salary, allowances and benefits payable to Councillors	Council	None		N

Preferential Procurement Policy Framework Act 2000 (Act No 5 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
2(1)	Determining a preferential procurement policy	Council	None		N
2(1)(a)	Determining the preference point system (80/20 or 90/10) to be followed for assessing offers for procuring a specific contract	Council	Municipal Manager		Y
2(1)(d)	Determining the specific goals for which points may be awarded additional to price	Council	None	Provided that such goals are measurable, quantifiable and monitored for compliance	N
2(1)(f)	Deciding to award a contract to an offer not achieving the highest points	Council	Municipal Manager	<p>1. Provided that –</p> <p>(a) objective criteria, additional to those determined in terms of section 2(1)(d) of the PPPFA justify the award to another bidder; and</p> <p>(b) the delegated body forthwith comply with section 114 of the MFMA</p> <p>2. See regulation 9 of the Preferential Procurement Regulations</p>	N
2(1)(g)	Deciding to cancel a contract awarded on account of false information furnished by the bidder in order to secure preference	Council	Municipal Manager	Cancellation of a contract does not prejudice any other remedies the Municipality may have	N
3	Deciding to request the Minister of Finance to exempt the Municipality from any or all the provisions of the Act	Council	None		N

Division of Revenue Act 2008 (Act No 2 of 2008)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
5(3)	Checking that the Municipality's equitable share of revenue raised nationally is transferred to the Municipality's primary bank account in three transfers on the seventh day of July, November and February, or if that day falls on a Saturday, Sunday or public holiday, the first working day following that day, in accordance with a payment schedule determined by the National Treasury in terms of section 33 of the DoRA 2008	Municipal Manager	Chief Financial Officer		Y
11(1)	Ensuring compliance with the framework for MIG allocations as published in terms of section 22 of the DoRA 2008 and the manner in which MIG allocations are allocated and spent	Municipal Manager	None	See section 15(1) of the DoRA 2008	N
11(2)(a)	Ensuring and certifying to the National Treasury that the Municipality indicates, or if required, exclusively appropriates each programme funded or partially funded by an MIG allocation in its annual budget and makes public, in accordance with the requirements of section 21A of the Systems Act, the conditions and other information in respect of the allocation to facilitate performance measurement and the use of required inputs and outputs	Municipal Manager	None		N
11(2)(b)	Reporting, as part of the report required in terms of section 71 of the MFMA to the National Treasury and the transferring national officer on	Municipal Manager	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	spending and financial performance against programmes funded from the Municipality's MIG allocation				
11(2)(c)	Reporting quarterly, within 30 days after the end of each quarter, to the National Treasury and the transferring national officer on non-financial performance against programmes funded from the Municipality's MIG allocation	Municipal Manager	None		N
11(4)	Reporting against programmes funded or partially funded by the Municipality's MIG allocation against the relevant framework in its annual financial statements and annual report.	Municipal Manager	Chief Financial Officer		N
11(5)	Evaluating, within two months after 31 March 2009 and 30 June 2009 programmes funded or partially funded from the Municipality's MIG allocation and submit such evaluation to the transferring national officer	Municipal Manager	None		N
12(1)	Reporting, as part of the report required in terms of section 71 of the MFMA, to the relevant transferring national officer with regard to an allocation in terms of Schedule 7 of the DoRA 2008 made to the Municipality	Municipal Manager	None	Such report must comply with the requirements of section 12(4) of the DoRA 2008	N
12(6)	Evaluating, within two months after 31 March 2009 and 30 June 2009 programmes funded or partially funded from the Municipality's allocations in terms of Schedule 7 of the DoRA 2008 and submit such evaluation to the transferring national officer	Municipal Manager	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
13(6)	Ensuring compliance with any prescripts issued by the National Treasury regarding quarterly reporting on local government allocations	Municipal Manager	Chief Financial Officer		N
15(3)	Ensuring that the Municipality tables a three year capital budget as part of its budget for the 2008/09 financial year in accordance with the MFMA	Municipal Manager	None		N
17(1)	Requesting the provincial Department of Housing to advance a portion of the Municipality's allocation of the Integrated Housing and Human Settlement Development Grant in the interest of facilitating the commencement and continued implementation of the housing programme	Municipal Manager	None		N
25(3)(a)(ii)	Making representations to the transferring national officer regarding her/his intention to withhold an allocation in terms of Schedules 4, 5, 6 or 7 of DoRA 2008 to the Municipality	Municipal Manager	None		N
26(2)	Making representations to the National Treasury regarding its intention to stop the transfer of an allocation in terms of Schedules 4, 5, 6 or 7 of DoRA 2008 to the Municipality	Municipal Manager	None		N
28(1)	Proving to the satisfaction of the National Treasury that any unspent conditional allocation to the Municipality is committed to identifiable projects	Municipal Manager	None		N
28(2)	Requesting the National Treasury's approval to roll-over a conditional allocation to the next financial year	Municipal Manager	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	and spending a portion of a conditional allocation on activities related to the purpose of that allocation where the Municipality projects significant unforeseeable and unavoidable over-spending on its budget.				
30(3)	Participating in consultations of the Southern district municipality regarding any capital project for water, electricity, roads or any other municipal service planned by the district municipality	Council	Executive Mayor	After consultation with the Municipal Manager	N
	Approving an agreement with the district municipality on which municipality is responsible for the operational costs and collection of user fees in respect of assets created by the district municipality	Council	None		N
30(4)	Ensuring that any allocation made to the Municipality in terms of the DoRA 2008 or by the province or another municipality is reflected in the budget to be approved	Council	Executive Mayor		N
33(2)(b)	Requesting the National Treasury for cash management purposes or when an intervention in terms of section 139 of the Constitution is taking place, to advance the Municipality's equitable share of revenue raised nationally or a portion of it, which has not yet fallen due for transfer in accordance with the payment schedule, to the Municipality	Municipal Manager	None	After consultation with the Chief Financial Officer	N
33(3)(c)	Participating in consultations regarding the payment schedule for Schedule 4 and 6 allocations	Municipal Manager	Chief Financial Officer		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
33(4)	Receiving a copy of the payment schedule from Schedule 4 and 6 allocations	Municipal Manager	Chief Financial Officer		N
34(5)	Receiving an amended payment schedule	Municipal Manager	Chief Financial Officer		N
39(2)(a)	Submitting, by 29 August 2008, a detailed infrastructure plan to the transferring national officer for the next financial year and the 2010/11 financial year.	Municipal Manager	None	The infrastructure plan must address those matters and be in a format determined by the transferring national officer of the MIG with the concurrence of the National Treasury	N
39(3)(a)	Concluding an agreement with the provincial Department of Housing regarding the provisional allocations in the next financial year and the 2010/11 financial year to the Municipality from the province's Integrated Housing and Human Settlement Development allocation	Municipal Manager	None	After consultation with the Chief Financial Officer and the Director Infrastructure and Utilities	N
39(4)	Submitting to the National Treasury such plans and information for any conditional allocations it may require in preparation for the next financial year	Municipal Manager	None		N
41	Disclosing in the financial statements the purpose and amount of any grant, sponsorship or donation received from a public entity	Municipal Manager	Chief Financial Officer		N

Municipal Fiscal Powers and Functions Act 2007 (Act No 12 of 2007)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
4(1)	Deciding to apply for the Minister of Finance's authorisation to impose a municipal tax	Council	None	Such an application must conform to section 5 of the Act	N
9(1)(a)	Ensuring, when the Municipality imposes a surcharge on fees for services, compliance with any norms and standards issued by the Minister of Finance	Council	None		N
9(1)(b)	Deciding to apply for exemption from the norms and standards regulating surcharges on fees for services	Council	None		N
9(3)	Annually reviewing, as part of the budget preparation process, any municipal surcharges	Council	None		N

Control of Access to Public Premises and Vehicles Act 1985 (Act No 53 of 1985)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
2(1)(a)	Taking such steps as may be necessary for the safeguarding of any premises which is the property of, or is occupied or used by, or is under the control of the Municipality and the contents thereof, as well as for the protection of the people therein or thereon	Municipal Manager	Director Municipal and Social Services		N
2(1)(b)	Directing that any premises which is the property of, or is occupied or used by, or is under the control of the Municipality only be entered or entered upon in accordance with the provisions of section 2(2) of the Act	Municipal Manager	None	After consultation with the Director Municipal and Social Services and the departmental head whose department occupies/uses that premises	N
2(2)	Designating a person as authorised officer for the purposes of the Act	Municipal Manager	None		N
	Requiring a person wishing to enter or enter upon any premises which is the property of, or is occupied or used by, or is under the control of the Municipality to – (a) furnish her/his name, address and any other relevant information required by the authorised officer; (b) produce proof of her/his identity to the satisfaction of the authorised officer; (c) declare whether she/he has any dangerous object in her/his possession or custody or under her/his control; (d) declare what the contents are of any vehicle, suitcase, attaché case, bag, handbag, folder, envelope, parcel or	Municipal Manager	Any authorised officer	If the Municipal Manager has specifically authorised any of these steps to be taken	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	<p>container of any nature which she/he has in her/his possession or custody or under her/his control, and show those contents to her/him;</p> <p>(e) subject her-/himself and anything which she/he has in her/his possession or custody or under her/his control to an examination by an electronic or other apparatus in order to determine the presence of any dangerous object;</p> <p>(f) hand to an authorised officer anything which she/he has in her/his possession or custody or under her/his control for examination or custody until she/he leaves the premises or vehicle;</p> <p>(g) in the case of premises or a vehicle or a class of premises or vehicles determined by the Minister of Safety and Security by notice in the Gazette, be searched by an authorised officer.</p>				
2(3)(a)	Granting permission to a person to enter or enter upon any premises which is the property of, or is occupied or used by, or is under the control of the Municipality subject to conditions regarding the carrying or displaying of some form of proof that the necessary permission has been granted, the persons on or in the premises with whom he may not come into contact, the part of the	Municipal Manager	Any authorised officer	If the Municipal Manager has specifically authorised any of these steps to be taken	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	premises which she/he may not enter upon, the duration of her/his presence on or in the premises or vehicle, the escorting of the person concerned while she/he is on or in the premises or vehicle, and such other requirements as she/he may consider necessary.				
2(3)(b)	<p>Removing a person from any premises which is the property of, or is occupied or used by, or is under the control of the Municipality if –</p> <p>(a) that person enters or enters upon the premises concerned without permission;</p> <p>(b) that person refuses or fails to observe a condition contemplated in section 2(3)(a) of the Act;</p> <p>(c) she/he considers it necessary for the safeguarding of the premises concerned or the contents thereof or for the protection of the people therein or thereon.</p>	Municipal Manager	Any authorised officer		N

Electronic Communications Act 2005 (Act No 36 of 2005)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
23(1)	Entering into an agreement with an electronic communications network service licensee to provide electricity supply and electronic communications network services to a particular area by means of an underground cable	Council	Municipal Manager	After consulting the Director Infrastructure and Utilities	N
	Deciding to install a cable for an underground electricity supply line on premises in order to to provide electricity supply and electronic communications network services to a particular area by means of an underground cable	Council	Director Infrastructure and Utilities	If an agreement to provide electricity supply and electronic communications network services to a particular area by means of an underground cable has been concluded	N
23(2)	Determining the cost of providing a conduit pipe or other facility on premises in order to to provide electricity supply and electronic communications network services to a particular area by means of an underground cable	Council	Director Infrastructure and Utilities	After consultation with the Chief Financial Officer	N
24(1)	Receiving notification from an electronic communications network service licensee regarding the construction or maintenance, alteration or removal or repositioning any pipes, tunnels or tubes required for electronic communications network facilities under any street, road or footpath which the Municipality owns or is responsible for its care and maintenance	Council	Director Infrastructure and Utilities		N
24(2)	Supervising any work carried out by or on behalf of an electronic communications network service licensee regarding the construction	Council	Director Infrastructure and Utilities	In consultation with the Director Municipal and Social Services	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	or maintenance, alteration or removal or repositioning any pipes, tunnels or tubes required for electronic communications network facilities under any street, road or footpath				
24(3)	Determining the cost of all reasonable expenses incurred by the Municipality in connection with any alteration or removal or any supervision of work relating to the alteration of any pipes, tunnels or tubes required for electronic communications network facilities under any street, road or footpath	Council	Director Infrastructure and Utilities	After consultation with the Chief Financial Officer	N
25(1)	Notifying the electronic communications network service licensee to move any electronic communications facility, pipe, tunnel or tube constructed upon, in, over, along, across or under any land, street, road, footpath or waterway owned by the Municipality, owing to any alteration of alignment or level or any other work on the part of the Municipality	Council	Director Infrastructure and Utilities		N
25(5)	Entering into an agreement with an electronic communications network service licensee to move any electronic communications facility, pipe, tunnel or tube constructed upon, in, over, along, across or under any land, street, road, footpath or waterway owned by the Municipality, owing to any alteration of alignment or level or any other work on the part of the Municipality	Council	Municipal Manager	After consulting the Director Infrastructure and Utilities	N
27(1)	Cutting down or trimming any tree or	Council	Director Municipal		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	vegetation which in the opinion of an electronic communications network service licensee obstructs or interferes or is likely to obstruct or interfere, with the working or maintenance of any of the electronic communications network services licensees' electronic communications network or electronic communications facilities, pipes, tunnels or tubes, whether growing upon land owned by the Municipality or any street or road owned by the Municipality		and Social Services		
29(1)(a)	Ensuring that the Municipality conforms to the requirements of an electronic communications network service licensee for the prevention of damage to any of its electronic communications network and electronic communications facilities or works when constructing works for the supply of light, heat or power by means of electricity	Council	Director Infrastructure and Utilities		N
29(1)(b)	Notifying an electronic communications network service licensee of the Municipality's intention to commence with the construction of works for the supply of light, heat or power by means of electricity	Council	Director Infrastructure and Utilities		N

Electronic Communications and Transactions Act 2002 (Act No 25 of 2002)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
27	Deciding to accept the filing of any documents, or the creation or retention of such documents in the form of data messages, issue a permit, licence or approval in the form of a data message or make or receive payment in electronic form or by electronic means	Council	Municipal Manager	After consultation with the Director Corporate Governance	N
28(1)	Deciding to specify by notice in the Government Gazette – (a) the manner and format in which data messages must be filed, created, retained or issued; (b) in cases where the data message has to be signed, the type of electronic signature required; (c) the manner and format in which such electronic signature must be attached to, incorporated in or otherwise associated with the data message; (d) the identity of or criteria that must be met by any authentication service provider used by the person filing the data message or that such authentication service provider must be a preferred authentication service provider; (e) the appropriate control processes and procedures to ensure adequate integrity, security and confidentiality of data messages or payments; and (f) any other requirements for data	Council	Municipal Manager	After consultation with the Director Corporate Governance	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	messages or payments				

Expropriation Act 1975 (Act No 63 of 1975)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
6(1)	Authorising any person, for the purpose of ascertaining whether any particular property is suitable for the purposes or use contemplated, or for the purpose of determining the value thereof, to – (a) enter upon any land in question with the necessary workmen, equipment and vehicles; (b) survey and determine the area and levels of that land; (c) dig or bore on or into that land; (d) construct and maintain a measuring weir in any river or stream; (e) in so far as it may be necessary to gain access to that land, enter upon and go across any other land with the necessary workmen, equipment and vehicles; and (f) demarcate the boundaries of any land required for the said purposes or use:	Council	Municipal Manager	<ol style="list-style-type: none"> 1. Subject to the provisions of section 101 of the Systems Act 2. Any entry and inspection must be conducted in conformity with the requirements of the Constitution, any other law and, in particular, with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy 3. A person representing the Municipality must, on request, provide her or his identification to any person on the premises she/he wishes to enter. 	N
6(2)	Deciding to pay damages or repair any damage suffered by a person as a result of the exercise of any power conferred in terms of section 6(1)	Council	Municipal Manager	After consultation with the Chief Financial Officer and the Director Infrastructure and Utilities	N
7(1), (4)	Serving a notice of expropriation to expropriate, or to take the right to use temporarily, any property on the owner concerned and upon every person who, according to the title deed of the land or the registers of the Registrar of Mining Titles or of any other Government office in	Council	Director Corporate Governance	Provided that the Council has decided to expropriate the property concerned See also section 13(2) of the Act	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	which rights granted in terms of any law relating to prospecting or mining affairs are recorded, has any interest in that land				
	Determining the date of expropriation and the date on which the Municipality shall take possession of the property concerned	Council	Director Corporate Governance	After consultation with the Director Infrastructure and Utilities	N
	Determining the amount of compensation offered for the expropriated or temporarily used property	Council	None	See also sections 10(1) and 12 of the Act	N
8(3)	Entering into an agreement with the owner of property to be expropriated or temporarily used by the Municipality regarding the date on which the Municipality shall take possession thereof	Council	Director Corporate Governance	After consultation with the Director Infrastructure and Utilities	N
8(4)	Determining the amount of depreciation of property to be expropriated or temporarily used by the Municipality arising from failure of the owner to care for and maintain the property concerned between the date of expropriation to the date upon which the Municipality takes possession of the property	Council	Municipal Manager	After consultation with the Chief Financial Officer	N
9(1)	Receiving a written statement from an owner whose property has been expropriated pursuant to an expropriation notice	Council	Director Corporate Governance		N
	Deciding to extend the period of 60 days allowed for an owner whose property has been expropriated pursuant to an expropriation notice to respond	Council	Director Corporate Governance	After consultation with the Municipal Manager and the Director Infrastructure and Utilities	N
9(3)	Requesting the owner of immovable	Council	Director Corporate		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	property that has been expropriated, or the person in whose possession or under whose control it is, the title deed thereof		Governance		
10(4)	Making a counter offer to an owner whose property has been expropriated claim for compensation for expropriated property	Council	Director Corporate Governance	After consultation with the Municipal Manager and the Chief Financial Officer	N
	Determining the amount of a counter offer to the owner whose property has been expropriated claim for compensation for expropriated property	Council	Director Corporate Governance	After consultation with the Municipal Manager and the Chief Financial Officer	N
10(5)(a)	Determining the date on or before which an owner whose property has been expropriated must accept or decline an offer or counter offer of compensation made by the Municipality	Council	Director Corporate Governance		N
10(7)	Requesting an owner whose property has been expropriated for reasonable particulars regarding the owner's claim for compensation	Council	Director Corporate Governance	After consultation with the Chief Financial Officer	N
11(1)	Paying 80% of the amount offered as compensation to the owner or deposit it with the Master on the date of the offer or the date the Municipality takes possession of the property concerned	Council	Chief Financial Officer		N
14(1)	Deciding, if agreement cannot be reached with an owner whose property has been expropriated regarding the compensation payable, to apply to the appropriate division of the High Court for a determination	Council	Municipal Manager	After consultation with the Director Corporate Governance	N
	Deciding to oppose an application brought by an owner whose property	Council	Municipal Manager	After consultation with the Director Corporate Governance	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	has been expropriated in the High Court regarding the compensation payable				
14(7)	Deciding to submit a dispute regarding the compensation payable in respect of the expropriation of property or the taking of any right to arbitration	Council	Municipal Manager	After consultation with the Director Corporate Governance	N
	Entering into an agreement with an owner, including a lessee who is not an owner, whose property has been expropriated to submit a dispute regarding the compensation payable in respect of the expropriation of property or the taking of any right to arbitration	Council	Municipal Manager	After consultation with the Director Corporate Governance	N
23(1)	Deciding, if it is in the public interest or otherwise expedient to withdraw an expropriation of property, to withdraw an expropriation of property	Council	Director Corporate Governance	After consultation with the Municipal Manager and the Director Infrastructure and Utilities	N
	Determining the date from which the expropriation of property is withdrawn	Council	Director Corporate Governance	After consultation with the Municipal Manager and the Director Infrastructure and Utilities	N

Regulation of Interception of Communications and Provision of Communication-related Information Act 2002 (Act No 70 of 2002)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
5(1)	Obtaining the prior written consent of one of the parties to a communication to intercept (and/or monitor) such communication	Municipal Manager	None	Only in respect of direct or indirect communication to which an employee is a party and which involves wholly or partly the use of property/facilities owned by or used for the Municipality's business or which relates to the Municipality's business and/or operations, provided that the Municipal Manager may obtain such consent once by means of an appropriate clause in, or addendum to, an employee's employment contract	N
6	Consenting to a person intercepting any indirect communication in the course of its transmission over a telecommunication system and the carrying on of the Municipality's business – (a) by means of which a transaction is entered into in the course of the Municipality's business; (b) which otherwise relates to that business; or (c) which otherwise takes place in the course of the carrying on of that business	Municipal Manager	None	An indirect communication may only be intercepted – (a) for purposes of monitoring or keeping a record of indirect communications in order to establish the existence of facts, for purposes of investigating or detecting the unauthorised use of the Municipality's tele-communications system or where that is undertaken in order to secure, or as an inherent part of the effective operation of the system or monitoring indirect communications made to a confidential voice telephony counselling or support service which is free of charge, other than the cost, if any, of making a telephone call, and operated in such a way that users thereof may remain anonymous if they so choose; (b) if the telecommunication system	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
				concerned is provided for use wholly or partly in connection with the Municipality's business; and (c) if the Municipal Manager has made all reasonable efforts to inform in advance a person, who intends to use the telecommunication system concerned, that indirect communications transmitted by means thereof may be intercepted or if such indirect communication is intercepted with the express or implied consent of the person who uses that telecommunication system.	
41(1)	Reporting the loss, theft or destruction of a a cellular phone or SIM-card belonging to the Municipality, to a police official at a police station	Council	The person who was in possession or had control thereof when it was lost, stolen or destroyed	<ol style="list-style-type: none"> 1. Such report must be made within a reasonable time after having reasonably become aware of the loss, theft or destruction of the cellular phone or SIM-card 2. The person making the report must immediately obtain written proof that the report has been made or, in the case of a telephonic report, the official reference number of the report 	N

Rental Housing Act 1999 (Act No 50 of 1999)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
14(1)	Deciding whether to establish a Rental Housing Information Office to advise tenants and landlords in regard to their rights and obligations in relation to dwellings within the Municipality	Council	None		N
14(2)	Appointing, subject to the laws governing the appointment of local government officials, officials to carry out any duties pertaining to a Rental Housing Information Office established by the Municipality	Council	Municipal Manager		N

Protected Disclosures Act 2000 (Act No 26 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
3	Ensuring that no employee is subjected to any occupational detriment on account, or partly on account, of having made a protected disclosure	Council	Where the disclosure is made by – (a) the Municipal Manager, the Executive Mayor; (b) any other employee, the Municipal Manager		N
4(1)	Deciding to oppose an application for relief by an employee who allegedly has been subjected, is subject or may be subjected, to an occupational detriment on account, or partly on account, of having made a protected disclosure	Council	Where such application is brought by – (a) the Municipal Manager, the Executive Mayor; (b) any other employee, the Municipal Manager		N
4(3)	Deciding to transfer an employee who has made a protected disclosure and who reasonably believes that he/she may be adversely affected on account of having made that disclosure, at his/her request, be transferred from the post or position occupied by him/her at the time of the disclosure to another post or position in the same division or another division	Council	Municipal Manager	Provided that such transfer is reasonably possible or practicable	N
6(1)(a)	Prescribing or authorising a procedure for reporting or otherwise remedying an impropriety by employees	Council	None		N

Promotion of Access to Information Act 2000 (Act No 2 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
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	N

Promotion of Administrative Justice Act 2000 (Act No 3 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
3(3)	Granting to a person whose rights or legitimate expectations may be materially affected by intended administrative action by the Municipality, an opportunity to obtain assistance and, in serious or complex cases, legal representation, present and dispute information and arguments and appear in person.	Council	If the administrative action is to be taken by – (a) a political structure, the Speaker (b) a political office-bearer, that office-bearer (c) an official, the Municipal Manager		N
4(1)	Deciding, in cases where an administrative action materially and adversely affects the rights of the public, whether to hold a public inquiry or to follow a notice and comment procedure, or to hold a public enquiry and follow a procedure of notice and comment in order to give effect to the right to procedurally fair administrative action	Council	If the administrative action is to be taken by – (a) a political structure, the Speaker (b) a political office-bearer, that office-bearer (c) an official, the Municipal Manager		N

Promotion of Equality and Prevention of Unfair Discrimination Act 2000 (Act No 4 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
26	Adopting appropriate equality plans, codes, regulatory mechanisms and other appropriate measures for the effective promotion of equality in the spheres of the Municipality's operation, enforcing and monitoring the enforcement of the equality plans, codes and regulatory mechanisms developed by the Municipality and making regular reports to the relevant monitoring authorities or institutions as may be provided in regulations, where appropriate.	Council	None		N
28(3)	Determining mechanisms, processes and procedures to eliminate discrimination on the grounds of race, gender and disability and promote equality in respect of race, gender and disability.	Council	None		N

Housing Act 1997 (Act No 107 of 1997)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
10	Deciding to apply for accreditation to administer national housing programmes	Council	None		N

Electricity Regulation Act 2006 (Act No. 4 of 2006)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
16(2)	Ensuring that the Municipality's electricity tariffs are consistent with the tariffs determined or approved by NERSA	Council	Executive Mayor	When tabling the annual budget and supporting documents in the Council	N
16(3)	Deciding to apply for a deviation from the electricity tariffs determined or approved by NERSA	Council	None		N
17(1)	Deciding to apply to NERSA to vary, add, suspend or remove any license condition	Council	None		N
	Permitting NERSA to vary, add, suspend or remove any license condition	Council	None		N
19	Ensuring that the Municipality complies with the conditions of its license	Council	Director Infrastructure and Utilities		N
19(2)	Ensuring that the Municipality complies with any notice directing it to comply with the license condition or the provision of the Act, as the case may be, within a reasonable period specified in the notice	Council	Director Infrastructure and Utilities		N
21(3)	Applying for renewal of the Municipality's electricity distribution license	Council	Director Infrastructure and Utilities		N
22(5)	Deciding to terminate or reduce the supply of electricity to a customer due to – (a) the customer's insolvency; (b) the customer failing to honour or refusing to enter into an agreement for the supply of electricity; or (c) the customer contravening the Municipality's payment conditions	Council	Chief Financial Officer	Subject to the Municipality's debt collection policy and bylaws	Y

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
23(1)	Authorising persons to enter at all reasonable times any premises to which electricity is or has been supplied by the Municipality in order to inspect the lines, meters, fittings, works and apparatus belonging to the Municipality or for the purpose of ascertaining the quantity of electricity consumed, or where a supply is no longer required, or where the Municipality may cut off the supply, for the purpose of removing any lines, meters, fittings, works and apparatus belonging to the Municipality	Council	Director Infrastructure and Utilities	<ol style="list-style-type: none"> 1. Subject to the provisions of section 101 of the Systems Act 2. Any entry and inspection must be conducted in conformity with the requirements of the Constitution, any other law and, in particular, with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy 3. A person representing the Municipality must, on request, provide her or his identification to any person on the premises she/he wishes to enter. 	N

Labour Relations Act 1995 (Act No 66 of 1995)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
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 members 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	Subject to the provisions of the relevant collective agreement	N
15(1)	Granting of leave to union representatives and office-bearers for union activities	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
16(2) and (3)	Deciding whether or not to disclose information to a union representative or union	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
23	Ensuring compliance with collective agreements	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
69(2)	Considering an application by a trade union to picket inside the Municipality's premises	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement and/or code of good practice	N
72	Entering into a minimum service level agreement in respect of essential services provided by the Municipality	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
76	Deciding to take into employment one or more replacement workers during a strike or similar action and determining their conditions of employment	Council	Municipal Manager	1. Subject to the provisions of the relevant collective agreement 2. After consultation with the managers directly accountable to the Municipal Manager	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
142	Applying to the CCMA to subpoena a person to appear in proceedings before the CCMA	Council	Municipal Manager	None	N
142A	Applying to the CCMA to make a settlement agreement an arbitration award	Council	Municipal Manager	None	N
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	None	N
188A(1)	Applying to the SALGBC (North West Division) or the CCMA to arbitrate any allegation relating to an employee's conduct or capacity	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
189	Deciding whether to dismiss one or more employees based on the Municipality's operational requirements	Council	Municipal Manager	1. Subject to the provisions of the relevant collective agreement 2. After consultation with the managers directly accountable to the Municipal Manager	N
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	Subject to the provisions of the relevant collective agreement	N
191	Appointing a person or body to represent the Municipality in any proceedings before the SALGBC (North West Division) or the CCMA	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
Sch 8(8)(a)	Deciding whether to appoint a newly-hired employee on probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
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	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
Sch 8(8)(e)	Determining the basis and methodology of assessing the performance of an employee appointed on probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement and the Municipality's employee performance management system	N
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	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
Sch 8(8)(f)	Deciding to extend a employee's period of probation	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N

Basic Conditions of Employment Act 1997 (Act No75 of 1997)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
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 – <ul style="list-style-type: none"> the health and safety of employees and the Code of Good Practice on the Regulation of Working Time; the family responsibilities of employees. 	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager	N
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	Subject to the provisions of the relevant collective agreement, after consultation with the relevant departmental head	N
10(1)(a)	Concluding an agreement with an employee requiring that employee to work overtime and a further agreement to extend such agreement	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement, after consultation with the Director Corporate Governance	N
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	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager	N
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	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager	N
14(1)	Determining meal intervals	Council	Municipal Manager	Subject to the provisions of the relevant	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
				collective agreement, after consultation with the managers directly accountable to the Municipal Manager	
14(3)	Concluding an agreement in writing reducing the meal interval to not less than 30 minutes and dispensing with a meal interval for an employee who works fewer than six hours on a day.	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager	N
17(2)	Concluding an agreement requiring or permitting an employee to perform night work	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager, and provided that – 1. the employee is compensated by the payment of an allowance, which may be a shift allowance, or by a reduction of working hours; and 2. transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift.	N
17(2)	Determining a night work allowance	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement, after consultation with the managers directly accountable to the Municipal Manager	N
18(1)	Concluding an agreement requiring an employee to work on a public holiday	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement, after consultation with the relevant departmental head	N
20(4)	Granting of annual leave not later than six months after the end of an employee's annual leave cycle.	Council	In the case of – (a) the Municipal Manager, the Executive Mayor (b) a manager directly accountable to the Municipal	Subject to the provisions of the relevant collective agreement	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
			Manager, the Municipal Manager In all other cases, the relevant departmental head		
20(6)	Permitting an employee, at her/his written request, to take leave during a period of unpaid leave.	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
20(7)	Reducing an employee's entitlement to annual leave by the number of days of occasional leave on full remuneration granted to that employee at her/his request in that leave cycle.	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
20(9)	Ensuring that an employee who has been granted leave does not work during such leave	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
21	Concluding an agreement with an employee who has been granted annual leave to be paid on her/his usual payday	Council	Chief Financial Officer	Subject to the provisions of the relevant collective agreement	N
22(6)	Concluding an agreement to reduce an employee's pay during that employee's absence from work on sick leave	Council	Chief Financial Officer	Subject to the provisions of the relevant collective agreement	N
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, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury should be charged with misconduct	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
25	Granting of maternity leave	Council	Relevant	Subject to the provisions of the relevant	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
			departmental head	collective agreement	
26(1)	Making arrangements to ensure that a pregnant employee or an employee who is nursing her child does not perform work that is hazardous to her health or that of her child.	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
26(2)	Making arrangements during an employee's pregnancy, and for a period of six months after the birth of her child for suitable, for 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, as defined in section 17(1) of the BCEA or her work poses a danger to her health or safety or that of her child and it is practicable for the Municipality to do so	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
27(1)	Granting of family responsibility leave to an employee during an annual leave cycle	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
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	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
29(1)	Supplying the written particulars of her/his employment to a newly appointed employee	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
29(2)	Amending the written particulars of employment issued to an employee when any such particular changes	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
29(3)	Explaining, in cases where an employee is not able to understand the written particulars of her/his	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	employment, to the employee the written particulars in a language and in a manner that the employee understands.				
29(4)	Keeping the written particulars of an employee for a period of three years after the termination of employment.	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
30	Ensuring the display at the workplace where it can be read by employees a statement in the prescribed form of the employee's rights under Basic Conditions of Employment Act in the official languages which are spoken in the workplace.	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
31(1)	Keeping of the prescribed minimum records in respect of each employee	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
38(1)	Deciding whether to require an employee who has resigned or has been dismissed must work during the notice period or whether the notice period is waived	Council	Relevant departmental head	Subject to the provisions of the relevant collective agreement	N
41	Determining the severance pay payable to an employee dismissed due to the operational requirements of the Municipality	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
69(4)	Ensuring that a copy of a compliance order served on the Municipality is displayed prominently at a place accessible to the affected employees at each workplace named in it	Council	Director Corporate Governance	Subject to the provisions of the relevant collective agreement	N
69(5)	Ensuring compliance with a compliance order within the time period stated in the order unless the employer objects in terms of section 71 of the BCEA	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N
71	Deciding to object to a compliance order	Council	Municipal Manager	Subject to the provisions of the relevant collective agreement	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
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	Subject to the provisions of the relevant collective agreement	N

Occupational Health and Safety Act 1993 (Act No 85 of 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
7(1)	Ensuring compliance with a directive issued by notice in the 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	Director Infrastructure and Utilities	In consultation with the managers directly accountable to the Municipal Manager	N
7(3)	Ensuring that the Municipality's health and safety policy is signed by the Municipal Manager and displayed in the workplace where employees normally report for service	Council	Director Infrastructure and Utilities		N
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	Departmental Heads		N
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 exposed to hazards to their health or safety	Council	Relevant departmental head		N
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	Relevant departmental head		N
10(2)	Ensuring that the erection or installation of any article for use at work on or in any premises of the Municipality as far as is reasonably practicable, that nothing about the manner in which it is erected or	Council	Relevant departmental head		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	installed makes it unsafe or creates a risk to health when properly used				
16(1)	Ensuring that the duties of the Municipality as contemplated in the Occupational Health and Safety Act, are properly discharged	Municipal Manager	Director Infrastructure and Utilities		N
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	Director Corporate Governance		N
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	Director Corporate Governance		N
17(2)	Recognising employees for the purpose consulting about the election or appointment of health and safety representatives	Council	Director Corporate Governance		N
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	Director Corporate Governance		N
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 his/her functions	Council	Director Corporate Governance		N
19(1)	Establishing a health and safety committee for every workplace where two or more health and safety representatives has been appointed	Council	Director Corporate Governance		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
19(1)	Consulting with the health and safety committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work	Council	The departmental head responsible for managing the workplace concerned		N
19(2)	Determining the number of members of a health and safety committee	Council	Director Corporate Governance		N
19(2)	Designation of persons to represent the employer in a health and safety committee	Council	Director Corporate Governance		N
20(1)	Receiving and considering reports and recommendations of the health and safety committee	Council	Relevant departmental head		N

Employment Equity Act 1998 (Act No 55 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
5	Taking steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice	Council	Municipal Manager		N
7(1)	Deciding whether an employee or an applicant for employment must submit for medical testing	Council	Director Corporate Governance		N
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	Director Corporate Governance		N
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	Director Corporate Governance	See section 15(2) of the Act	N
16, 17	Taking reasonable steps to consult and attempt to reach agreement with a representative trade union representing members at the workplace on – (a) the conduct of the analysis of the municipality's employment policies, practices, procedures and the working environment, in order to identify employment barriers which adversely affect	Council	Municipal Manager	1. All employees must be informed of the content and application of the Act, employment equity and anti-discrimination issues, the process to be followed by the Municipality and the need for the involvement of all stakeholders, as preparation for their participation and consultation. 2. A consultative forum must be established or an existing forum utilised. The forum must include	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	<p>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) the preparation and implementation of an employment equity plan which will achieve reasonable progress towards employment equity in the workforce; and</p> <p>(c) an annual report</p>			<p>employee representatives reflecting the interests of employees from all occupational categories and levels and both designated and non-designated groups.</p> <p>3. Consultation must include regular meetings and feedback to employees and management and access to relevant information by employees.</p> <p>4. Where a representative body or trade union refuses to take part in the consultation process, the Municipality must record the circumstances in writing. A copy of this document must be provided to the representative body or trade union concerned.</p> <p>(Regulation 3, Employment Equity Regulations)</p>	
18(1)	Determining the information to be disclosed to the consulting parties all relevant information that will allow those parties to consult effectively	Council	Municipal Manager		N
19(1)	Collecting information and 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	Council	Director Corporate Governance	See – (a) section 19(2) of the Act; and (b) regulation 4 of the Employment Equity Regulations	N
20(1)	Preparing a draft employment equity plan which will achieve reasonable progress towards employment equity in the municipality's workforce	Council	Director Corporate Governance	See – (a) section 20(2) of the Act; and (b) regulation 5 of the Employment Equity Regulations	N
20(4)	Determining whether a person is suitably qualified for a job	Council	Director Corporate Governance	After consultation with the relevant departmental head or the Municipal	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
				Manager, as the case may be	
21(2); (4)	Preparing and submitting a report, signed by the Municipal Manager, regarding employment equity	Council	Director Corporate Governance	See regulation 6 of the Employment Equity Regulations	N
23	Preparing a subsequent employment equity plan before the end of the term of a current employment equity plan	Council	Director Corporate Governance		N
24	Assigning one or more senior managers to take responsibility for monitoring and implementing an employment equity plan and providing such manager(s) with the authority and means to perform their functions	Council	Municipal Manager	Such managers must report directly to the Municipal Manager on employment equity matters (Regulation 2, Employment Equity Regulations)	N
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	Director Corporate Governance	1. See regulation 7 of the Employment Equity Regulations 2. Employees who cannot read must be informed of the content of a notice	N
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	Director Corporate Governance		N
27(1)	Submitting a statement to the Employment Conditions of Commission on the remuneration and benefits received in each occupational category and level of that employer's workforce	Council	Director Corporate Governance	See regulation 8 of the Employment Equity Regulations	N
36	Issuing a written undertaking to comply with the provisions of the Employment Equity Act when	Council	Municipal Manager		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	requested by a labour inspector				
39	Objecting to a compliance order issued by a labour inspector in terms of section 38 of the Employment Equity Act	Council	Municipal Manager		N
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		N

Skills Development Act 1998

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
10(1)	Adopting and amending a work place skills plan	Council	Director Corporate Governance		N
17	Entering in to a learnership agreement	Council	Municipal Manager		N

Local Government: Municipal Property Rates Act 2004 (Act No 6 of 2004)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(1)	Adopting a policy consistent with the Act on the levying of rates on rateable property in the municipality	Council	None		N
4(2)	Displaying the Municipality's draft rates policy for a period of at least 30 days at the Municipality's head and satellite offices and libraries	Municipal Manager	Chief Financial Officer		Y
	Displaying the Municipality's draft rates policy for a period of at least 30 days on the Municipality's website	Municipal Manager	Chief Financial Officer		Y
	Giving notice of that a draft rates policy has been drafted and that it is available for comment	Municipal Manager	Chief Financial Officer		Y
4(3)	Considering comments and representations when considering the draft rates policy	Council	None		N
5(1)	Annually reviewing the Municipality's rates policy	Council	None	1. Together with the other budget-related policies of the Municipality 2. After receiving a report and recommendations from the Executive Mayor	N
6(1)	Adopting by-laws to give effect to the implementation of the Municipality's rates policy	Council	None		N
8(1)	Deciding, in terms of the criteria set out in the Municipality's rates policy, to levy different rates for different categories of rateable property	Council	None		N
9(1)	Assigning properties used for multiple purposes to a category for rates purposes	Council	Municipal Manager	After consultation with the Director Infrastructure and Utilities	Y
11(2)	Determining the uniform fixed amount instead of a rate based on market value payable in respect of a property	Council	None		N
12(2)	Reviewing the rate range of rates	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
14(2)	Publishing the resolution levying rates in the Provincial Gazette	Municipal Manager	Chief Financial Officer		Y
14(3)	Displaying the resolution levying rates at the Municipality's head and satellite offices and libraries	Municipal Manager	Chief Financial Officer		Y
	Displaying the resolution levying rates on the Municipality's website	Municipal Manager	Chief Financial Officer		Y
	Advertising in the media that the Council has passed a resolution levying rates and that the resolution is open for public inspection	Municipal Manager	Chief Financial Officer		Y
15(1)(a)	Deciding to exempt a specific category of owners of properties, or the owners of a specific category of properties, from payment of a rate levied on their property	Council	None		N
15(1)(b)	Deciding to grant to a specific category of owners of properties, or to the owners of a specific category of properties, a rebate on or a reduction in the rates payable in respect of their properties	Council	None		N
15(2)	Determining in respect of owners of categories of property categories for the purpose of granting exemptions, rebates or reductions	Council	None		N
15(3)	Tabling in the council – (a) a list of all exemptions, rebates and reductions granted during the previous financial year; and (b) a statement reflecting the income for the Municipality foregone during the previous financial year	Municipal Manager	Chief Financial Officer		N
18(1)	Deciding to apply to the Minister of Provincial and Local Government to be exempted from section 17(1) (a), (e), (g) or (h)	Council	None		N
20(3)	Deciding to apply to the Minister of	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	Provincial and Local Government for exemption from an upper limit on the percentage by which rates on properties or a rate on a specific category of properties may be increased set by the Minister				
21(5)	Deciding to apply to the MEC responsible for local government for an extension of the phasing in period for rates	Council	None		N
22(1)	Determining – (a) an area within the Municipality as a special rating area; (b) an additional rate on property in the special rating area	Council	None		N
22(2)(a)	Consulting the local community regarding the boundaries of a special rating area and the proposed improvement or upgrading of the area	Council	Executive Mayor	After consultation with the relevant ward councillors	N
22(2)(b)	Obtaining the consent of the majority of the members of the local community in the proposed special rating area who will be liable for paying the additional rate	Council	Executive Mayor	After consultation with the relevant ward councillors	N
22(3)(a)	Determining the boundaries of a special rating area	Council	None		N
22(3)(b)	Determining how a special rating area is to be improved or upgraded by funds derived from the additional rate	Council	None	Subject to receiving full details of the proposed improvements an upgrading of the area in the form of an amendment to the IDP	N
22(3)(c)	Establishing separate accounting and other record-keeping systems regarding the revenue generated by the additional rate and the improvement and upgrading of the area	Municipal Manager	Chief Financial Officer		N
22(3)(d)	Deciding to establish a committee composed of persons representing	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the community in the area to act as a consultative and advisory forum for the Municipality on the improvement and upgrading of the area				
23(1)	Compiling and maintaining register of properties situated within the Municipality	Council	Chief Financial Officer		N
23(4)	Displaying the register of properties on the Municipality's website	Council	Chief Financial Officer		Y
23(5)	Annual updating the of the register of properties	Council	Chief Financial Officer		Y
24(2)(b)	Deciding, in respect of agricultural property that is owned by more than one owner in undivided shares, to – (a) hold the joint owners of agricultural land jointly and severally liable for the amount due for rates on the property concerned; or (b) hold any joint owner only liable for that portion of the rates levied on the property that represents that joint owner's undivided share in the agricultural property	Council	Municipal Manager		Y
26(1)	Deciding to recover a rate – (a) on a monthly basis or less often as may be prescribed in terms of the MFMA; or (b) annually, as may be agreed to with the owner of the property	Council	None		N
26(2)	Determining the date on which rates must be paid	Council	None		N
27(1)	Furnishing each person liable for the payment of a rate with a written account	Council	Chief Financial Officer		N
28(1)	Deciding to recover any rate in arrears on the tenant or occupier of the property concerned	Council	Chief Financial Officer		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
28(4)	Requesting the occupier or tenant of a property to furnish the Municipality with a written statement specifying all payments to be made her/him to the owner of the property for rent or other money payable on the property during a period determined by the Municipality	Council	Chief Financial Officer		N
29(1)	Deciding to recover the amount due for rates on a property in whole or in part from the agent of the owner	Council	Chief Financial Officer		N
29(4)	Requesting the agent to furnish the Municipality with a written statement specifying all payments for rent on the property and any other money received by the agent on behalf of the owner during a period determined by the Municipality	Council	Chief Financial Officer		N
30(2)(b)	Deciding to apply to the Minister of Provincial and Local Government for exemption from the obligation to value properties excluded from rates in terms of section 17(1) (e), (g) and (i) of the Act	Council	None		N
31(1)	Determining the valuation date	Council	None		N
32(1)(b)	Determining the period of validity of a valuation roll	Council	None		N
32(2)(b)	Deciding to apply to the MEC responsible for local government to extend the validity of the valuation roll to five years	Council	None		N
33(1)	Deciding whether to designate an official of the Municipality or a person in private practice as its municipal valuer	Council	None		N
33(2)	Concluding a written contract setting out the terms and conditions of the designation of a person as municipal	Council	Municipal Manager		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	valuer				
33(4)	Deciding to withdraw a person's designation as municipal valuer	Council	None		N
35(1)	Deciding whether to designate one or more officials of the Municipality or persons in private practice as assistant municipal valuers	Municipal Manager	None		N
35(2)	Deciding to consent to the designation by the municipal valuer (if she/he is a person in private practice) to designate persons in private practice as assistant municipal valuers	Municipal Manager	None		N
35(5)	Deciding to withdraw, or to instruct the valuer to withdraw, the designation of a person as assistant valuer	Municipal Manager	None		N
36(1)	Deciding whether to designate one or more officials of the Municipality or persons who are not officials as data-collectors to assist the valuer with the collection of data and other related work	Municipal Manager	None		N
36(2)	Deciding to consent to the designation by the valuer (if she/he is a person in private practice) to designate persons who are not officials of the Municipality as data-collectors to assist the valuer with the collection of data and other related work	Municipal Manager	None		N
36(5)	Deciding to withdraw, or to instruct the valuer to withdraw, the designation of a person as data collector	Municipal Manager	None		N
38(1)	Deciding to enter into an agreement with another municipality or municipalities to designate a single	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	municipal valuer and to share the costs of preparing valuation rolls				
45(3)	Considering and approving a mass valuation system or technique	Council	None	1. If the available market-related data of any category of rateable property is not sufficient for the proper valuation of the properties concerned 2. After having considered any recommendations of the municipal valuer	N
49(1)	Publishing the valuation roll submitted by the valuer and inviting every person who wishes to lodge an objection in respect of any matter in, or omitted from, the roll to do so in the prescribed manner within the stated period	Municipal Manager	Chief Financial Officer		N
50(1)(b)	Determining the reasonable fee payable in respect of extracts from the valuation roll	Council	None		N
50(3)	Designating persons to assist objectors who cannot read or write to lodge an objection	Municipal Manager	Chief Financial Officer		N
50(4)	Informing the Council of any matter reflected in, or omitted from, the valuation roll that affects the interests of the Municipality	Municipal Manager	None		N
	Deciding to lodge an objection against any matter reflected in, or omitted from, the valuation roll	Council	Municipal Manager		N
50(5)	Submitting all objections received to the valuer	Municipal Manager	Chief Financial Officer		N
52(1)(b)	Submitting the valuer's decision, the reasons for the decision and all relevant documentation, for review to the valuation appeal board	Municipal Manager	Chief Financial Officer		N
53(2)	Receiving applications for reasons for the valuer's decision in respect of an	Municipal Manager	Chief Financial Officer		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	objection to the valuation roll				
54(1)	Receiving appeals against the decision of the valuer relating to an objection to the valuation roll	Municipal Manager	Chief Financial Officer		N
54(1)(c)	Deciding to appeal against the decision of the valuer regarding an objection against the valuation roll if the Municipality's interests are affected	Council	Municipal Manager		N
54(3)	Submitting any appeal against the valuer's decision with regard to an objection against the valuation roll to the chairperson of the valuation appeal board and a copy to the valuer	Municipal Manager	Chief Financial Officer		N
55(2)	Calculating, if an adjustment in the valuation of a property affects the amount due for rates payable on that property, the amount actually paid on the property since the effective date and the amount payable in terms of the adjustment on the property since the effective date and recovering or repaying the difference plus interest	Municipal Manager	Chief Financial Officer		N
66(1)	Considering a request by the valuation appeal board to provide it with the necessary office accommodation and other administrative assistance	Council	Municipal Manager		N
77	Causing the valuation roll to be updated annually	Council	Chief Financial Officer		N
78(2)(a)	Deciding whether to designate the valuer who prepared the valuation roll to compile a supplementary valuation roll	Council	None		N

Businesses Act 1991 (Act No 71 of 1991)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)(b)	Concurring to the appointment of the Municipality as a licensing authority and to the area of such licensing authority	Council	None		N
2(4)	Considering and approving (with or without conditions) or denying applications for licences	Council	Director Municipal and Social Services		N
2(5)	Requesting the SAPS for a report stating particulars of all convictions (if any) recorded against an applicant for a licence to carry on a business for the provision of certain types of health facilities or entertainment	Council	Director Municipal and Social Services		N
2(7)	Deciding an application by a licence holder to endorse a licence	Council	Director Municipal and Social Services		N
2(8)(a)	Deciding, on the ground of changed circumstances in relation to a business or the relevant business premises, by way of endorsement on the licence concerned amend a condition or impose a condition on a licence	Council	Director Municipal and Social Services		N
2(8)(b)	Requiring a licence holder in writing to produce his/her licence	Council	Director Municipal and Social Services		N
2(9)	Deciding to withdraw or suspend a licence	Council	Director Municipal and Social Services		N
6A(1)	Making by-laws regarding the supervision and control of the carrying on of the business of street vendor, pedlar or hawker	Council	None		N
6A(2)(a)	By resolution declaring any place in the Municipality to be an area in which the carrying on of the business of street vendor, pedlar or hawker may be restricted or prohibited	Council	None		N
6A(2)(d)	Causing a plan to be prepared	Council	Director Municipal		Y

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	showing the position of the area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited		and Social Services		
6A(2)(e)	Publishing in a newspaper circulating in the Municipality a notice setting out the Council's intention to effect the restriction or prohibition concerned as well as its reasons therefor, stating that the plan is open for inspection at a place and during the hours mentioned in the notice and calling upon any person who has any objection to the intended restriction or prohibition to submit in writing to the Municipality	Council	Director Municipal and Social Services		Y
6A(2)(g)	Considering objections against the Municipality's intention to declare an area in which the carrying on of the business of street vendor, pedlar or hawker may be restricted or prohibited	Council	None		N
6A(2)(h)	Publishing the declaration of an area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited in the <i>Provincial Gazette</i>	Council	Director Municipal and Social Services		Y
6A(2)(i)	Submitting to the Premier a copy of the plan of the area in which the carrying on of the business of street vendor, pedlar or hawker is restricted or prohibited, the notice published in the newspaper in, the notice published in the <i>Provincial Gazette</i> and all objections received, together with its comments thereon	Council	Director Municipal and Social Services		Y
6A(3)(a)	Leasing any verge (as defined in section 1 of the Road Traffic Act,	Council	The departmental head responsible for	After consultation with the Director Municipal and Social Services	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	1989) or any portion thereof, to the owner or occupier of the contiguous land		managing the Municipality's properties		
6A(3)(b)	Setting aside by resolution and demarcate stands or areas for the purposes of the carrying on of the business of street vendor, pedlar or hawker on any public road the ownership or management of which is vested in the Municipality or on any other property in the occupation and under the control of the Municipality	Council	None		N
6A(3)(c)	Letting or otherwise allocating any stand or area demarcated for the purposes of the carrying on of the business of street vendor, pedlar or hawker	Council	Director Municipal and Social Services	At such rental as determined by the Council	N

Fire Brigade Services Act 1987 (Act No 99 of 1987)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(1)	Deciding to establish and maintain a fire brigade service intended to be employed for preventing the outbreak or spread of a fire, fighting or extinguishing a fire, the protection of life or property against a fire or other threatening danger, the rescue of life or property from a fire or other danger, or the performance of any other function connected with any of these matters	Council	None		N
5(1)	Appointing a person who possesses the prescribed qualifications and experience, as chief fire officer	Council	Municipal Manager		N
5(3)	Appointing a member of the fire brigade service as acting chief fire officer to perform the duties and functions of the chief fire officer	Council	Municipal Manager		N
6(1)	Appointing any person who possesses the prescribed qualifications and experience, as a member of the fire brigade service to perform such functions as may be assigned to him/her by the chief fire officer	Council	Municipal Manager		N
	After due consideration of the peculiar circumstances of a specific case, waiving the prescribed qualifications and experience for appointing a person as a member of the fire brigade service	Council	Municipal Manager	After consultation with the Director Municipal and Social Services and the Chief Fire Officer	N
6A(1)	Deciding to establish a fire brigade reserve force	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
6A(2)	Appointing a person who applies therefor, as a member of a fire brigade reserve force	Chief Fire Officer	None		N
6A(4)	Discharging a member of a fire brigade reserve force	Chief Fire Officer	None		N
9(2)	Determining the costs incurred by or at the request of a chief fire officer for the purposes of salvaging, or removing and placing in safe custody, any movable property which in his/her opinion was in danger	Council	Chief Financial Officer		N
	Recovering any cost incurred for the salvaging, moving and packing into safe custody of any movable property on the owner thereof	Council	Chief Financial Officer		N
9(3)	Deciding to sell any movable property salvaged, moved and placed into safe custody at public auction to defray the cost of its salvaging, moving and placing in safe custody	Council	Municipal Manager		N
10(1)	Determining the fees payable by a person on whose behalf the fire brigade service is applied for the attendance of the service for the use of the service and equipment or for any material consumed	Council	None		N
10(4)	Considering and deciding any objection against an assessment made by the chief fire officer regarding the cost incurred in respect of the application of the fire brigade service	Council	Municipal Manager		N
	Authorising, amending or revoking an assessment rendered for fire fighting services	Council	Municipal Manager		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
12(1)	Deciding, with a view to the more efficient employment of its service, to conclude a written agreement with any other controlling authority in terms of which the parties undertake to co-operate on the conditions as may be agreed upon or with any other person in terms of which the controlling authority undertakes to make available its service to that person, or in terms of which that person undertakes to make available his material or equipment to the controlling authority	Council	None		N
16(1)	Making by-laws for the Municipality regarding any matter which it may deem necessary or expedient in order to employ its fire brigade service effectively	Council	None		N

National Road Traffic Act 1996 (Act No 93 of 1996)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3A(1)(d)	Appointing as many persons as traffic officers or reserve traffic officers as may be reasonably necessary	Council	Municipal Manager		Y
3A(1)(e)	Appointing persons as traffic wardens or as reserve traffic wardens to exercise or perform within the Municipality such powers and duties of a traffic officer as the MEC for transport may determine	Council	Municipal Manager		Y
3A(3)	Deciding to appoint any person who is not graded and registered in the prescribed manner on probation as an authorised officer for a period not exceeding 12 months	Council	Municipal Manager		Y
57(3)(a)	Erecting and siting traffic signs	Council	Director Municipal and Social Services		N
57(3)(b)	Authorising any person or body to display or cause to be displayed within the Municipality any road traffic sign	Council	Director Municipal and Social Services		N
	Approving a road traffic sign for display in the Municipality	Council	Director Municipal and Social Services		N
57(11)	In writing directing the owner or occupier of any land on which any road traffic sign or other object resembling a road traffic sign is displayed, or on which any object is displayed which obscures or interferes with the effectiveness of any road traffic sign, to remove such sign or object within the period specified in the notice and, if the owner or occupier concerned	Council	Director Municipal and Social Services		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	fails to comply with the notice causing such sign or other object to be removed				
80A	Making, with the concurrence of the Premier, bylaws regarding traffic matters	Council	None		N

Regulation of Gatherings Act 1993 (Act No 205 of 1993)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
2(4)(a)	Appointing a responsible officer and a deputy responsible officer to perform the functions, exercise the powers and discharge the duties of a responsible officer in terms of the Act	Council	Municipal Manager		N

National Building Regulations and Building Standards Act 1977 (Act No 103 of 1977)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(1)	Giving written approval for the erection of any building in respect of which plans and specifications are to be drawn and submitted in terms of the Act	Council	Building Control Officer		Y
5(1)	Appointing a person as building control officer in order to exercise and perform the powers, duties or activities granted or assigned to a building control officer by or under the Act	Council	None		N
7(1)	Considering and approving, with or without conditions, or refusing applications for the approval of building plans	Council	Building Control Officer		Y
7(4)	Considering and granting or denying applications for extending the validity of approved building plans	Council	Building Control Officer		Y
10	Prohibiting the person erecting a building or earthwork or causing such building or earthwork to be erected from commencing or proceeding with the erection thereof or from so commencing or proceeding except on such conditions as she/he may determine from time to time if the building or earthwork in question, in the opinion of the Director Infrastructure and Utilities is being or is to be erected in such manner that it will not be in the interest of good health or hygiene, will be unsightly or objectionable, will probably or in fact be a nuisance to the occupiers of adjoining or neighbouring properties, will probably or in fact derogate from	Council	Building Control Officer		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the value of adjoining or neighbouring properties or is being or is to be erected on a site which is subject to flooding or on a site which or any portion of which in the opinion of the Director Infrastructure and Utilities does not drain properly or is filled up or covered with refuse or material impregnated with matter liable to decomposition				
11(1)	Ordering the owner of a building the erection of which has not been proceeded with for a period exceeding three months to resume and to complete such building within the periods specified in such notice	Council	Building Control Officer		Y
11(3)	Ordering the owner of a building the erection of which has not been proceeded with for a period exceeding three months, if she/he has failed to resume the building work upon notice of the Municipality and the Municipality is of the opinion that such building is unsightly or dangerous to life or property or derogates from the value of adjoining or neighbouring properties, to demolish the building, to remove the material of which such building consisted and any other material or rubbish from the site in question, and to otherwise clean up such site within the period specified in the notice	Council	Building Control Officer		Y
12(1)	Ordering the owner of any building that, in the opinion of the Municipality, is dilapidated or in a state of disrepair or shows signs thereof or any building or the land on	Council	Building Control Officer		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	which a building was or is being or is to be erected or any earthwork is dangerous or is showing signs of becoming dangerous to life or property within the period specified in the notice to demolish such building or to alter or secure it in such manner that it will no longer be dilapidated or in a state of disrepair or show signs thereof or be dangerous or show signs of becoming dangerous to life or property or to alter or secure such land or earthwork in such manner that it will no longer be dangerous or show signs of becoming dangerous to life or property				
12(3)(a)	Ordering the owner of any building or the land on which a building was or is being or is to be erected or any earthwork is such that it is dangerous or is showing signs of becoming dangerous to life or property, to instruct at the cost of such owner an architect or a registered person to investigate such condition and to report to the Municipality on the nature and extent of the steps to be taken, in the opinion of such architect or registered person, in order to render such building, land or earthwork safe	Council	Building Control Officer		Y
12(3)(b)	Ordering that any activities be stopped or prohibit the performance of any activities which may increase the danger or hinder or obstruct the architect or registered person from properly carrying out an investigation on the nature and extent of the steps	Council	Building Control Officer		Y

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	to be taken in order to render a building, land or earthwork safe				
12(3)(c)	Requiring an architect or registered person carrying out an investigation on the nature and extent of the steps to be taken in order to render a building, land or earthwork safe to submit evidence of his/her competence to carry out such duties	Council	Building Control Officer		Y
12(4)	Ordering the owner of any building that is deemed to be unsafe to remove, within the period specified in such notice, all persons occupying or working or being for any other purpose in such building therefrom, and to take care that any person not authorized by the Municipality does not enter such building or ordering any person occupying or working or being for any other purpose in any building, to vacate such building immediately or within a period specified in such notice	Council	Building Control Officer		Y
13(1)	Exempting the owner of a minor building work from the obligation to submit a plan in terms for approval and granting authorisation for the erection of such building in accordance with the conditions and directions specified in such authorization.	Building Control Officer	None		N
14(1)	Considering and approving or denying applications for the issuing of certificates of occupancy	Council	Building Control Officer	After consultation with the Chief Fire Officer	Y
14(1A)	Granting permission to use a building before the issue of the certificate of occupancy for such period and on such conditions as may be specified	Council	Building Control Officer		Y

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	in such permission				
15(1)	Authorising persons to enter any building or land at any reasonable time with a view to inspection in connection with the consideration of any building plan or to determine whether the owner of the building or land complies with any provision of the Act or any condition imposed by the Municipality in terms of the Act.	Council	Municipal Manager		Y
18(1)	Considering and granting or denying in respect of the erection of such building or the land on which it is being or is to be erected, an application to permit a deviation or grant an exemption from any applicable national building regulation except a national building regulation regarding the strength and stability of buildings.	Council	Building Control Officer		Y

Sectional Titles Act 1986 (Act No 95 of 1986)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(5)	Condoning non-compliance with any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law at the date of approval of the building plans or any applicable condition of any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law or the building to which the scheme relates, has not been erected in accordance with any applicable building regulations or building by-laws in operation at the date of erection	Council	Director Infrastructure and Utilities		N

National Land Transport Transition Act 2000 (Act No 22 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
10(1)	Deciding to establish or join a transport authority to improve transport service delivery in the local sphere of government by grouping transport functions into a single, well-managed and focused institutional structure.	Council	None		N
17	Appropriating money for the use of the transport authority of which the Municipality is a part	Council	None		N
20(2)(a)	Deciding to enter into a cooperation agreement with another planning authority or the provincial government with regard to the preparation of transportation plans	Council	None		N

Environment Conservation Act 1989 (Act No 73 of 1989)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
16(6)	Agreeing with a competent authority to assume responsibility for the control and management of a protected natural environment	Council	None		N
19(2)	Ensuring that containers or places are provided which will normally be adequate and suitable for the discarding of litter by the public in places to which the public has access	Council	Director Municipal and Social Services		N
19A	Removing litter which has been discarded, dumped or left behind at any place to which the public has access (with the inclusion of any pavement adjacent to, or land situated between, such a place and a street, road or site used by the public to get access to such place)	Council	Director Municipal and Social Services		Y
20(1)	Ensuring that the Municipality has a valid permit in respect of every disposal site established, managed or operated by the Municipality	Council	Director Municipal and Social Services		N
20(6)	Ensuring that no person discards or disposes of waste in any manner except at a disposal site for which a valid permit exists	Council	Director Municipal and Social Services		N

Removal of Restrictions Act 1967 (Act No 84 of 1967)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(4)(a)	Determining the Municipality's comment and recommendation regarding the proposed alteration, suspension or removal of a restriction or obligation which is binding on the owner of the land by virtue of a restrictive condition or servitude registered against the title deed of the land, or a provision of a law relating to the establishment of townships or to town planning or a provision of a by-law or of a regulation or of a town planning scheme or a provision of a town planning scheme and a restrictive condition or servitude registered against the title deed of the land or a provision of a town planning scheme and a provision of a law relating to the establishment of townships or to town planning	Council	None		N

National Environment Management: Air Quality Act 2004 (Act No. 39 of 2004)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
11(1)	Adopting a by-law which - (a) identifies substances or mixtures of substances in ambient air which, through ambient concentrations, bioaccumulation, deposition or in any other way, present a threat to health, well-being or the environment in the Municipality or which the Municipality reasonably believes present such a threat; and (b) in respect of each of those substances or mixtures of substances, establish local standards for emissions from point, non-point or mobile sources in the Municipality.	Council	None		N
14(3)	Designating an air quality officer responsible for coordinating matters pertaining to air quality management in the Municipality	Council	Municipal Manager		N
15(2)	Adopting an air quality management plan which forms part of the IDP	Council	None		N

National Environmental Management Act 1998 (Act No 107 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
17(1)	Deciding to refer a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment to conciliation	Council	Executive Mayor		N
(17(1)	When it is decided that conciliation of a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment is appropriate, deciding to refer the matter to the national Director-General of Environmental Affairs for conciliation or to appoint a conciliator	Council	Executive Mayor		N
17(1)	Determining the conditions and time limits of a conciliator's appointment where it is decided to appoint a conciliator to conciliate or mediate a difference or disagreement arises concerning the exercise of any of the Municipality's functions which may significantly affect the environment	Council	Executive Mayor		N
17(2)	Considering a request to appoint a facilitator to call and conduct meetings of interested and affected parties with the purpose of reaching agreement to refer a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment to conciliation in	Council	Executive Mayor		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	terms of the Act				
17(2)	If it is decided following a request to appoint a facilitator to call and conduct meetings of interested and affected parties with the purpose of reaching agreement to refer a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment, determining the manner in which the facilitator must carry out his or her tasks, including time limits	Council	Executive Mayor		N
18(1)	Considering a nomination by the Director-General of Environmental Affairs of a conciliator who will conciliate or mediate a difference or disagreement arises concerning the exercise of any of the Municipality's functions which may significantly affect the environment	Council	Executive Mayor		N
18(6)	Considering a recommendation of a conciliator appointed to conciliate or mediate a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment to refer the disagreement or difference to arbitration	Council	None		N
18(7)	Considering a report submitted by a conciliator appointed to conciliate or mediate a difference or disagreement concerning the exercise of any of the Municipality's functions which may significantly affect the environment	Council	None		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
19(1)	Deciding whether to refer a difference or disagreement regarding the protection of the environment to arbitration	Council	None		N
19(2)	Selecting an arbitrator from the panel appointed by the Minister of Environmental Affairs where it has been decided to refer a difference or disagreement regarding the protection of the environment to arbitration	Council	Executive Mayor		N
20(1)	Participating in any consultations by the Minister of Environmental Affairs to appoint a person to assist the Municipality in the evaluation of a matter relating to the protection of the environment by obtaining such information, whether documentary or oral, as is relevant to such evaluation	Council	Executive Mayor		N
46(1)	Deciding whether to adopt model bylaws aimed at establishing measures for the management of the environmental impact of any development within the Municipality made by the Minister of Environmental Affairs	Council	None		N
46(2)	Deciding to request the Director-General of Environmental Affairs to assist the Municipality with the preparation of bylaws on matters affecting the environment	Council	Municipal Manager		N

Disaster Management Act 2002 (Act No 57 of 2002)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
42(2)	Appointing representatives to participate in the establishment of the district disaster management framework	Council	Executive Mayor		N
43(2)(b)	Deciding to operate a disaster management centre for the Southern District in partnership with the district municipality	Council	None		N
50(2)(b)	Receiving and considering an annual report from the district disaster management centre	Council	None		N
51(1)(c)	Appointing the Municipality's representative(s) in the district disaster management advisory forum	Council	Executive Mayor		N
53(1)	Adopting and reviewing a disaster management plan for the Municipality	Council	None		N
53(4)	Submitting the Municipality's disaster management plan as prescribed	Council	Municipal Manager		N
54(2)	Entering into an agreement with the Southern district municipality that the Council assumes primary responsibility for the co-ordination and management a local disaster that has occurred or may occur in the Municipality.	Council	None		N
56(2)(a)	Deciding to make a financial contribution to response efforts and post-disaster recovery and rehabilitation when a disaster occurs	Council	Speaker	<ol style="list-style-type: none"> 1. Provided that such contribution is in accordance with the national disaster management framework and any applicable post-disaster recovery and rehabilitation policy of the relevant sphere of government 2. Subject, if appropriate in the circumstances, to section 29 of the 	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
				MFMA	
57	Deciding to submit a request for financial assistance to the National Government for post-disaster recovery and rehabilitation	Council	Executive Mayor	Provided that the request, together with all the supporting documentation, if any, is submitted at the Council meeting next ensuing	N

Firearms Control Act 2000 (Act No 60 of 2000)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
7	Nominating a person to apply on behalf of the Municipality for a license, permit or authorisation in terms of the Act	Council	Municipal Manager		N

Intergovernmental Relations Framework Act 2005 (Act No 13 of 2005)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
28(1)	Deciding to establish an inter-municipality forum with one or more other municipalities	Council	None		N
28(2)	Agreeing to the composition, role and functioning of an inter-municipality forum established with one or more other municipalities	Council	None		N
30(2)	Designating employees of the Municipality to serve on any technical inter-governmental support structure established to support an inter-governmental forum in which the Municipality participates	Council	Municipal Manager		N
35(1)	Considering and deciding to enter into an implementation protocol with another organ of state to coordinate the actions of the participating state organs	Council	None		N
35(4)(b)	Signing an implementation protocol on behalf of the Municipality	Council	Executive Mayor	Provided the implementation protocol was approved by the Council	N
35(5)	Deciding to initiate the establishment of an implementation protocol with another organ of state	Council	None	When, in the opinion of the Council, the implementation of a policy, the exercise of a statutory power, the performance of a statutory function or the provision of a service depends on the participation of organs of state in different governments	N
41(1)	Deciding to declare a dispute with another organ of state a formal intergovernmental dispute	Council	None		N
	Informing the other organ of state in writing of the Municipality's decision to declare a dispute between the Municipality and that	Council	Municipal Manager		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	organ of state as a formal intergovernmental dispute				
41(2)	Deciding to initiate negotiation with the other party to a formal intergovernmental dispute declared by the Municipality to resolve the dispute either on its own or through an intermediary	Council	None		N
	Identifying and appointing a intermediary to be used to initiate negotiations with the other party to a formal intergovernmental dispute declared by the Municipality to resolve the dispute	Council	None		N
44(1)	Deciding to request the assistance of the Minister of Provincial and Local Government or the MEC of Local Government in settling a formal intergovernmental dispute declared by the Municipality	Council	None		N
45(1)	Deciding to institute judicial proceedings in order to settle a formal intergovernmental dispute declared by the Municipality after efforts in terms of the Act to settle the dispute were unsuccessful	Council	None		N
47(3)	Deciding to adopt guidelines issued by the Minister of Provincial and Local Government in terms of the Act	Council	None		N

Commission on Gender Equality Act 1996 (Act No 39 of 1996)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
11(1)(c)	Considering any recommendations of the Commission on Gender Equality regarding any current or proposed bylaw affecting or likely to affect gender equality or the status of women	Council	None		N
11(1)(d)	Considering any recommendations of the Commission on Gender Equality regarding the adoption of a bylaw which would promote gender equality and the status of women	Council	None		N

Pan South African Language Board Act 1995 (Act No 59 of 1995)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
8(1)(a)	Considering a recommendation of the Pan South African Language Board with regard to any proposed or existing bylaw, practice and policy dealing directly or indirectly with language matters and with regard to any proposed amendments to or the repeal or replacement of such legislation, practice and policy	Council	None		N
8(1)(b)	Considering a request of the Pan South African Language Board to supply it with information on any legislative, executive or administrative measures adopted by the Municipality relating to language policy and language practice	Council	Municipal Manager		N
8(1)(c)	Considering advice of the Pan South African Language Board on the implementation of any proposed or existing bylaw, policy and practice dealing directly or indirectly with language matters	Council	None		N
8(1)(e)	Considering a recommendation of the Pan South African Language Board regarding the adoption of measures aimed at the promotion of multilingualism	Council	None		N

Land Survey Act 1997 (Act No 8 of 1997)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
26(1)	Deciding to apply to the Minister of Land Affairs to resurvey a township within the Municipality and to have a superseding general plan thereof to be prepared in accordance with the resurvey if that township's recognised boundaries do not conform with the boundaries of the pieces of land that forms that township represented on the respective separate diagrams or the general plan	Council	Director Infrastructure and Utilities		N
26(2)	Consulting with the Surveyor-General regarding the publication of a notice of an intended application to resurvey a township and to have a superseding general plan thereof to be prepared in accordance with the resurvey	Council	Director Infrastructure and Utilities		N
26(4)	Obtaining the concurrence of the Surveyor-General to appoint a land surveyor to carry out a resurvey and to prepare the superseding general plan under the direction of the Surveyor-General	Council	Director Infrastructure and Utilities		N
26(6)(a)(i)	Deciding to levy a special rate payable by the registered owners of land within the resurveyed area in proportion to the value of the land (including non-rateable land other than State land) held in ownership by each in order to cover the costs of and incidental to the resurvey of any portion thereof	Council	None		N
27(1)(b)	Making the a superseding general plan of a township, or of a defined	Council	Director Infrastructure and		N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	portion thereof resurveyed under section 26 available for inspection during a period of six weeks at the office of the Municipality		Utilities		
42(2)	Applying to the Chief Director Surveys and Mapping in the Department of Land Affairs to erect the town survey marks at the Municipality's cost	Council	Director Infrastructure and Utilities		N
42(4)(a)	Maintaining any town survey marks within the Municipality	Council	Director Infrastructure and Utilities		N

National Veld and Forest Fire Act 1998 (Act No 101 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(7)	Deciding to become a member of each fire protection association established in the Municipality	Council	None		N
5(1)(a)	Considering a draft veldfire management strategy for the area of each fire protection association within the Municipality	Council	Director Municipal and Social Services	The Director Municipal and Social Services must ensure that key elements of such veldfire management strategy/ies are incorporated in the Municipality's IDP	N
5(1)(b)	Considering a draft strategy containing/prescribing agreed mechanisms for the co-ordination of actions between adjoining fire protection associations within the Municipality	Council	Director Municipal and Social Services	The Director Municipal and Social Services must ensure that key elements of such strategy/ies are incorporated in the operational strategies contained in the Municipality's IDP	N
5(1)(c)	Considering draft rules made by a fire protection association within the Municipality	Council	None		N
5(2)	Participating in consultation with each fire protection association within the Municipality regarding the development of a veldfire management strategy for each such association's area	Council	Director Municipal and Social Services		N
6(2)(a)	Deciding whether to become the fire protection officer of a fire protection association within the Municipality	Chief Fire Officer	None		N
12(1)	Preparing and maintaining a fire break on the Municipality's side of the boundary with adjoining land where a veldfire may start or burn on land of the Municipality or from whose land it may spread	Council	Director Municipal and Social Services	After consultation with the manager responsible for managing the Municipality's properties	N
12(2)(a)	Deciding, jointly with the owners of adjoining land, a mutually agreeable date or dates on which the Municipality may prepare or maintain	Council	Director Municipal and Social Services	After consultation with the manager responsible for managing the Municipality's properties	N

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	firebreaks on its property and informing the relevant fire protection association accordingly				
12(2)(b)	If agreement on a mutually agreeable date or dates on which the Municipality may prepare or maintain firebreaks on its property cannot be reached, giving notice to the owners of adjoining land and the relevant fire protection association for the area at least 14 days written notice of the day or days during which the Municipality intends burning firebreaks, fire danger permitting	Council	Director Municipal and Social Services	After consultation with the manager responsible for managing the Municipality's properties	N
12(5)(a)	Informing the owners of adjoining land and the relevant fire protection association if preparation of a fire break cannot be done on the agreed day or days or any of the days of which the Municipality has given notice	Council	Director Municipal and Social Services	After consultation with the manager responsible for managing the Municipality's properties	N
12(5)(b)	Informing the owners of adjoining land and the relevant fire protection association of the additional days on which the Municipality intends to prepare a firebreak because of the failure to do so on the day or days agreed or notified	Council	Director Municipal and Social Services	After consultation with the manager responsible for managing the Municipality's properties	N
17(1)(a)	Ensuring that the Municipality has, in respect of its land on which a veldfire may start or burn or from whose land it may spread such equipment, protective clothing and trained personnel for extinguishing fires as are prescribed or in the absence of prescribed requirements, reasonably required in the circumstances	Council	Director Municipal and Social Services		N

Children's Act 2005 (Act No 38 of 2005)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
4(1)	Determining the steps that must be taken for the Municipality to implement the Act	Council	None		N
5	Determining the manner of cooperation with organs of state in the provincial and national spheres of government in the development of a uniform approach aimed at co-ordinating and integrating the services delivered to children.	Council	None		N
8(2)	Determining the steps that the Municipality and all officials, employees and representatives of the Municipality must take to respect, protect and promote the rights of children contained in the Act.	Council	None		N

Older Persons Act 2006 (Act No 13 of 2006)

Section	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(1)	Determining the steps that must be taken for the Municipality to implement the Act an integrated, coordinated and uniform manner.	Council	None		N
3(3)	Determining the manner of cooperation with organs of state in the provincial and national spheres of government in the development of a uniform approach aimed at co-ordinating and integrating the services delivered to older persons.	Council	None		N
4(2)	Determining the steps that the Municipality and all officials, employees and representatives of the Municipality must respect, protect and promote the rights of older persons contained in the Act	Council	None		N

Water Services Act 1998 (Act No 107 of 1998)

Section	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
3	Determining the processes, mechanisms, plans and programmes for realising the right of access to basic water supply and basic sanitation.	Council	None		N
4	Determining conditions for the provision of water services	Council	None		N
7	Granting permission to obtain water for industrial use from any source other than the distribution system of a water services provider nominated by the Municipality	Council	None		N
11(6)	Determining reasonable limits on the use of water	Council	None		N
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		N
21	Making bylaws which contain conditions for the provision of water services	Council	None		N
22	Considering applications to operate as water services provider within the Municipality	Council	None		N