

REGULATIONS

Local Government: Municipal Systems Act 2000 (Act No 32 of 2000)
Local Government: Municipal Planning and Performance Management Regulations, 2001

Reg	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3(3)	Ensuring compliance with the Municipality's rules and orders regarding an amendment to the integrated development plan	Council	Executive Mayor		N
3(4)(b)	Publishing a proposed amendment to the Municipality's integrated development plan	Council	Manager Support Services		N
4(2)(b)	Making and submitting written representations regarding an objection to the proposed amendments to the Municipality's integrated development plan suggested by the MEC	Council	Executive Mayor		N
6(b)	Preparing action plans for the implementation of strategies identified by Municipality	Council	Manager Support Services	After consultation with the Municipal Manager and managers directly accountable to the Municipal Manager	N
8	Adopting a performance management system	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
9(1)	Setting key performance indicators, including input indicators, output indicators and outcome indicators, in respect of each of the development priorities and objectives contained in the integrated development plan	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
9(2)	Determining the manner and frequency of the involvement of the community in setting key performance indicators	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
11	Annually reviewing of the Municipality's key performance indicators	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
12	Determining performance targets in respect of each key performance indicator	Council	None	After receipt of a report and recommendations of the Executive Mayor	N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
13(1)	Involving the community in developing and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
13(1)	Approving and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
14(1)(a)	Developing and implementing mechanisms, systems and processes for auditing the results of performance measurements as part of the Municipality's internal auditing processes	Council	Municipal Manager		N
14(1)(c)	Auditing the performance measurements of the Municipality and submitting quarterly reports to the Municipal Manager and the performance audit committee (PMAC)	Internal audit	None		N
14(2)	Establishing a PMAC	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
	Appointing the members of a PMAC	Council	Executive Mayor		N
14(2)(c)	Deciding whether to have a separate PMAC or a consolidated audit committee	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
14(2)(d)	Designating a member of the PMAC as chairperson	Council	Executive Mayor		N
14(2)(f)	Filling of any casual vacancy in the PMAC	Council	Executive Mayor	After receipt of a report and recommendations of the Municipal Manager	N
14(2)(g)	Providing secretariat services to the PMAC	Council	Municipal Manager		N
14(2)(i)	Determining the remuneration of	Council	None		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	members of the PMAC who are not Councillors or employees of the Municipality				
14(3)(a)	Calling of ordinary meetings of the PMAC	Chairperson of the PMAC	None		N
14(3)(a)	Determining the time, date and place of meetings of the PMAC	Chairperson of the PMAC	None		N
14(3)(b)	Calling a special meeting of the PMAC	Chairperson of the PMAC	None		N
14(3)(c)	Determining the procedures of the PMAC	PMAC	None	Subject to receiving and considering a report from the Municipal Manager	N
15(1)(a)	Deciding to establish an IDP Forum	Council	None	After receipt of a report and recommendations of the Executive Mayor	N
15(1)(b)	Determining appropriate mechanisms, to invite the community to identify persons to serve on the IDP forum	Council	Executive Mayor		N
15(1)(b)	Inviting the community to identify persons to serve on the IDP forum, including representatives from ward committees, if any	Council	Executive Mayor		N
15(2)	Convening of meetings of the IDP Forum	Council	Executive Mayor		N

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

Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006 (Government Notice No R 805 of 1 August 2006)

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
2(4)	Deciding whether to extend the provisions of regulation 2(3) to managers directly accountable to the Municipal Manager	Council	None		N
4(2)	Determining the commencement date and the termination date of the period of employment of the Municipal Manager and managers directly accountable to the Municipal Manager	Council	None		N
4(5)	Submitting the employment contract and (first and annual) performance agreement to the MEC of Local Government and Housing and the Minister of Provincial and Local Government	Council	Executive Mayor		N
6	Determining the working hours of the Municipal Manager and Managers directly accountable to her/him	Council	Executive Mayor		N
7(2)	Determining the rules governing the structuring of the flexible portion of the all-inclusive annual remuneration package payable to the Municipal Manager and managers directly accountable to her/him	Council	None		N
7(4)	Determining the annual adjustment of the all-inclusive remuneration package of the Municipal Manager and managers directly accountable to her/him	Council	None		N
11	Receiving proof of membership of any retirement fund of which the Municipal Manager or a manager directly accountable to her/him	Council	Director Corporate Governance		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	included a contribution in her/his remuneration package				
12	Receiving proof of membership of any medical aid scheme of which the Municipal Manager or a manager directly accountable to her/him included a contribution in her/his remuneration package	Council	Director Corporate Governance		N
14	Making deductions from the Municipal Manager's and a manager directly accountable to the Municipal Manager's monthly remuneration	Council	Chief Financial Officer	<ol style="list-style-type: none"> 1. Any such deduction not authorised or required by law, a collective agreement or court order must be authorised in writing by the relevant manager. 2. The amount deducted must be paid over to the relevant body or person within 7 days of the deduction being made 	N
15(1)	Determining the number of days annual leave the Municipal Manager and a manager directly accountable to her/him who has been appointed after 1 January of any year, is entitled to during that year	Council	Director Corporate Governance		N
16(1)	Deciding whether the Municipal Manager or a manager directly accountable to the Municipal Manager must be suspended	Council	None		N
	Notifying the Municipal Manager or a manager directly accountable to her/him of the intention that she/he be suspended	Council	<ol style="list-style-type: none"> 1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager 		N
	Considering any representations of the Municipal Manager or a manager	Council	None		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	directly accountable to her/him regarding her/his intended suspension				
16(2)	If the Municipal Manager or a manager directly accountable to the Municipal Manager is to be suspended, notifying her/him of the reasons for the suspension	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
	Receiving and considering the response, if any, of the Municipal Manager or a manager directly accountable to the Municipal Manager regarding the reasons for her/his suspension	Council	None		N
17(1)(c)	Terminating the employment contract of the Municipal Manager or a manager directly accountable to the Municipal Manager for reasons relating to misconduct, incapacity, unacceptable performance or the operational requirements of the Municipality or for any other reason recognised by law as sufficient	Council	None		N
17(3)	Notifying the Municipal Manager or a manager directly accountable to her/him that she/he is deemed to have voluntarily terminated her/his services consequent to having accepted nomination for election as a councillor, member of a Provincial Legislature or the National Assembly or nomination as a permanent delegate to the National Council of Provinces	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
24(2)	Notifying the Municipal Manager and	Council	1. In the case of the		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	managers directly accountable to the Municipal Manager of the date during June each year, time and place where the parties shall review the annual performance agreement		Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		
25(2)	Consulting with the Municipal Manager and the managers directly accountable to the Municipal Manager regarding the performance objectives and targets to be achieved	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
26(3)	Consulting with the Municipal Manager and the managers directly accountable to the Municipal Manager regarding the specific performance standards that will be included in the performance management system as applicable to the manager concerned	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
26(6)	Negotiating and agreeing with the Municipal Manager and the managers directly accountable to the Municipal Manager the weighting of the different key performance areas	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
26(8)	Agreeing with the Municipal Manager and the managers directly accountable to the Municipal Manager the core competency requirements deemed to be most critical for the relevant manager's specific job	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Agreeing with the Municipal Manager and the managers directly accountable to the Municipal Manager the required proficiency level in respect of each agreed core competency requirement		Municipal Manager		N
27(2)	Deciding to conduct additional reviews of the performance of the Municipal Manager and the managers directly accountable to the Municipal Manager	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
27(4)(d)	Determining which other councillor must form part of the panel that will evaluate the performance of the Municipal Manager	Council	Executive Mayor		N
27(4)(d)	Determining which Mayor and/or Municipal Manager of another municipality must form part of the panel that will evaluate the performance of the Municipal Manager	Council	Executive Mayor		N
27(4)(e)	Determining which other councillor must form part of the panel that will evaluate the performance of a manager directly accountable to the Municipal Manager	Council	Executive Mayor		N
	Determining which municipal manager of another Municipality must form part of the panel that will evaluate the performance of a manager directly accountable to the Municipal Manager	Council	Municipal Manager	Different Municipal Managers may be designated to form part of the assessment panel for different managers	N
28(4)	Negotiating and agreeing with the relevant manager reasonable changes to the provisions of the	Council	1. In the case of the Municipal Manager, the Executive Mayor		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	performance plan from time to time for operational reasons		2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		
28(5)	Negotiating and agreeing with the manager concerned amendments to the provisions of the performance plan due to the adoption, implementation and/or amendment of the performance management system	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
30(1)	Determining the steps that must be taken to create an enabling environment to facilitate effective performance by the Municipal Manager and managers directly accountable to her/him	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
30(2)	Determining the access to skills development and capacity building opportunities to be given to the Municipal Manager and managers directly accountable to her/him	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
30(4)	Considering a request by the Municipal Manager and/or managers directly accountable to her/him to delegate such powers reasonably required by her/him to enable her/him to meet the agreed performance objectives and targets	Council	1. In the case of a power vested in the Council, the Council 2. In the case of a power vested in, or delegated to, the Executive Mayor, the Executive Mayor 3. In the case of a		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
			power vested in, or delegated to, the Speaker, the Speaker 4. In the case of a power vested in, or delegated to, the Municipal Manager, the Municipal Manager		
30(5)	Determining the resources to be made available to the Municipal Manager and managers directly accountable to her/him which she/he may reasonably require from time to time to assist her/him to meet the agreed performance objectives and targets	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
31(1)	Consulting with the Municipal Manager and managers directly accountable to the Municipal Manager where the exercising of the Municipality's powers will have a direct effect on the performance of any of her/his functions, commit her/him to implement or to give effect to a decision made by the Council and a substantial financial effect on the Municipality	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a manager directly accountable to the Municipal Manager, the Municipal Manager		N
32(2)	Determining the quantum of the performance bonus payable to the Municipal Manager and managers directly accountable to the Municipal Manager	Council	None	As determined in the relevant performance agreement	N
32(3)(a)	Determining the systematic remedial or developmental support to assist the Municipal Manager and managers directly accountable to the	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In the case of a		N

Reg	Power conferred	Delegating authority	Delegated body	Conditions, directions and limitations	Sub-delegate
	Municipal Manager improve her/his performance		manager directly accountable to the Municipal Manager, the Municipal Manager		
32(3)(b)	Deciding to terminate the employment of the Municipal Manager and a manager directly accountable to the Municipal Manager after appropriate performance counselling and having provided the necessary guidance and/or support and reasonable time for improvement in performance and performance did not improve	Council	None	Subject to granting the manager concerned reasonable opportunity to state her/his case	N
34(1)	Making the content of a performance agreement public	Council	Executive Mayor		N
34(3)	Submitting the performance assessment results of the Municipal Manager to the MEC of Local Government as well as the Minister of Provincial and Local Government	Council	Executive Mayor		N
39(4)(a)	Conducting an assessment of the competencies of the Municipal Manager and managers directly accountable to the Municipal Manager	Council	Municipal Manager		N
	Identifying the competency gaps (development needs) of the Municipal Manager and managers directly accountable to the Municipal Manager	Council	Municipal Manager		N
	Establishing and executing a development plan for the Municipal Manager and managers directly accountable to the Municipal Manager to overcome her/his competency gaps	Council	Municipal Manager		N

**Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)
Municipal Investment Regulations (Government Notice No R.203 of 1 April 2005)**

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
8(2)	Receipt and safekeeping of a certificate issued by an investee and/or investment manager regarding any investment made by the Municipality	Municipal Manager	Chief Financial Officer	Subject to the conditions imposed by the Municipality's records management/ archiving system regarding the safe-keeping of securities	N
9(1)	Monthly report to the Council regarding the investment portfolio of the Municipality	Municipal Manager	Chief Financial Officer		N
10(1)	Ensuring that investments are placed with creditworthy institutions	Council	Chief Financial Officer		N
10(2)(a)	Regular monitoring of the Municipality's investment portfolio	Council	Chief Financial Officer		N
10(2)(b)	Liquidating investments that no longer has the minimum acceptable credit rating	Council	Chief Financial Officer		N
11	Taking steps to diversify the Municipality's investment portfolio	Council	Chief Financial Officer		N

**Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)
Municipal Public-Private Partnership Regulations (Government Notice No R 309 of 1 April 2005)**

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
2(1)	Informing the National and Provincial Treasuries of the Municipality's intention to conduct a feasibility study for a PPP	Municipal Manager	None		N
4(1)	Soliciting the views of the National and Provincial Treasuries on the proposed bid documentation and evaluation of bids re a PPP	Municipal Manager	None		N
4(3)	Soliciting the views of the National and Provincial Treasuries on the terms and conditions of a PPP, the Municipality's contract management plan and the preferred bidders contracting capacity and capacity to execute the PPP contract	Council	Municipal Manager		N
6(1)	Signing a PPP agreement on behalf of the Municipality	Municipal Manager	None		N
7(1)	Appointing a project officer for a PPP	Municipal Manager	None		N
8	Ensuring that the outsourced activity is carried out in accordance with the PPP agreement, that municipal property placed under the control of the private party in a PPP is appropriately protected and that the Municipality has the required contract management and monitoring capacity	Municipal Manager	None		N
9(2)	Soliciting the view of the National and Provincial Treasuries regarding any proposed amendment to a PPP agreement	Municipal Manager	None		N

**Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)
Municipal Supply Chain Management Regulations (General Notice No 868 of 30 May 2005)**

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
3(1)(a)	Preparing and submitting a draft supply chain management policy to the Council	Municipal Manager	Chief Financial Officer		N
3(1)(b)	Annually reviewing the supply chain management policy	Municipal Manager	Chief Financial Officer		N
3(1)(c)	Preparing and submitting proposals to the Council for amending the supply chain management policy	Municipal Manager	Chief Financial Officer		N
3(2)(a)	Deciding whether to use the model supply chain management policy supplied by the National Treasury, or a modified version thereof, as the Municipality's supply chain management policy	Municipal Manager	None		N
3(2)(c)	Reporting deviations from the model supply chain management policy issued by the National Treasury to the National Treasury and the Provincial Treasury	Municipal Manager	Chief Financial Officer		N
3(4)	Deciding the reasonable steps to take to ensure that the Municipality has a supply chain management policy	Municipal Manager	None		N
4(1)	Deciding which additional powers and duties to delegate to the Municipal Manager to discharge the supply chain management responsibilities conferred on her/him, to maximise administrative and operational efficiency in the implementation of the supply chain management policy, to enforce reasonable cost-effective measures for the prevention of fraud, corruption, favouritism and unfair	Council	None	Provided that no powers to alienate immovable property of the Municipality may be delegated	N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
	and irregular practices in the implementation of the supply chain management policy and to comply with his/her responsibilities in terms of section 115 and other applicable provisions of the MFMA				
5(1)	Deciding which powers and duties regarding supply chain management to sub-delegate and to whom to sub-delegate such powers and duties	Municipal Manager	None		N
6(2)	Preparing and submitting a report on the implementation of the supply chain management policy to the Council	Municipal Manager	Chief Financial Officer		N
6(2)(a)(i)	Considering a report on the implementation of the supply chain management policy	Council	None		N
6(2)(a)(iii)	Preparing and submitting an annual report regarding any serious and material problems in the implementation of the supply chain management policy to the Council	Municipal Manager	Chief Financial Officer		N
	Considering a report regarding any serious and material problems in the implementation of the supply chain management policy	Council	None		N
6(3)	Preparing and submitting a quarterly report on the implementation of the supply chain management policy to the Mayor	Municipal Manager	Chief Financial Officer		N
	Considering a quarterly report on the implementation of the supply chain management policy	Mayor	None		N
6(4)	Preparing and submitting any reports regarding the implementation of the supply chain management policy and of any serious and material problems in the	Municipal Manager	Chief Financial Officer		N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
	implementation of the supply chain management policy				
7(1)	Establishing a supply chain management unit	Municipal Manager	None		N
7(3)	Deciding whether the supply chain management unit must operate under the direct supervision of the Chief Financial Officer	Municipal Manager	None		N
11(3)	Making public the fact that the Municipality procured specific goods or services from another organ of state	Municipal Manager	Chief Financial Officer	Such publication to be published in newspapers of record	N
14(2)	Quarterly updating of list of accredited prospective suppliers	Municipal Manager	Chief Financial Officer		N
16(c)	Reporting each case where it was not possible to obtain three oral or written quotations	Municipal Manager	Chief Financial Officer		N
	Considering quarterly reports stating the reasons why it was not possible to obtain three oral or written quotations in any case	Municipal Manager	None		N
16(d)	Recording the names of the potential suppliers that have been invited to submit oral or written quotations, with the quoted prices	Municipal Manager	Chief Financial Officer		N
17(c)	Recording of reasons why three written price quotations could not be obtained	-	Relevant departmental head		N
	Approving the reasons why three written price quotations could not be obtained	Municipal Manager	Chief Financial Officer		N
17(d)	Recording the names of the potential providers invited to submit written price quotations and their written quotations	Municipal Manager	Chief Financial Officer		N
18(a)	Advertising all requirements for which formal written price quotations are invited exceeding R 30,000 (VAT	Municipal Manager	Chief Financial Officer		N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
	incl) on the Municipality's website				
18(d)	Notifying the Municipal Manager or the Chief Financial Officer monthly of any oral, written or formal written price quotation accepted under sub-delegated powers	Relevant official having the authority to award contracts	None		N
22(1)(a)	Determining in which newspapers circulating locally or any other appropriate ways in which invitations for bids must be advertised	Council	None		N
27(3)	Deciding the composition of the bid specification committee	Council	Municipal Manager	No councillor may be a member of the bid specification committee	N
28(2)	Deciding the composition of the bid evaluation committee	Council	Municipal Manager	<ol style="list-style-type: none"> 1. At least one member of the bid evaluation committee must be a supply chain management practitioner of the Municipality 2. No councillor may be a member of the bid evaluation committee 	N
29(2)	Deciding the composition of the bid adjudication committee	Council	Municipal Manager	<ol style="list-style-type: none"> 1. The committee must consist of at least 4 senior managers, including the Chief Financial Officer, one senior supply chain management practitioner and a technical expert in the relevant field who is an employee of the Municipality 2. No member of a bid evaluation committee may be a member of the bid adjudication committee 3. No councillor may be a member of the bid adjudication committee 	N
29(3)	Appointing the chairperson of the bid adjudication committee	Municipal Manager	None		N
29(5)(b)(i)	Considering and ratifying or rejecting the recommendation of the bid adjudication committee	<ol style="list-style-type: none"> 1. Council where the acquisition or alienation of fixed property is 	None		N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
		concerned 2. Municipal Manager in all other cases			
29(5)(b)(ii)	Deciding to refer the matter back to the bid adjudication committee if their recommendation is rejected	1. Council where the acquisition or alienation of fixed property is concerned 2. Municipal Manager in all other cases	None		N
29(6)	Referring any recommendation of a bid specification or bid evaluation committee back to that committee for reconsideration	1. Council where the acquisition or alienation of fixed property is concerned 2. Municipal Manager in all other cases	None		N
29(7)	Preparing a submitting a report regarding the approval of a bid/tender other than the one recommended to the National Treasury, Provincial Treasury and Auditor-General within 21 working days of granting approval	Municipal Manager	None		N
31(1)	Deciding whether to request the SITA to assist the Municipality with the acquisition of IT related goods or services	Municipal Manager	None		N
31(3)	Notifying the SITA when the transaction value for IT related goods or services exceed R 50 million (VAT incl)	Municipal Manager	Chief Financial Officer		N
31(4)	Submitting the comments of SITA and the reasons for not following or rejecting the comments to the Council, National Treasury, Provincial Treasury and Auditor-General	Municipal Manager	None		N
32(1)	Deciding whether to procure goods and services under a contract	Municipal Manager	None		N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
	secured by another organ of state				
36(1)(a)	Deciding to dispense with the official procurement processes	1. Council where the acquisition or alienation of fixed property is concerned 2. Municipal Manager in all other cases	None		N
36(1)(b)	Deciding to ratify any minor breaches of the official procurement processes	Municipal Manager	None		N
36(2)	Reporting the reasons for any decision to dispense with the official procurement processes and to ratify any minor breaches of those processes to the Council	Municipal Manager	None	Such report to be submitted at the first Council meeting next ensuing after the decision was made	N
37(2)	Deciding whether to accept an unsolicited bid	Council, in the case of unsolicited bids for the acquisition of fixed property of the Municipality In all other cases, the Municipal Manager	None	Provided that, where the Council has to make the decision, it received a report stating whether the reasons for not following the prescribed procurement processes are sound	N
37(3)	If it was decided to accept an unsolicited bid, making particulars thereof public	Municipal Manager	None		N
37(4)	Submitting any comments, and the response of the bidder, if any, regarding an unsolicited bid to the National Treasury and the Provincial Treasury for comment	Municipal Manager	None		N
37(8)	Submitting the reasons for rejecting or not following the recommendations of the National Treasury or the Provincial Treasury regarding an unsolicited bid to the National Treasury, Provincial Treasury and Auditor-General	Municipal Manager	None	The reasons must be submitted within 7 days after the decision has been taken	N
38(2)	Informing the National Treasury and	Municipal Manager	None		N

Reg	Power/duty conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub
	<p>the Provincial Treasury of any action taken –</p> <p>(a) to report any alleged criminal conduct relating to the supply chain management process to the SAPS;</p> <p>(b) to reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract; and</p> <p>(c) to cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract or an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person</p>				
43(2)	Checking with the SARS whether the tax matters of a person who made an offer to the Municipality for the supply of goods or services or the acquisition of any assets of the Municipality	Municipal Manager	<p>1. Official who may make the award</p> <p>2. Where the award may be made by the bid adjudication committee, the chairperson thereof</p>		N
46(5)	Deciding whether to adopt the National Treasury's code of conduct for supply chain management practitioners	Council	None		N
47(2)	Reporting to the National Treasury any instance where a supplier or a prospective supplier or a recipient or	Municipal Manager	None		N

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	prospective recipient of goods disposed or to be disposed of by the Municipality has directly or through a representative or intermediary promised, offered or granted any inducement or reward to the Municipality for or in connection with the award of a contract or any reward, gift (with a value in excess of R 350), favour or hospitality to any official of the Municipality or any other role player involved in the implementation of the supply chain management policy of the Municipality.				
48	Disclosing to the National Treasury and the Provincial Treasury any sponsorship promised, offered or granted to the Municipality, whether directly or through a representative or intermediary, by any person who is a provider or prospective provider of goods or services to the Municipality or a recipient or prospective recipient of goods disposed or to be disposed, of by the Municipality	Municipal Manager	None		N
50(1)	Appointing an independent and impartial person not directly involved in the supply chain management processes of the Municipality to assist in the resolution of disputes between the Municipality and other persons regarding any decisions or actions taken by the Municipality in the implementation of its supply chain management system or any matter arising from a contract	Municipal Manager	None		N

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	awarded in the course of its supply chain management system or to deal with objections, complaints or queries regarding any such decisions or actions or any matters arising from such contract.				
50(5)	Referring a dispute, objection, complaint or query which could not be resolved within 60 days to the Provincial Treasury	Municipal Manager	None		N

**Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)
Municipal Regulations on Debt Disclosure (GNR. 492 of 15 June 2007)(Government Gazette No 29966)**

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
3	Disclosing in writing to a prospective lender, other creditor or underwriter whether the Municipality intends to incur short-term or long-term debt when entering into discussions with a view to incurring municipal debt	Council	Municipal Manager		N
4	Making certified copies of the prescribed documents available to the prospective lender, other creditor or underwriter when entering into discussions with a view to incurring long- or short-term debt	Council	Municipal Manager		N
5	When incurring long-term debt, complying with section 46(3) of the MFMA	Council	Municipal Manager		N
6(1)(a)	Obtaining, with effect 1 July 2008, a credit rating from an independent credit rating institution before incurring debt through municipal debt instruments	Council	Municipal Manager		N
6(1)(b)	Preparing and issuing a disclosure statement before incurring debt through municipal debt instruments	Council	Municipal Manager		N
7(1)(a)	Signing a disclosure statement issued by the Municipality	Municipal Manager	None		N
7(2)	Obtaining, and including in the disclosure statement an opinion from a registered independent auditor and a legal opinion	Council	Municipal Manager		N
8(1)	Submitting copies of the disclosure statement prior to the date of issue of the municipal debt instruments to prospective underwriters, where necessary and primary market investors, on request to prospective	Council	Municipal Manager		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	secondary market investors and, if the municipal debt instruments are to be listed on a securities exchange, any relevant securities exchange				
8(2)	Submitting a copy of the disclosure statement to the National Treasury and the Provincial Treasury within seven working days of issuing the municipal debt instruments	Council	Municipal Manager		N
14(1)	If the Municipality has incurred debt through the issuing of debt instruments, preparing a consolidated disclosure statement annually within 90 days after the end of the financial year until the debt has been repaid	Council	Municipal Manager		N
14(2)	Placing the annually updated disclosure statement on the municipal debt disclosure depository	Council	Municipal Manager		N
16	Notifying lenders, investors and other holders of record of debt instruments or debt, any designated fiduciaries representing any such lenders, investors or holders, any securities exchange on which the instruments are listed, the National Treasury and the Provincial Treasury, as soon as possible after becoming aware, of - (a) any event which is likely to affect the ability of the municipality to meet its repayment or security obligations in respect of its debt; (b) any failure by the municipality to meet its repayment obligations on the due date other than non-	Council	Municipal Manager		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	payment for technical reasons which is remedied within 72 hours; (c) any failure by the municipality to meet any of its obligations pertaining to security provided by the municipality or any other obligation constituting a default as defined for purposes of a debt transaction; (d) any new debt incurred by the municipality; (e) the provision of any additional security by the municipality to an existing creditor; or (f) any mandatory intervention by the provincial executive in terms of Chapter 13 of the MFMA				
17	Keeping copies of all documents relating to a debt transaction or documentation required to be disclosed or made available in terms of the Regulations readily available at the Municipality's main office for inspection, on request of any interested person	Council	Director Corporate Governance		N

**Local Government: Municipal Finance Management Act 2003 (Act No 56 of 2003)
Municipal Regulations on Minimum Competency Levels 2007 (GNR 493 of 15 June 2007)(Government Gazette No 29967)**

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
2(1)	Determining whether a candidate for appointment as Municipal Manager generally has the skills, experience and capacity to assume and fulfill the responsibilities and exercise the functions and powers assigned in terms of the MFMA to the accounting officer of a municipality	Council	None		N
3	Determining whether a candidate for appointment as Municipal Manager complies with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency	Council	None		N
4(1)	Determining whether a candidate for designation as chief financial officer generally has the skills, experience and capacity to assume and fulfill the responsibilities and exercise the functions and powers assigned in terms of the MFMA to the chief financial officer of a municipality	Council	Municipal Manager		N
5	Determining whether a candidate for designation as chief financial officer complies with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply	Council	Municipal Manager		N

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	chain management competency				
6(1)	Determining whether a candidate for appointment as senior manager generally has the skills, experience and capacity to assume and fulfill the responsibilities and exercise the functions and powers assigned in terms of the MFMA to that senior manager	Council	None		N
7	Determining whether a candidate for appointment as senior manager complies with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency areas	Council	None		N
8(1)	Determining whether a candidate for appointment as financial official at or below middle management level generally has the skills, experience and capacity to assume and fulfill the responsibilities and exercise the functions and powers assigned in terms of the MFMA to that official	Council	Municipal Manager		Y
9	Determining whether a candidate for appointment as financial official at middle management level comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas	Council	Municipal Manager		Y
10(1)	Determining whether a candidate for	Council	Municipal Manager		Y

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	appointment as an official involved in the implementation of the supply chain management policy generally has the skills, experience and capacity to assume and fulfill the responsibilities and exercise the functions and powers in respect of supply chain management that will be delegated to her/him				
11	Determining whether a candidate for appointment as head of a supply chain management unit complies with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas	Council	Municipal Manager		Y
12	Determining whether a candidate for appointment as supply chain management manager complies with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas	Council	Municipal Manager		Y
13	Ensuring that the competencies of all financial officials and supply chain management officials are assessed in order to identify and address gaps in competency levels of those officials	Municipal Manager	Chief Financial Officer		N
14(1)	Monitoring and taking appropriate steps to ensure compliance with the prescribed minimum competency levels for financial officials and supply chain management officials	Municipal Manager	Chief Financial Officer		N

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	within the prescribed timeframes				
14(2)	Reporting the consolidated information (set out in regulation 14(4)) in respect of the municipality - (a) to the National Treasury and to the relevant provincial treasury by 30 January and 30 July of each year, until 30 July 2015; and (b) in its annual report, reflecting the information as at the end of the financial year to which the report relates	Council	Chief Financial Officer		N
15; 16(1)	Devising, in respect of each financial official and supply chain management official appointed before 1 July 2007 a personal development plan that will ensure that she/he attains the required higher education qualification and the required minimum competency level in the required unit standards for each competency area within a maximum period of five years from 1 January 2008	Council	Chief Financial Officer		N
16(2)	Including in the annual performance agreement (taking into account the requirements of sub-regulation (3)) of the Municipal Manager, Chief Financial Officer and every senior manager who does not does not meet the minimum competency levels in the higher education qualification and the financial and supply chain management competency areas, attainment of such competency levels 5 years as from 1 January 2008 as a	Council	1. In the case of the Municipal Manager, the Executive Mayor 2. In any other case, the Municipal Manager		N

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	performance target				
17	Determining the assistance (resources or opportunities for training) the Municipality shall provide to a financial official or supply chain management official who at 1 July 2007 does not meet the minimum competency levels, to attain those competency levels within five years from 1 January 2008	Council	Municipal Manager		N
18(2)	Deciding to employ a person who does not meet the competency levels prescribed for the relevant position	Council	<ol style="list-style-type: none"> 1. In the case of the appointment of a Municipal Manager or manager directly accountable to the Municipal Manager, the Council 2. In the case of the designation of a person as Chief Financial Officer, the Municipal Manager 3. In any other case the Municipal Manager 	Provided such person's continued employment is subject to a condition that she/he attains the required higher education qualification and the required minimum competency level in the required unit standards for each competency area on or before 1 January 2013	N

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

Preferential Procurement Regulations 2001 (GNR. 725 of 10 August 2001 (Government Gazette No 22549))

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
5; 6	Determining the preference point system (80/20 or 90/10) to be applied for assessing offers for the sale or rent of municipal assets	Municipal Manager	None	After consultation with the head of the purchasing department	N
8(1)	Deciding, in respect of any contract for the procurement of goods or services, whether offers will be assessed on functionality and price or price only	Municipal Manager	None	After consultation with the – (a) bid specification committee; and/or (b) head of the purchasing department	N
	If offers for the supply of goods or services are to be assessed based on functionality and price, determining the amount of points out of 80 or 90, as the case may be, which shall be awarded for functionality	Municipal Manager	None	After consultation with the – (a) bid specification committee; and/or (b) head of the purchasing department	N
	If offers for the supply of goods or services are to be assessed based on functionality and price, determining the criteria that will be applied to assess functionality	Municipal Manager	None	After consultation with the – (a) bid specification committee; and/or (b) head of the purchasing department	N
8(4)	Calculating the points for functionality for each individual bidder	Bid evaluation committee	None		N
9	Deciding to award a contract to a supplier that did not score the highest number of points	Council	Municipal Manager	1. Provided that – (a) objective and reasonable criteria, additional to those determined in terms of section 2(1)(d) of the PPPFA justify the award to another bidder; and (b) the delegated body forthwith comply with section 114 of the MFMA	N
10(1); (2)	Deciding to cancel a tender invitation	Municipal Manager	None	After consultation with the –	N

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	because all offers exceed R 500,000 (where the 80/20 preference point system was stipulated) or were below R 500,000 (where the 90/10 preference point system was stipulated)			(a) bid evaluation committee; and/or (b) head of the purchasing department	
10(3)	Re-inviting offers for the supply of goods or services that have been cancelled pursuant to sub-regulations (1) or (2), as the case may be	Council	Municipal Manager	After consultation with the head of the purchasing department	N
10(4)	Deciding to cancel an invitation to submit offers for the supply of goods or services, prior to its award, if (a) due to changed circumstances, there is no longer need for the goods or services required or (b) funds are no longer available to cover the total envisaged expenditure or (c) no acceptable offers were received.	Council	Municipal Manager	After consultation with the Chief Financial Officer and the head of the purchasing department	N
11	Prior to inviting offers for the supply of goods or services - (a) properly plan for, and, as far as possible, accurately estimate the costs of, the provision of services or goods for which offers are to be invited; (b) determine the appropriate preference point system to be utilised in the evaluation of the offers; and (c) determine the deliverables or performance indicators in terms of which the supplier awarded a contract will be assessed.	Council	Municipal Manager	After consultation with the – (a) head of the purchasing department in respect of the estimated costs of the goods or services to be acquired; and (b) the Bid Specification Committee	N
12(1)	Deciding the amount of points out of 20 or 10, as the case may be, may accrue to an offer in respect of	Council	None		N

Reg.	Power conferred	Delegating authority	Delegated body	Limitations, conditions and directions	Sub
	locally manufactured goods				
12(3)	Requiring a supplier to substantiate claims it has made with regard to preference	Council	Bid Evaluation Committee		N
12(4)	When calculating comparative prices, taking into account any discounts which have been offered unconditionally	Council	Bid Evaluation Committee		N
12(7)	Rounding off points accruing to an offer to the nearest two decimals	Council	Bid Evaluation Committee		N
15(1)	Deciding to act against person awarded a contract if it is discovered that she/he obtained a preference in terms of the PPPFA and the regulations on a fraudulent basis	Council	Municipal Manager		N
15(2)	Deciding what action to take against a person who has obtained a preference in terms of the PPPFA and the regulations on a fraudulent basis	Council	Municipal Manager		N
16	Checking whether an original tax clearance certificate from the South African Revenue Service certifying that the taxes of a supplier are in order or that suitable arrangements have been made with SARS has been submitted with an offer for the supply of goods or services	Council	Bid Evaluation Committee		N

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
General safety regulations (GNR.1031 of 30 May 1986)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	Evaluating the risk attached to any condition or situation which may arise from the Municipality's activities and to which persons at a workplace or in the course of their employment or in connection with the use of machinery are exposed	Council	Departmental Heads		N
	Deciding the steps to take as may under the circumstances be necessary to make any hazardous condition or situation safe	Council	Departmental Heads		N
2(2)	Deciding what safety equipment and facilities are necessary to ensure that any person exposed to any hazardous condition or a situation at a workplace or in the course of her/his employment or on premises where machinery is used is rendered safe	Council	Departmental Heads		N
2(4)	Determining the steps to be taken to ensure that no safety equipment or facility provided is removed from a workplace or from premises where machinery is used, except for purposes of cleaning, repair, maintenance, modification, mending or replacement	Council	Departmental Heads		N
	Taking disciplinary steps against an employee who removed safety equipment or facility from a workplace or premises where machinery is used	Council	Departmental Heads		N
2(5)	Giving appropriate instruction to in the proper use, maintenance and limitations of the safety equipment	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	and facilities provided				
2(6)	Ensuring that no employee works unless she/he uses the required safety equipment or facility provided	Council	Relevant Supervisor		N
2A(1)	Refusing an employee who is or who appears to be under the influence of intoxicating liquor or drugs, to enter or remain at a workplace	Council	Relevant Supervisor		N
	Taking disciplinary steps against an employee at a work place that is under the influence of or has in his/her possession or partake of or offer any other person intoxicating liquor or drugs.	Council	Relevant Supervisor		N
2A(3)	Allowing an employee who is taking medicines to perform duties at the workplace if the side effects of such medicine do not constitute a threat to the health or safety of the employee concerned or other persons at such workplace.	Council	Relevant Supervisor		N
2C(1)	Granting permission to a person to enter a workplace where her/his health or safety is or may be at risk	Council	Relevant Supervisor		N
2C(2)	Deciding to post up a notice at every entrance to a workplace prohibiting the entry of unauthorised persons to such workplace	Council	Departmental Heads		N
3(1)	Making suitable arrangements to ensure that employees receive prompt first aid treatment in case of injury or emergency	Council	Departmental Heads		N
3(2)	Supplying, where more than five employees are employed at a workplace, a first aid box or boxes at or near the workplace which shall be available and accessible for the treatment of injured persons at that	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	workplace				
3(3)	Ensuring that a first aid box or boxes contain suitable first aid equipment, taking into account the type of injuries that are likely to occur at a workplace, the nature of the activities performed and the number of employees employed at such workplace, which include at least the equipment listed in the Annexure to the Regulations	Council	Departmental Heads		N
3(4)	Ensuring that for every group of up to 50 employees at a workplace, or for every group of up to 100 employees working in an office, at least one person is readily available during normal working hours, who is in possession of a valid certificate of competency in first aid	Council	Departmental Heads		N
3(5)	Ensuring that at every workplace where a high-risk substance or toxic, corrosive or similar hazardous substances are used, handled, processed or manufactured, the first aid worker is trained in the first aid procedures that are necessary for the treatment of injuries that may result from such activities, including the acute detrimental effects of exposure to such substances, and in the emergency procedures which are necessary in the case of accidental leakage or dumping of such substances	Council	Departmental Heads		N
3(6)	Affixing a prominent notice or sign in a conspicuous place at a workplace, indicating where the first aid box or boxes are kept as well as the name	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	of the person in charge of such first aid box or boxes				
3(8)	Supplying an eye-wash fountain or similar facility in the immediate vicinity of the workplace of an employee where an employee is exposed or can be exposed to a potential hazard of injury to the eye through contact with a biological or chemical substance	Council	Departmental Heads		N
	Training an employee to use an eye-wash fountain or similar facility effectively	Council	Relevant Supervisor		N
3(9)	Supplying a fast-reacting deluge-shower with clean water or a similar facility in the immediate vicinity of the workplace of an employee who is or can be exposed to a potential hazard of injury to or absorption through the skin as a result of sudden contact with a large amount of toxic, corrosive, high risk or similar hazardous substance	Council	Departmental Heads		N
	Training an employee to use a fast-reacting deluge-shower effectively	Council	Relevant Supervisor		N
4(1)	Refusing an employee to work in a place where the vapour of any flammable liquid is generated to such an extent that it constitutes an actual or potential fire or explosion hazard or endangers the safety of any person	Council	Relevant Supervisor		N
4(2)	Refusing an employee to use or apply a flammable liquid other than in a room, cabinet or other enclosure specially constructed for this purpose of fire-resisting material, or in a place which, owing to its	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	situation or construction or any other feature or circumstance, is of such a nature that no fire or explosion hazard is, can or may be created thereat, any vapour resulting from such use or application is efficiently dispersed and diluted into the atmosphere and no other workplace can or may be contaminated by such vapour.				
4(3)	Ensuring that every room, cabinet or enclosure supplied for the use or application of flammable liquids is fitted with an efficient intake and exhaust ventilation system to remove any vapour therefrom and to prevent its recirculation in a manner which may lead to the contamination of any other workplace or the creation of a fire or explosion hazard	Council	Departmental Heads		N
	Providing to every employee doing spraying with a respirator, mask or breathing apparatus of a type approved by the chief inspector and ensuring that she/he use such apparatus while spraying	Council	Relevant Supervisor		N
4(8)	Ensuring that (a) no fire, flame or naked light or anything which may generate static electricity or any other thing which may ignite a flammable liquid or its vapour, to be used in or taken into any room, cabinet or enclosure supplied for the use or application of flammable liquids in which any such flammable liquid is used, sprayed or stored, and shall affix a suitable and conspicuous sign prohibiting any	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	such act at all the entrances to any such room, cabinet or enclosure, (b) no person smoke in any place in which flammable liquid is used or stored and (c) any process capable of causing sparks or fire, or the application of any heat for the drying of sprayed or treated articles, to take place in any room, cabinet or enclosure used for spraying, before the space or atmosphere has been cleared of all vapour				
	Affixing a suitable and conspicuous sign prohibiting the use or taking into a room, cabinet or enclosure supplied for the use or application of flammable liquids any fire, flame or naked light or anything which may generate static electricity or any other thing which may ignite a flammable liquid or its vapour at all the entrances to any such room, cabinet or enclosure	Council	Departmental Heads		N
4(9)	Ensuring, with respect to a room, cabinet or enclosure supplied for the use or application of flammable liquids that (a) discarded cotton waste, cleaning rags or similar material to be removed daily and safely disposed of, (b) only the quantity of flammable liquid needed for work on one day to be taken into or kept in such room, cabinet or enclosure: Provided that partially consumed stock may be stored in a properly marked, fireproof wall cabinet inside the workplace, (c) all drums, cans, canisters or similar	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	containers holding flammable liquids to be kept tightly closed when not in actual use and, after their contents have been used up, to be removed from the workplace and safely disposed of daily and (d) every such room, cabinet or enclosure to be kept clean and all fans, ducts, trunks and enclosures of the ventilation system to be kept clean and in good working order: Provided that any cleaning, scraping or scouring be done with implements that cannot cause sparking if the concentration of the vapour exceeds 25 per cent of the lower explosive limit of that vapour.				
4(10)	Ensuring that every place where flammable liquid is stored is (a) separated by means of fire-resisting material with a fire-resistance of two hours from any room, cabinet or enclosure supplied for the use or application of flammable liquids, (b) constructed of fire-resisting material with a fire-resistance of two hours, (c) constructed in such a way that, in case of spillage, a volume of the flammable liquid in question equal to the quantity of flammable liquid ordinarily kept in store plus 10 per cent of that quantity, can be contained, (d) ventilated to the open air in such a manner that vapour cannot accumulate inside the store and (e) clearly marked with a sign indicating that it is such a store and also indicating the amount of	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	flammable liquid which may be stored therein.				
4(11)	Installing an adequate amount of efficient fire-fighting equipment in suitable locations in and around every building in which flammable substances are used, handled or stored, taking into account the construction and location of the premises in question and the quantity and types of flammable liquids involved or as may be recommended by the chief fire officer	Council	Departmental Heads		N
5(1), (2), (3)	Ensuring that an employee enters a confined space only after the air therein has been tested and evaluated by a person who is competent to pronounce on the safety thereof, and who has certified in writing that the confined space is safe and will remain safe while any person is in it, taking into account the nature and duration of the work to be performed therein, alternatively ensuring that any confined space in which there exists or is likely to exist a hazardous gas, vapour, dust or fumes, or which has or is likely to have, an oxygen content of less than 20 per cent by volume, is entered by an employee when (a) subject to the provisions of sub-regulation (3), the confined space is purged and ventilated to provide a safe atmosphere therein and measures necessary to maintain a safe atmosphere therein have	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>been taken and (b) the confined space has been isolated from all pipes, ducts and other communicating openings by means of effective blanking other than the shutting or locking of a valve or a cock, or, if this is not practicable, only when all valves and cocks which are a potential source of danger have been locked and securely fastened by means of chains and padlocks, alternatively ensuring that the confined space in question is entered only when the employee or person entering is using breathing apparatus of a type approved by the chief inspector and, further, that (a) the provisions of sub-regulation (2)(b) are complied with, (b) any employee or person entering the confined space is using a safety harness or other similar equipment, to which a rope is securely attached which reaches beyond the access to the confined space, and the free end of which is attended to by a person referred to in paragraph (c), (c) at least one other person trained in resuscitation is and remains in attendance immediately outside the entrance of the confined space in order to assist or remove any person or persons from the confined space, if necessary and (d) effective apparatus for breathing and resuscitation of a type approved by the chief inspector is available immediately outside the confined</p>				

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	space				
5(4)	Ensuring that all persons vacate a confined space on completion of any work therein	Council	Relevant Supervisor		N
5(5)	Deciding the steps to be taken to ensure that a confined space where the hazardous gas, vapour, dust or fumes are of an explosive or flammable nature is entered only if (a) the concentration of the gas, vapour, dust or fumes does not exceed 25 per cent of the lower explosive limit of the gas, vapour, dust or fumes concerned where the work to be performed is of such a nature that it does not create a source of ignition or (b) such concentration does not exceed 10 per cent of the lower explosive limit of the gas, vapour, dust or fumes where other work is performed	Council	Relevant Supervisor		N
6	Refusing an employee to work in an elevated position, unless such work is performed safely from a ladder or scaffolding, or from a position where such person has been made as safe as if she/he were working from scaffolding	Council	Relevant Supervisor		N
7	Refusing an employee to enter any place from or into which solid or particulate material is being discharged where a danger exists of a person being engulfed by such solid or particulate material, unless (a) such a person is provided with and properly uses a safety belt and rope, (b) at least one other person who has been properly instructed, is	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	and remains in attendance outside such place to keep the persons therein under continuous observation in order to render assistance in case of emergency; and (c) the precautions prescribed by regulation 5 have been made				
8(1)	Refusing stacks consisting of successive tiers, one on top of another to be built unless (a) the stacking operation is executed by or under the personal supervision of a person with specific knowledge and experience of this type of work, (b) the base is level and capable of sustaining the weight exerted on it by the stack, (c) the articles in the lower tiers are capable of sustaining the weight exerted on them by the articles stacked above them, (d) all the articles which make up any single tier are consistently of the same size, shape and mass, (e) pallets and containers are in good condition and (f) any support structure used for the stacking of articles is structurally sound and can support the articles to be stacked on it	Council	Relevant Supervisor		N
8(2)	Refusing (a) articles to be removed from a stack except from the topmost tier or part of that tier and (b) anybody to climb onto or from a stack, except if the stack is stable and the climbing is done with the aid of a ladder or other safe facility or means.	Council	Relevant Supervisor		N
8(3)	Taking steps to ensure that (a)	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	persons engaged in stacking operations do not come within reach of machinery which may endanger their safety, (b) stacks that are in danger of collapsing are dismantled immediately in a safe manner and (c) the stability of stacks is not endangered by vehicles or other machinery or persons moving past them.				
8(4)	Ensuring that stacked material consisting of sacks, cases, cartons, tins or similar containers are, unless a stack is otherwise supported, (a) secured by laying up articles in a header and stretcher fashion and that corners are securely bonded and (b) stepped back half the depth of a single container at least every fifth tier or that, alternatively, successive tiers are stepped back by a lesser amount: Provided that – (i) at least the same average angle of inclination to the vertical is achieved, and (ii) where the containers are of a regular shape and their nature and size are such that the stack will be stable, they may be stacked with the sides of the stack vertical if the total height of the stack does not exceed three times the smaller dimension of the underlying base of the stack.	Council	Relevant Supervisor		N
9(1)	Refusing welding or flame cutting operations to be undertaken unless (a) the person operating the equipment has been fully instructed	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>in the safe operation and use of such equipment and in the hazards which may arise from its use (b) effective protection is provided and used for the eyes and respiratory system and, where necessary, for the face, hands, feet, legs, body and clothing of persons performing such operations, as well as against heat, incandescent or flying particles or dangerous radiation, (c) leads and electrode holders are effectively insulated and (d) the workplace is effectively partitioned off where practicable and where not practicable all other persons exposed to are warned and provided with suitable protective equipment.</p>				
9(2)	<p>Refusing welding or flame cutting operations to be undertaken in a confined space, unless (a) effective ventilation is provided and maintained or (b) masks or hoods maintaining a supply of safe air for breathing are provided and used by the persons performing such operations.</p>	Council	Relevant Supervisor		N
9(3)	<p>Refusing electric welding where the welding process's maximum voltage to earth exceeds 50 volts, to be undertaken in wet or damp places, inside metal vessels or in contact with large masses of metal, unless (a) the insulation of the electrical leads is in a sound condition, (b) the electrode holder is completely insulated to prevent accidental contact with current-carrying parts,</p>	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	(c) the welder is completely insulated by means of boots, gloves or rubber mats and (d) at least one other person who has been properly instructed to assist the welder in case of an emergency is and remains in attendance during operations				
9(4)	Refusing welding, flame cutting, grinding, soldering or similar work to be undertaken in respect of any tube, tank, drum, vessel or similar object or container where such object or container (a) is completely closed, unless a rise in internal pressure cannot render it dangerous or (b) contains any substance which, under the action of heat, may ignite or explode or react to form dangerous or poisonous substances, unless a person who is competent to pronounce on the safety thereof has, after examination, certified in writing that any such danger has been removed by opening, ventilating or purging with water or steam, or by any other effective means.	Council	Relevant Supervisor		N
9(5)	Ensuring that proper and adequate fire precautions are taken where hot work involving welding, cutting, brazing or soldering operations is carried out at places, other than workplaces which have been specifically designated and equipped for such work	Council	Relevant Supervisor		N
13A(1)	Ensuring that every ladder is constructed of sound material and is suitable for the purpose for which it	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	is used, and (a) is fitted with non-skid devices at the bottom ends and hooks or similar devices at the upper ends of the stiles which shall ensure the stability of the ladder during normal use or (b) is so lashed, held or secured whilst being used as to ensure the stability of the ladder under all conditions and at all times.				
13A(2)	Refusing a ladder to be used if (a) its rungs fastened to the stiles only by means of nails, screws, spikes or in like manner or which have not been properly let into the stiles: Provided that in the case of welded ladders or ladders of which the rungs are bolted or rivetted to the stiles, the rungs need not be let into the stiles or (b) has damaged stiles, or damaged or missing rungs.	Council	Relevant Supervisor		N
13A(3)	Refusing a ladder which is longer than 9 m to be used if it is required to be leaned against an object for support	Council	Relevant Supervisor		N
	Refusing the reach of a ladder to be extended by fastening together two or more ladders	Council	Relevant Supervisor		N
13A(4)	Ensuring that a wooden ladder is (a) constructed of straight grained wood, free from defects, and with the grain running in the length of the stiles and rungs and (b) not painted or covered in any manner, unless it has been established that there are no cracks or other inherent weaknesses: Provided that ladders may be treated with oil or covered with clear varnish or wood preservative.	Council	Relevant Supervisor		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
13A(5)	Ensuring, when work is done from a ladder, that (a) precautionary measures are taken to prevent articles from falling off and (b) suitable sheaths or receptacles in which hand tools shall be kept when not being used is provided	Council	Relevant Supervisor		
13A(6)	Ensuring that a fixed ladder which exceeds 5 m in length and is attached to a vertical structure with an inclination to the horizontal level of 75° or more (a) has its rungs at least 150 mm away from the structure to which the ladder is attached and (b) is provided with a cage which extends from a point not exceeding 2,5 m from the lower level to a height of at least 900 mm above the top level served by the ladder and shall afford firm support along its whole length for the back of the person climbing the ladder, and for which purpose no part of the cage shall be more than 700 mm away from the level of the rungs: Provided that the foregoing provisions of paragraph (b) shall not apply if platforms, which are spaced not more than 8 m apart and suitable for persons to rest on, are provided.	Council	Relevant Departmental Head		N
13B(1)	Ensuring that that every ramp (a) is constructed in accordance with accepted technical standards, (b) has a safety factor of at least two with respect to the load it is expected to carry: Provided that the design makes sufficient provision for the load on the ramp as a result of the	Council	Relevant Departmental Head		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	turning, braking and acceleration of vehicles, if the ramp is used for vehicles and (c) has an inclination to the horizontal level of not more than 34° or one vertical to one and one half horizontal.				
13B(2)	Ensuring that every ramp (a) the inclination of which renders additional foothold necessary, but in every case where the inclination is more than 14° or one vertical to four horizontal, is provided with stepping laths which are placed at suitable intervals and extend the full width of the ramp: Provided that the stepping laths may be interrupted over a width not exceeding 230 mm to facilitate the movement of barrows and (b) which is higher than 2 m and is provided on both sides with substantial guard rails which are at least 900 mm and not exceeding 1 000 mm in height and toe-boards which are at least 150 mm high	Council	Relevant Departmental Head		N

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
Environmental regulations for workplaces (GNR.2281 of 16 October 1987)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	Taking reasonable measures to protect an employee who works in an environment in which the time-weighted average dry-bulb temperature taken over a period of four hours is less than 6°C against the cold and further takes all precautions necessary for the safety of such employee	Council	Departmental Heads		N
2(2)	Refusing an employee to work in a refrigerated environment in which the actual dry-bulb temperature is below 0°C unless (a) the maximum exposure of the employee does not exceed the periods as indicated in the table contained in the regulations, (b) the employee is provided with protective clothing, including a nylon freezer suit or equivalent, a woollen Balaclava or equivalent, fur-lined leather gloves or equivalent, waterproof outer gloves with knitted woollen or equivalent inners as well as a waterproof apron where wet or thawing substances are handled, woollen socks and waterproof industrial boots or equivalent (c) the employee is, beforehand and thereafter, at intervals not exceeding one year, certified fit to work in such environment by a registered medical practitioner or a registered nurse according to a protocol prescribed by such practitioner, and such	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	employee is issued with a certificate to that effect and (d) all the clothing worn by the employee is dry prior to entering the low-temperature area				
3(1)	Ensuring that every workplace is lighted in accordance with the illuminance values specified in the Schedule to the regulations: Provided that where specialised lighting is necessary for the performance of any particular type of work, irrespective of whether that type of work is listed in the Schedule or not, ensuring that such specialised lighting is available to and is used by such employees	Council	Departmental Heads		N
3(3)	Ensuring that (a) the average illuminance at any floor level in a workplace within five metres of a task is not less than one fifth of the average illuminance on that task, (b) glare in any workplace is reduced to a level that does not impair vision, (c) lighting on rotating machinery is such that the hazard of stroboscopic effect is eliminated and (d) luminaires and lamps are kept clean and, when defective are replaced or repaired forthwith	Council	Relevant Supervisor		N
3(4)	Providing emergency sources of lighting which are such that, when activated, an illuminance of not less than 0,3 lux is obtained at floor level to enable employees to evacuate any indoor workplaces without natural lighting or in which persons habitually work at night	Council	Departmental Heads		N
3(5)	Ensuring that emergency sources of	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	lighting (a) are capable of being activated within 15 seconds of the failure of the lighting, (b) will last long enough to ensure the safe evacuation of all indoor workplaces, (c) are kept in good working order and tested for efficient operation at intervals of not more than three months and (d) where directional luminaires are installed, these are mounted at a height of not less than two metres above floor level and are not aimed between 10 degrees above and 45 degrees below the horizontal line on which they are installed.				
3(6)	Causing all rooms, stairways, passageways, gangways, basements and other places where danger may exist through lack of natural light, to be lighted such that it will be safe during building work	Council	Departmental Heads		N
4(1)	In order to effect visual contact with areas outside a workplace, where employees work the majority of their shift in a room of which the floor area is less than 100 square metres, ensuring that every such room to be provided with windows in such a way that (a) the total glazed area of such windows is not less than three fifths of the square root of the floor area of the room, both areas measured in square metres, (b) the window sills are not higher and the window heads are not lower than one and a half metres above the floor level of the room and (c) such windows are	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	glazed with transparent material.				
5(1)	Ensuring that every workplace is ventilated either by natural or mechanical means in such a way that (a) the air breathed by employees does not endanger their safety, (b) the time-weighted average concentration of carbon dioxide therein, taken over an eight-hour period, does not exceed one half per cent by volume of air, (c) the carbon dioxide content thereof does not at any time exceed three per cent by volume of air, (d) the prescribed exposure limits for airborne substances therein are not exceeded and (e) the concentration therein of any explosive or flammable gas, vapour or dust does not exceed the lower explosive limit of that gas, vapour or dust.	Council	Departmental Heads		N
9(1)	Ensuring, in order to expedite the evacuation of a workplace in case of fire, that (a) any emergency escape door from any room or passage or at a staircase shall, as far as is practicable, be hung so as to open outwards, (b) every door of a room in which persons may be present, and every door of a passage or at a staircase serving as a means of exit from such room, shall be kept clear and capable of being easily and rapidly opened from inside so as to ensure quick and easy evacuation, (c) the provisions of paragraphs (a) and (b) shall also be complied with in respect of the outer escape exit from	Council	Departmental Heads		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>the workplace, (d) staircases and steps leading from one floor to another or to the ground shall be provided with substantial hand-rails, (e) staircases intended to be used as fire escapes shall be constructed of non-combustible material, be kept clear of any material or other obstruction and not terminate in an enclosed area, (f) staircases, passages and exits intended for escape purposes shall be of a width and of a gradient which will facilitate the quick and safe egress of the number of persons intended to make use of them and (g) having regard to the size, construction and location of a workplace, the number of persons, and the activity therein, such workplace is provided with at least two means of egress situated as far apart as is practicable.</p>				

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
General machinery regulations (GNR.1521 of 5 August 1988)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	In writing designating a person (who is competent) in a full-time capacity in respect of every premises on or in which machinery is being used, to ensure that the provisions of the Act and regulations in relation to machinery are complied with	Council	Municipal Manager	After consultation with the Director Infrastructure and Utilities	N
2(2)	Deciding to apply for permission to designate more than one person (who are competent) in a full-time capacity in respect of different premises on or in which machinery is being used, to ensure that the provisions of the Act and regulations in relation to machinery are complied with	Council	Municipal Manager	After consultation with the Director Infrastructure and Utilities	N
2(7)(a)	Designating one or more competent persons to assist the person designated to ensure compliance with the Act and regulations	Council	Municipal Manager	After consultation with the Director Infrastructure and Utilities	N
2(9)	Supplying a copy of any letter of designation of a competent person to the divisional inspector	Council	Director Corporate Governance		N
2(11)	Deciding to apply for exemption from regulation 2 by the Minister of Labour	Council	Municipal Manager	After consultation with the Director Infrastructure and Utilities	N
3(1)(b)	Applying for the inspector's approval to omit safeguarding of exposed and dangerous parts of machinery which is within the normal reach of a person	Council	Director Infrastructure and Utilities		N
	Ensuring that the Municipality complies with regulations 3, 4, 5, 6, 7 and 8		Person designated in terms of regulation 2(1)		N
9(1)	Furnishing the person designated in	Council	Director Infrastructure		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	terms of regulation 2(1) free of charge, with a copy of the Act and the regulations made thereunder		and Utilities		
9(2)	Affixing and maintaining the prescribed notices in both official languages and in legible form in a conspicuous place on or in the premises in question	Council	Person designated in terms of regulation 2(1)		N
9(3)	Explaining the content of a notice displayed in terms of reg 9(2) to an employee who is not conversant with the official language in which the notice is displayed and any employee who cannot read	Council	Person designated in terms of regulation 2(1)		N

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
Electrical machinery regulations (GNR 1593 of 12 August 1988)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Providing free of charge and maintaining in good condition insulated stands, trestles, mats and such other protective equipment as may be necessary to prevent accidents, for use by persons engaged in working on or in close proximity to live electrical machinery or dead electrical machinery which may become live	Council	Director Infrastructure and Utilities		N
3	Whenever work is to be carried out on any electrical machinery which has been disconnected from all sources of electrical energy but which is liable to acquire or to retain an electrical charge, as far as is practicable, causing precautions to be taken by earthing or other means to discharge the electrical energy to earth from such electrical machinery or any adjacent electrical machinery if there is danger therefrom before it is handled and to prevent any electrical machinery from being charged or made live while persons are working thereon.	Council	Director Infrastructure and Utilities		N
4	Causing notices in both official languages to be exhibited within, and at all designated entrances to the premises, as the case may be, on which generating plant and transforming, switching or linking apparatus are situated, which notices— (a) prohibit unauthorised persons	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>from entering such premises;</p> <p>(b) prohibit unauthorised persons from handling or interfering with electrical machinery;</p> <p>(c) contain directions of procedure in case of fire; and</p> <p>(d) contain directions on how to resuscitate persons suffering from the effects of electric shock</p>				
5	Ensuring that the Municipality complies with the requirements of the regulation in respect of enclosed premises housing switchgear and transformers	Council	Director Infrastructure and Utilities		N
6(1)	Providing every electrical installation and power line with controlling apparatus and protective devices which shall, as far as is reasonably practicable, be capable of automatically isolating the power supply in the event of a fault developing on such installation or power line	Council	Director Infrastructure and Utilities		N
6(2)	Preventing the placement of a switch, circuit breaker or fuse in the neutral conductor of a polyphase alternating current or three-wire direct current distribution system unless such switch, circuit breaker or fuse is so arranged as to isolate all phase conductors and the neutral conductor simultaneously, excluding an isolating link on the neutral conductor installed for test purposes or to prevent circulating currents	Council	Director Infrastructure and Utilities		N
6(3)	Whenever reasonably practicable, providing switchgear with an interlocking device so arranged that	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	the door or cover of the switch cannot be opened unless the switch is in the "off" position and cannot be switched on unless the door or cover is locked.				
6(4)	Marking or labelling all controlling apparatus permanently so as to identify the system or part of the system or the electrical machinery which it controls, and where such control apparatus is accessible from the front and the back these markings shall be on both the front and the back.	Council	Director Infrastructure and Utilities		N
6(5)	Posting and maintaining a notice at switch or control gear which has been switched off or locked out to enable persons to work on electrical machinery or other machinery operated by electricity and controlled by such switch or control gear, warning against re-closing such switch or control gear.	Council	Director Infrastructure and Utilities		N
7	Providing (except in exempted cases) an unobstructed space for operating and maintenance staff at the back and front of all switchboards, and the space at the back shall be kept closed and locked except for the purpose of inspection, alteration or repair	Council	Director Infrastructure and Utilities		N
8(1)	Preventing the use of electrical machinery in locations where there is danger of fire or explosion owing to the presence, occurrence or development of explosive or flammable articles, or where explosive articles are manufactured,	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	handled or stored, unless such electrical machinery, with regard to its construction relating to the classification of the hazardous locations in which it is to be used, meets the requirements of a safety standard incorporated for this purpose in the regulations				
8(2)	Obtaining a certificate in which it is certified that the electrical machinery referred to in terms of regulation 8(1) has been manufactured and tested for the groups of dangerous articles in terms of the safety standard which has been incorporated in the regulations: Provided that in lieu of such certificate an inspector may approve permanent labelling on such machinery which contains all the relevant information.	Council	Director Infrastructure and Utilities		N
8(3)	Ensuring, when diverse items of electrical machinery such as motors, cables, and control apparatus are used together to form an electrical installation that the selection, arrangement, installation, protection, maintenance and working thereof results in no less a degree of safety than when the individual items of such machinery are used separately	Council	Director Infrastructure and Utilities		N
8(5)	Preventing a person from effecting repairs or adjustments to or otherwise work on electrical machinery under conditions envisaged by regulation 8(1) unless such machinery has been rendered dead and effective measures have been taken to ensure that such	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	machinery remains dead				
8(6)	Earthing all metallic structures, machine parts, pneumatic conveyor ducts and pipelines conveying flammable articles and the like, or taking such other measures as may be necessary to effectively prevent the formation of electric sparks wherever there is a possibility of the formation of static electricity under working conditions	Council	Director Infrastructure and Utilities		N
8(7)	Causing all electrical machinery to which regulation 8 applies to be examined and tested at intervals not exceeding two years by a person who is competent to express an opinion on the safety thereof. Where such machinery is subject to adverse climatic or physical conditions the frequency of such examinations shall be increased to intervals of not longer than one year or such shorter period as circumstances may necessitate	Council	Director Infrastructure and Utilities		N
8(8)	Maintaining a record book for recording the results of each examination in terms of regulation 8(7)	Council	Director Infrastructure and Utilities		N
9(1)	Ensuring compliance by the Municipality with the requirements of regulation 9(1) in respect of portable electric tools the operating voltage of which exceeds 50	Council	Director Infrastructure and Utilities		N
9(3)	Ensuring that the "on/off" switches of all portable electric tools are in working order	Council	Director Infrastructure and Utilities		N
9(4)	Maintaining every portable electric tool, together with its flexible cord	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	and plug, in a serviceable condition.				
10(1)	Ensuring compliance by the Municipality with the requirements of regulation 10(1) in respect of portable electric light the operating voltage of which exceeds 50	Council	Director Infrastructure and Utilities		N
10(2)	Preventing any person from using a portable electric light in wet or damp conditions or in closely confined spaces inside metal vessels or when he is in contact with large masses of metal, unless, subject to the provisions of regulation 10(1) the lamp is connected to a source of electrical energy incorporating an earth leakage protection device the construction of which meets the requirements of a safety standard incorporated for this purpose in the regulations or the operating voltage of the lamp does not exceed 50V, and where this electrical energy is derived from a transformer such transformer shall have separate windings.	Council	Director Infrastructure and Utilities		N
11(1)	Ensuring, in respect of electric fences, compliance by the Municipality with the requirements of regulation 11(1)	Council	Director Infrastructure and Utilities		N
11(2)	Ensuring that every fence energiser is constructed so as to exclude dust and water and is not installed in dusty locations or locations where there is a fire hazard.	Council	Director Infrastructure and Utilities		N
11(3)	Preventing the installation of a fence energiser which receives its energy from an electric supply system in locations where the energiser is	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	likely to sustain mechanical damage or be tampered with, on any pole of an overhead power or communication line except poles which carry the conductors of the energiser and unless the output circuit is isolated from the supply by means of a double-wound isolating transformer.				
11(4)	Ensuring that the earth of every fence energiser to be free and at least 2 m away from the earth of any other electrical system and that only smooth wire or such articles as will enable a person touching it to let go immediately: Provided that smooth wires attached to barbed-wire fences may be electrified.	Council	Director Infrastructure and Utilities		N
11(5)	Ensuring, in the case of a fence energiser which receives its energy from a battery charged by means of charging apparatus which receives power from an electric supply, that the charging apparatus is of double-wound isolation construction	Council	Director Infrastructure and Utilities		N
11(6)	Ensuring, when an electric fence is installed along a public road or in an urban area, that the electrified wires or articles are, as far as is practicable, mounted in such positions that persons cannot inadvertently come into contact therewith and that notices warning people that the property is protected by an electric fence is conspicuously displayed	Council	Director Infrastructure and Utilities		N
	Ensuring that the Municipality complies with the requirements of	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	regulations 13, 14, 16, 17, 18, 19, 20, 21 and 22				

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
Electrical installation regulations (GNR.2920 of 23 October 1992)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	Ensuring the safety, safe use and maintenance of electrical installations in the Municipality's premises	Council	Director Infrastructure and Utilities		N
2(2)	Ensuring the safety of the conductors connecting the electrical installation to the point of supply in the case where the point of supply is not the point of control	Council	Director Infrastructure and Utilities		N
3(1)	Ensuring that the Municipality has a valid certificate of compliance in respect of every electrical installation it owns, operates or leases	Council	Director Infrastructure and Utilities		N
	Obtaining a certificate of compliance for any addition or alteration or a new certificate of compliance for the whole installation where any addition or alteration has been effected to an electrical installation for which a certificate of compliance was previously issued	Council	Director Infrastructure and Utilities		N
3(4)	Deciding to test or inspect any electrical installation (free of charge)	Council	Director Infrastructure and Utilities		N
	Determining a fee for testing or inspection of electricity installations on request of the user thereof	Council	None		N
4(1)	Ensuring that an electrical installation is installed in accordance with a safety standard incorporated into the regulations	Council	In respect of Municipal property: Director Infrastructure and Utilities In all other cases: Building Control Officer		N
4(2)	Deciding whether applying a safety	Council	Director Infrastructure		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	standard referred to in regulation 4(1) when an electrical installation is installed may adversely affect the Municipality's distribution system		and Utilities		
6(1)	Deciding to waive the requirement that the Municipality be notified of the commencement with installation, extension, modification or repair of an electrical installation, including the connection of machinery at the supply terminals of such machinery which would require a new electricity supply or an increase in electricity supply capacity	Council	Director Infrastructure and Utilities		N
6(2)	Ensuring that a compliance certificate for that installation is produced prior to connecting or permitting the connection of an electrical installation to the Municipality's electricity supply	Council	Director Infrastructure and Utilities		N
8(1)	Deciding to appeal against the interpretation by an accredited person or user of a safety standard referred to in regulation 4	Council	Director Infrastructure and Utilities		N
8(2)(a)	Serving a notice of appeal in terms of regulation 8(1) on both the regional director and the person against whose interpretation she/he is appealing	Council	Director Infrastructure and Utilities		N

Occupational Health and Safety Act 1993 (Act No 85 of 1993)
General administrative regulations (GNR 929 of 25 June 2003)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2(1)	Refusing an inspector entry to premises of the Municipality	Council	Municipal Manager	Subject to the Control of Access to Public Premises and Vehicles Act 1985	N
2(2)	Designating a person who has full knowledge of the hazards associated with the activities of the workplace to accompany an inspector during the entire visit of the workplace	Council	Director Infrastructure and Utilities		N
4	Ensuring that a true copy of the Act and regulations in terms thereof are readily available at the workplace	Council	Director Infrastructure and Utilities		N
5(1)	Making a suitable meeting place available to each health and safety committee established in terms of section 19 of the Act	Council	In respect of health and safety committees for offices: The relevant unit manager In all other cases: Director Infrastructure and Utilities		N
5(2)	Ensuring that records of the recommendations made by a health and safety committee are kept for a period of at least three years	Council	Director Corporate Governance		N
6(1)	Meeting, as often as is necessary, with the registered trade unions of the relevant workplace in order to consult and conclude an agreement regarding the nomination or election of health and safety representatives, the terms of office of health and safety representatives and the circumstances and the prescribed manner in which they may be removed as health and safety	Council	Director Corporate Governance		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	representatives, the manner in which vacancies are to be filled, the manner in which health and safety representatives must perform their functions in terms of the Act; and the facilities, training and assistance that must be provided to a health and safety representative in terms of section 18(3) of the Act				
6(4), (5)	Deciding to refer a dispute regarding the arrangement and procedures for the nomination and the election of health and safety representatives at a workplace, to the CCMA or SALGBC (North West Division)	Council	Director Corporate Governance		N
6(7)	If a dispute remains unresolved after an attempt at conciliation thereof, deciding to request that it be resolved through arbitration	Council	Director Corporate Governance		N
7	Ensuring compliance with an agreement/award regarding the designation of health and safety representatives	Council	Director Corporate Governance		N
8(1), (2), (3)	Ensuring notification of any incident referred to in section 24 of the Act and regulation 8(3)	Council	Director Corporate Governance		N
9(1)	Ensuring that a record of all incidents which is required to be reported in terms of section 24 of the Act and also of any other incident which resulted in the person concerned having had to receive medical treatment other than first aid, in the form of Annexure 1 to the regulations, is kept for a period of at least three years at a workplace or section of a workplace	Council	Relevant departmental head		N
9(2)	Designating a person, a health and	Council	Director Corporate		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	safety representative or a member of a health and safety committee to investigate, within 7 days from the date of the incident, every incident which must be recorded		Governance		
9(3)	Ensuring that the findings of the investigation contemplated in regulation 9(2) to be entered in Annexure 1 to the regulations immediately after completion of such investigation	Council	Director Corporate Governance		N
9(4)	Ensuring that every record contemplated in regulation 9(1) is examined by the health and safety committee for that workplace or section of the workplace at its next meeting and that necessary actions, as may be reasonable practicable, are implemented and followed up to prevent the recurrence of such incident	Council	Director Corporate Governance		N
10(1)	Advising, in writing, those persons who witnessed an incident, the recognised union and any other person specified by the inspector, of the date, time and place of a formal enquiry into an incident, and that their presence shall be required at the inquiry	Council	Director Corporate Governance		N
10(2)	Determining which of the persons advised to attend a formal enquiry into an incident are likely to refuse to attend the inquiry, and advising the inspector of the names and addresses of such persons in for the inspector to subpoena such persons.	Council	Director Corporate Governance		N
11	Furnishing the inspector with such returns as may be required for the	Council	Director Corporate Governance		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	purposes of the administration of the Act				

Skills Development Act 1998 (Act No 97 of 1998)**Grant Regulations regarding monies received by a SETA and related matters (GNR. 713 of 18 July 2005)**

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
6(1), (2)	Annually applying, not later than 30 June, for a mandatory grant from the Local Government SETA for a Workplace Skills Planning and Annual Training Report grant	Council	Director Corporate Governance	After consultation with the Chief Financial Officer	N
6(5)	Applying in writing to the Local Government SETA for an extension up to a maximum period of one month for late submission of an application for a mandatory grant	Council	Director Corporate Governance		N
7	Applying for a discretionary grant from the Local Government SETA	Council	Director Corporate Governance	After consultation with the Chief Financial Officer	N

Water Services Act 1997 (Act No 108 of 1997)

Regulations Relating to Compulsory National Standards and Measures to Conserve Water (Government Notice No R.509 of 8 June 2001)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Ensuring that sanitation services are provided at at least the minimum standard for basic sanitation services	Council	Director Infrastructure and Utilities		N
3	Ensuring that water supply services are provided at at least the minimum standard for basic water supply services	Council	Director Infrastructure and Utilities		N
4	Ensuring that consumers have access to alternative water services where the water supply is interrupted for more than 24 hours, except where water supply has been limited or discontinued for a reason enumerated in section 4 of the Water Services Act 1997	Council	Director Infrastructure and Utilities	After consultation with the – (a) Director Municipal and Social Services; (b) Municipal Disaster Management Centre	N
5(1)	Ensuring that a suitable programme for sampling the quality of potable water supplied to consumers are included in the water services development plan	Council	Director Infrastructure and Utilities	After consultation with the District Municipality insofar as such sampling programme will be executed by it as part of its environmental/municipal health obligations	N
5(3)	Comparing the results obtained from the testing of the samples with SABS 241: Specifications for Drinking Water, or the South African Water Quality Guidelines published by the Department of Water Affairs and Forestry	Council	Director Infrastructure and Utilities	After consultation with the District Municipality insofar as such sampling programme will be executed by it as part of its environmental/municipal health obligations	N
5(4)	Should the comparison of the results obtained from the testing of the samples indicate that the water supplied poses a health risk – (a) informing the Director-General	Council	Director Infrastructure and Utilities	After consultation with the District Municipality insofar as such sampling programme will be executed by it as part of its environmental/municipal health	N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	<p>of Water Affairs and Forestry and the head of the Provincial Department of Health; and</p> <p>(b) taking steps to inform consumers -</p> <p>(i) that the quality of the water that it supplies poses a health risk;</p> <p>(ii) of the reasons for the health risk;</p> <p>(iii) of any precautions to be taken by the consumers; and</p> <p>(iv) of the time frame, if any, within which it may be expected that water of a safe quality will be provided</p>			obligations	
6	Taking measures to prevent any substance other than uncontaminated storm water to enter any storm water drain or watercourse, except in accordance with the National Water Act	Council	Director Infrastructure and Utilities		N
7	Imposing limitations on the use of grey water if it may negatively affect health, the environment or available water resources	Council	Director Infrastructure and Utilities	After consultation with the District Municipality insofar as it concerns its environmental/municipal health obligations	N
8(1)	Ensuring that the use of effluent for any purpose will not pose a health risk before approving that use	Council	Director Infrastructure and Utilities	After consultation with the District Municipality insofar as it concerns its environmental/municipal health obligations	N
8(2)	Ensuring that any tap or point of access through which effluent or non-potable water can be accessed, is clearly marked with a durable notice indicating that the effluent or non-potable water is not suitable for	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	potable purposes				
9	Refusing to accept industrial effluent or any other substance into a sewerage system the quantity of which exceeds, and quality of which falls short of what the sewage treatment plant linked to that system is capable of purifying or treating to ensure that any discharge to a water resource complies with any standard prescribed under the National Water Act	Council	Director Infrastructure and Utilities		N
10(1)	Ensuring that the annual report on the implementation of its water services development plan include a water services audit	Council	Director Infrastructure and Utilities		N
11(1)	Monthly - (a) measuring the quantity of water provided to each supply zone within its supply area; (b) determining the quantity of unaccounted for water by comparing the measured quantity of water provided to each supply zone with the total measured quantity of water provided to all user connections within that supply zone; (c) measuring the quantity of effluent received at each sewage treatment plant; and (d) determining the quantity of water supplied but not discharged to sewage treatment plants by comparing the measured quantity of effluent received at all sewage treatment plants with the total measured quantity of	Council	Director Infrastructure and Utilities		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	water provided to all user connections				
11(2)(a)	Taking steps to reduce the quantity of water unaccounted for	Council	Director Infrastructure and Utilities		N
11(2)(b)	Keeping record of the quantities of water measured and of the calculations made	Council	Director Infrastructure and Utilities		N
12	Ensuring that any major, visible or reported leak in the water services system is repaired within 48 hours of becoming aware thereof	Council	Director Infrastructure and Utilities		N
13(1)	Ensuring that all user connections are fitted with a suitable water volume measuring device or volume controlling device	Council	Director Infrastructure and Utilities		N
14	Ensuring that every consumer installation complies with SABS 0252: Water Supply and Drainage for Buildings and SABS 0254: The Installation of Fixed Electric Storage Water Heating Systems, or any similar substituting re-enactment or amendment thereof if the consumer installation is of a type regulated by either standard	Council	Building Control Officer	After consultation with the Director Infrastructure and Utilities	N
15(1)	Ensuring that every water reticulation system installed after 8 June 2001 are designed and maintained to operate below a maximum pressure of 900 kPa	Council	Director Infrastructure and Utilities		N
15(2)	Ensuring, where water pressure in a water reticulation system could rise above 900 kPa, that a pressure control device is installed to prevent the pressure at any domestic consumer connection from rising above 900 kPa	Council	Director Infrastructure and Utilities		N
16	Establishing a consumer service to	Council	Municipal Manager		N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	which non-compliance with the regulations can be reported				

Water Services Act 1997 (Act No 108 of 1997)

Norms and Standards in Respect of Tariffs for Water Services (Government Notice No R.652 of 20 July 2001)

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
2	Ensuring that the criteria contained in regulation 2 are taken into account when determining the Municipality's revenue requirements on which tariffs for water services are based	Council	None	Subject to the Municipality's tariff policy and bylaws	N
3(1)	Deciding which water services tariffs are to be subsidised	Council	None	Subject to the Municipality's tariff policy and bylaws	N
	Deciding from which funds, including funds received from municipal rates and taxes or from transfers from national or provincial government or from any other source, to subsidise a water services tariff	Council	None	Subject to the Municipality's tariff policy and bylaws	N
3(2)	Considering the right of access to basic water supply and to basic sanitation when determining which water services tariffs are to be subsidised	Council	None	Subject to the Municipality's tariff policy and bylaws	N
4(1)	Ensuring that when tariffs for water services are set, the Council differentiates between the following categories of consumers – (a) water supply services to households; (b) industrial use of water supplied through a water services work; (c) water supply services other than those specified in paragraphs (a) and (b); (d) sanitation services to households; (e) discharge of industrial effluent to a sewage treatment plant; and (f) sanitation services other than those specified in paragraphs (d)	Council	None	Subject to the Municipality's tariff policy and bylaws	N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	and (e).				
4(2)	<p>Ensuring that when tariffs for water services are set, the Council differentiates between the following levels of service –</p> <p>(a) the supply of water to a household through a communal water services work (see reg. 5);</p> <p>(b) the supply of water to a household through a water services work or consumer installation designed to provide a controlled volume of water (see reg. 5);</p> <p>(c) the supply of water to a household through a water services work or consumer installation designed to provide an uncontrolled volume of water (see reg. 6);</p> <p>(d) the provision of sanitation services to a household not connected to a sewer (see reg. 7); and</p> <p>(e) the provision of sanitation services to a household connected to a sewer (see reg. 7)</p>	Council	None	Subject to the Municipality's tariff policy and bylaws	N
8	Deciding whether the water services tariffs will include a fixed charge	Council	None	Subject to the Municipality's tariff policy and bylaws	N
9	Deciding whether a connection fee is to be charged for connecting a consumer to a water services work	Council	None	Subject to the Municipality's tariff policy and bylaws	N
	Determining the fee to be paid for connecting a consumer to a water services work	Council	None	Subject to the Municipality's tariff policy and bylaws	N
10	Deciding to charge any user connected to a water services work	Council	None	Subject to the Municipality's tariff policy and bylaws	N

Reg.	Power conferred	Delegating authority	Delegated body	Conditions, limitations and directions	Sub-delegate
	without the Municipality's authorisation a connection fee for upgrading the unauthorised connection, irrespective of any other action the Municipality may take against such consumer				
	Determining the fee to be paid for upgrading an unauthorised connection of a consumer to a water services work	Council	None	Subject to the Municipality's tariff policy and bylaws	N