

Chief Albert Luthuli Municipality

*The transparent, innovative and developmental municipality
that improves the quality of life of its people*



Delegations Register

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DEFINITIONS

(1) In this document, unless the context otherwise indicates -

"council" means the municipal council of CHIEF ALBERT LUTHULI MUNICIPALITY, its legal successors in title and its delegates;

"political structure" in relation to the municipality, means the council or any committee or other collective structure of the municipality elected, designated or appointed in accordance with the provisions of legislation;

"political office bearers" in relation to the municipality, means the Speaker, Executive Mayor, the Chief Whip and Members of the Mayoral Committee elected by the council in accordance with the provisions of the Structures Act;

"administration" means the Municipal Manager and all the other employees of the municipality;

"delegating authority" in relation to a delegation of a power by the council, means the council, and in relation to a sub-delegation of a power by a delegated body, means that delegated body;

"delegation" means the authorisation of a delegated body by a delegating authority to act in his/her stead, and in relation to a power, includes an instruction to exercise the duty;

"delegate" has a corresponding meaning;

"delegated body" in relation to the delegating of the power means the political structure, political office bearer or employee to whom a power has been delegated in writing by the delegating authority;

"power" refers to the authority to perform certain duties and functions lawfully;

"after consultation" means with due regard for the views of any person with whom a delegated body is required to consult before he/she exercises a delegated or sub-delegated power;

"in consultation" means with the concurrence of the person with whom a delegated body must consult before exercising a delegated or sub-delegated power;

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"Structures Act" means the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998);

"Systems Act" means the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000);

"MFMA" means the Local Government: Municipal Finance Management Act, 2003 (Act 56/2003);

"MFMA regulations" means the regulations issued by National Treasury in terms of the Local Government: Municipal Finance Management Act, 2003 (Act 56/2003);

"Planning regulations" means the local Government: Municipal Planning and Performance Management Regulations, 2001;

"Financial regulations" means the Financial Regulations of the Municipal Finance Management Act, 2003 (Act 56/2003).

(2) In this document, unless the context otherwise indicates, words and expressions denoting -

(a) the singular includes the plural and *vice versa*;

(b) a reference to a natural person includes a legal person and *vice versa*.

PRINCIPLES OF DELEGATIONS

1. In terms of section 59 of the Municipal Systems Act, a council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances.
2. The Constitution empowers a municipal council to make by-laws which prescribes rules and orders for the powers and functions of its committees, and further prescribes those function which may not be delegated by council.
3. All delegations must ensure that the council retains all legislative powers and those executive powers which cannot be lawfully delegated.
4. The policy formulation and determination process is as follows:
 - Policy is determined by the body that has the authority to do so in terms of council's delegation systems.
 - Any political structure may initiate the generation of proposed policy. The procedure to follow in determining the policy will depend on which body has the final authority to approve it.
 - Policy which is required to be approved by council must first be channelled via the delegated body for consideration. The delegated body may approve such policy if it is within its delegated power to do so, alternatively if it is for decision by a higher body, such a policy will be forwarded for approval.
 - Policy which is delegated for approval by administration may be referred to the Executive Mayor for comment and recommendations, before the delegated body set it for approval.
 - Notwithstanding the above, if any proposed policy has a direct and significant impact on the community then the approval of the council Executive Mayor shall be obtained.
5. The council as the legislative and executive authority may exercise no power and perform no function beyond that conferred upon it by law. The office bearers may not exercise its authority contrary to any policy approved by council or any other level of executive higher than itself.
6. All delegations must be aimed at empowering the **delegated body** to perform their functions effectively, taking into account the different levels of decision-making.
7. The functions allocated to the **delegated body** may be approved by council from time to time will form the basis for the allocation of delegations of decision-making power.
8. All delegations are conditional upon compliance with council policies, its integrated development plan and budget.
9. All delegations must be in writing.
10. **Is subject to any limitations, conditions and directions the Municipal Council may impose.**
11. Delegations must provide for good governance and allow for adequate checks and balances.
12. All delegations must enhance service delivery without sacrificing accountability.
13. The Municipal Manager, Executive Mayor and Speaker are authorised to sub-delegate any of his/her powers to the most appropriate and effective level.
14. Delegations must not oblige a delegated body to exercise its delegated power and must therefore allow for the decision to be taken at the next higher level.
Delegated powers do not absolve Council or the Municipality from the responsibility of exercising powers or performing duties.
15. In exercising the delegated authority, delegated bodies must do so in the spirit of utmost good faith.

CONDITIONS OF DELEGATIONS

All decision-making powers delegated by the council are subject to the following conditions:

1. Delegated powers are conferred upon the Executive Mayor, Speaker, administration and posts in the organisations of the council and not personally on incumbents.
2. These delegations also apply to acting positions. Persons acting in these positions have the same delegated powers as those serving in a permanent capacity, provided that the competent authority has duly appointed such acting persons.
3. In executing any delegated power, the delegate must comply with all relevant legislation, agreements and policy.
4. These delegations do not redefine council's power and functions.
5. The policies, whether existing or future, will determine the parameters of any delegations and the delegator is bound to comply therewith. It is the duty of the delegator and the council's legislative arm to ensure that clear and comprehensive policies are drafted.
6. Council or any other part of council's structures above the delegate may at any time, subject to applicable law, order a delegated matter not to be proceeded with by the delegate and then deal with such matter.
7. The chain of authority from the council to the Executive Mayor to the Municipal Manager and officials below must not be jeopardised by any delegation or sub-delegation.
8. The executive delegated to take a decision may determine whether a report is needed motivating the decision and whether the decision must be reduced to writing. If a report is required then it must indicate that all legal and financial requirements have been met.
9. A delegation may set out special circumstances in which a delegate is prohibited from exercising his/her delegated power, for example if the delegate is recommending the rejection of the most financially beneficial tender offer.
10. Any sub-delegation must be reduced to writing and recorded in the delegation register, which must be kept updated at all times by the Municipal Manager.
11. All decisions affecting the rights of others must be in writing and reasons must be recorded for such decisions.
12. The council or any other delegator may at any time withdraw, qualify or amend a delegation made by itself.
13. The council must in accordance with the procedures of its rules of order review any decision taken under delegated powers if so requested in writing by at least a quarter of the members of the council.
14. Provision must be made for separation between the evaluation and recommendation stage of the decision-making process and the actual decision itself. This must happen in all cases where the decision-making process is reasonably capable of being divided as set out above.
15. All delegates must report delegated decisions at such intervals as the delegator may require. These reports are to enable the delegator to determine whether the policies regulating the power are adequate and/or whether the delegation is appropriate.
16. Appeals against any decisions taken in terms of any delegated authority must be dealt with in terms of the Systems Act by an appropriate appeals authority. This authority could be a special committee set up for this purpose or the Municipal Manager, depending on the level where the decision originated.
17. Any delegator may require a selected sample of decisions taken by the delegated body below him/her to be audited.
18. The system of delegations must be reviewed in terms of the provisions of the Systems Act whenever a new council is elected.
19. Anything that might not be covered be acted on by the responsible functionary through sub-delegation and be reported in the next council meeting with an appropriated delegation.

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
STATUTORY POWERS OF THE EXECUTIVE MAYOR						
Local Government: Municipal Structures Act, 1998 (Act 117/1998)	30(5)	Submitting the report and recommendation of the Executive Mayor before the council considers - <ul style="list-style-type: none"> Any matter mentioned in section 160(2) of the Constitution; The approval of an integrated development plan for the municipality, and any amendment to that plan; and The appointment and conditions of service of the Municipal Manager and a head of a department of the municipality. 	Executive Mayor	None	None	N
	56(1)	Receiving reports from committees of the council and to forward these reports together with a recommendation to the council when the matter cannot be disposed of by the Executive Mayor in terms of his/her delegated body powers	Executive Mayor	None	None	N
	56(2)	Identifying the needs of the municipality	Executive Mayor	None	None	N
	56(2)	Reviewing and evaluating the identified needs in order of priority	Executive Mayor	None	None	N
	56(2)	Recommend to the municipal council strategies, programmes and services to address priority needs through the integrated development plan, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Mayor	None	None	N
	56(2)	Recommending or determining or determining the best way, including partnership and other approaches, to deliver the strategies, programmes and services that were recommended to the maximum benefit of the community.	Executive Mayor	None	None	N
	56(3)	Identifying and developing criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators which re specific to the municipality and common to local government in general	Executive Mayor	None	None	N
	56(3)	Evaluating progress against the key performance indicators determined by the council	Executive Mayor	None	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Structures Act, 1998 (Act 117/1998)	56(3)	Reviewing the performance of the municipality in order to improve the economy, efficiency and effectiveness of the municipality; the efficiency of credit control and revenue and debt collection services and the implementation of the municipality's by-laws	Executive Mayor	None	None	N
	56(3)	Monitoring the management of the municipality's administration in accordance with the directions of the municipal council	Executive Mayor	None	None	N
	56(3)	Overseeing the provision of services to communities in a sustainable manner	Executive Mayor	None	None	N
	56(3)	Annual reporting on the involvement of communities and community organisations in the affairs of the municipality	Executive Mayor	None	None	N
	56(3)	Ensuring that regard is given to public views and report on the effect of consultation on the decisions of the council	Executive Mayor	None	None	N
	60(1)	Appointing a mayoral committee from amongst the councillors to assist the Executive Mayor	Executive Mayor	None	None	N
	60(1)	Delegating of specific responsibilities to members of the mayoral committee	Executive Mayor	None	None	N
	60(1)	Dismissing members of the mayoral committee	Executive Mayor	None	None	N
	60(2)	Determining the size of the mayoral committee	Executive Mayor	None	None	N
	80(3)(a)	Appointing the chairperson of a section 80 committee	Executive Mayor	None	None	N
	80(3)(d)	Varuing or revoking decisions of a section 80 committee	Executive Mayor	None	None	N
	56(4)	Performing a ceremonial role as determined by the council	Executive Mayor	Member of mayoral committee as designated by the Executive Mayor when Executive Mayor is absent or not available		
	30	Managing the drafting of the municipality's integrated development plan, assignment of responsibilities in this regard to the Municipal Manager and submitting the draft plan to the	Executive Mayor	None	None	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		municipal council for adoption				
	39	Managing the development of the municipality's performance management system, assignment of responsibilities in this regard to the Municipal Manager and submission of the proposed system to the municipal council for adoption	Executive Mayor	None	None	Y
Inter-governmental Relations Framework Act, 2005	25(2)	Chairing the district intergovernmental forum				
	25(3)	Inviting any person to a meeting of the forum	Executive Mayor	None	Any person not mentioned in section 25(1)	N
	27(1)	Convening and determining the agenda for a meeting of the forum	Executive Mayor	None		N
	27(2)	Receiving and considering suggestions for inclusion in the forum's agenda	Executive Mayor	None	None	N
	27(3)	On majority request convene and consider any specific matter for discussion in the forum	Executive Mayor	None	None	N
Municipal Supply Chain Management Regulations, Government Gazette, 30 May 2005	6(3)	Receive and consider a report on the implementation of the supply chain from the Municipal Manager	Executive Mayor	None	Within 10 days of the end of each quarter	N
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	12(1)	Deciding to set-up a relief, charitable, trust or other fund of whatever description	Executive Mayor	None	Subject to obtaining the prior express approval of the council	N
	16(2)	Tabling the budget at a council meeting	Executive Mayor	None	The draft annual budget must be tabled at least 120 days before 1 July each year in order to comply with section 37(2)	N
	21(1)(a)	Co-ordinating the processes of preparing the annual budget and reviewing the municipality's integrated development plan and budget-related policies	Executive Mayor	None	None	N
	21(1)(b)	Tabling in the council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the integrated development plan and the municipality's budget-related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes	Executive Mayor	None	At least 10 months before 1 July each year	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		forming part of the processes				
	21(2)(b)	Deciding the reasonable steps to be taken to review the municipality's integrated development plan	Executive Mayor	None	None	N
	21(2)(d)	Determining the manner and timing of consultation of the local municipalities within the municipal area, the provincial treasury and such other organs of state as may be prescribed with regard to the municipality's annual budget	Executive Mayor	None	None	N
	21(2)(e)	Providing information relating to the budget that may be requested by National Treasury and any other organ of state	Executive Mayor	None	Subject to any limitations that may be prescribed in respect of organs of state other than National Treasury	N
	25(3)	Complying with section 55 of the MFMA if the municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget by 1 July of any year	Executive Mayor	None	Immediately report the matter to the MEC responsible for local government	N
	27(1)	Determining the likelihood of the municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	After consultation with the Municipal Manager and the Chief Financial Officer	N
	27(1)	Informing the MEC responsible for finance of any impending non-compliance by the municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	None	N
	27(2)	Deciding to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	None	N
	27(2)	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	None	N
	27(3)	Informing the council, the MEC responsible for finance and the national treasury, in writing, of any actual non-compliance by the municipality of a provision of chapter 4 of the MFMA and any remedial or corrective measure the municipality intends to implement to avoid a recurrence of such non-compliance	Executive Mayor	None	None	N
	28(4)	Tabling an adjustments budget in the council	Executive	None	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)			Mayor			
	29(1)	Deciding to authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	None	None	N
	29(2)(c)	Reporting to the council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	None	Such report must be made to the council at the first council meeting next ensuing after the authorisation was given	M
	31(d)	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Executive Mayor	None	None	N
	52(a)	Deciding the nature and extent of, and manner in which political guidance of the fiscal and financial affairs of the municipality will be provided	Executive Mayor	None	None	N
	52(b)	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the Municipal Manager and the Chief Financial Officer of their power, functions and duties in terms of the MFMA	Executive Mayor	None	None	N
	52(c)	Deciding the reasonable steps to ensure that the municipality performs its constitutional and statutory functions within the limits of the municipality's approved budget	Executive Mayor	None	None	N
	52(d)	Submitting to the council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the municipality	Executive Mayor	None	None	N
	53(1)(a)	Deciding the nature and extent of, and manner in which, political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget	Executive Mayor	None	None	N
	53(1)(b)	Deciding the steps to be taken to co-ordinate the annual revision of the integrated development plan and the preparation of the annual budget	Executive Mayor	None	None	N
	53(1)(b)	Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	Executive Mayor	None	None	N
	53(1)(c)(i)	Determining the reasonable steps to be taken to ensure that the municipality approves its annual budget before the start of the budget year	Executive Mayor	None	None	N
	53(1)(c)(ii)	Determining the reasonable steps to be taken to	Executive	None	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		ensure the Executive Mayor approves the municipality's service delivery and budget implementation plan	Mayor			
	53(1)(c)(iii)	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the Municipal Manager and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan and are included in accordance with section 57(2) of the Systems Act	Executive Mayor	None	In terms of section 57(2) of the Systems Act the annual performance agreements must be concluded on or before 30 July of each year	M
	53(2)	Reporting to the council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery and budget implementation plan or the signing of the annual performance agreements	Executive Mayor	None	None	N
	53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery and budget implementation plan are made public not later than 14 days after the approval of the service delivery and budget implementation plan	Executive Mayor	None	In line with section 21A and B of the Systems Act, as amended	N
	53(3)(b)	Ensuring that the performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, are made public not later than 14 days after the approval of the municipality's service delivery and budget implementation plan	Executive Mayor	None	None	N
	53(3)(b)	Submission of the annual performance agreements of the Municipal Manager, senior managers and any other categories of officials as may be prescribed, to the council and the MEC responsible for local government	Executive Mayor	None	None	N
	54(1)(a)	Making arrangements for the receipt of a monthly statement or report on the state of the municipality's budget and a mid-year corporate performance assessment report	Executive Mayor	None	1. A statement or report regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of each month. 2. The mid-year performance assessment report must be submitted not later than 25 January of each year. 3. The mid-year corporate performance assessment report must be submitted to the	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)					council not later than 31 January of each year.	
	54(1)(b)	Determining the procedures, including reports required to check whether the municipality's approved budget is implemented in accordance with the service Delivery and budget implementation plan	Executive Mayor	None	None	N
	54(1)(c)	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Executive Mayor	None	Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following approval of an adjustments budget	N
		Determining the process of formulating revisions to the service delivery and budget implementation plan	Executive Mayor	None		N
	54(1)(d)	Determining the instructions to be given to the Municipal Manager to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget	Executive Mayor	None	If the municipality faces an serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the municipality's approved budget, the tabling of an adjustments budget or steps in terms of chapter 13 of the MFMA and alert the council and the MEC for local government to those problems	N
	54(1)(e)	Considering whether the municipality faces any financial problems including any emerging or impending financial problems	Executive Mayor	None	None	N
	54(3)	Making public any revisions of the service delivery and budget implementation plan	Executive Mayor	None	None	N
	55	Immediately report to the MEC responsible for local government if the municipality has not approved an annual budget by 1 July of any year or if the municipality encounters a serious financial problems	Executive Mayor	None	None	N
	59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	Executive Mayor	None	1. Such power or duty may only be delegated to another member of the mayoral committee. 2. A delegation by the Executive Mayor must be in writing 3. A delegation by the Executive Mayor does not divest him/her of the responsibility concerning the exercise of the delegated power or the performance of the delegated	N
Local Government: Municipal Finance Management Act, 2003						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
(Act 56/2003) Local Government: Municipal Finance Management Act, 2003					duty.	
	59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor.	Executive Mayor	None	None	N
	59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor			No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision	
	127(3)(a)	Submitting to the council a written explanation setting out the reasons for any delay in tabling the municipality's annual report and the annual report of any municipal entity under the municipality's sole or shared control	Executive Mayor	None	None	N
	131(1)	Ensuring that the municipality addresses all the issues raised in an audit report	Executive Mayor	None	None	N
	133(1)(a)	Tabling in the council a written explanation setting out the reasons for the failure of the Municipal Manager or of the accounting officer of a municipal entity under the municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the municipality or a municipal entity in the council	Executive Mayor	None	None	N
	136(1)(a)	Participating in consultations with the MEC for local government regarding a serious financial problem in the municipality	Executive Mayor	None	None	N
	137(1)(d)	Participating in consultations with the MEC for local government regarding the municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Executive Mayor	None	None	N
	139(1)(b)	Participating in consultations with the MEC for local government regarding the municipality's co-operation in implementing the financial recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	Executive Mayor	None	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
(Act 56/2003)	139(2)	Receiving a request made by the provincial executive to the municipal financial recovery service to determine the reasons for the crisis in the municipality's financial state and to prepare an appropriate recovery plan for the municipality	Executive Mayor	None	None	N
POWERS DELEGATED TO THE EXECUTIVE MAYOR						
Constitution of the Republic of South Africa, 1996 (Act 108/1996)	25(2)	Expropriation of property	Council	Executive Mayor	Subject to a policy framework as determined by council in terms of section 60(1) of the Systems Act	N
	25(3)	Determining the amount of compensation payable for expropriated property	Council	Executive Mayor	Subject to a policy framework as determined by council in terms of section 60(1) of the Systems Act	N
	99	Concluding an agreement with a cabinet member to receive a function or power assigned to the municipality	Council	Executive Mayor	Subject to the agreement having been approved by the council	N
	126	Concluding an agreement with a member of the executive council to receive a function or power assigned to the municipality	Council	Executive Mayor	None	N
	153	Deciding on the nature and scope of the municipality's participation in national and provincial development programmes	Council	Executive Mayor	None	N
	156(4)	Concluding an agreement for the assignment of a matter to the municipality by the national or provincial government	Council	Executive Mayor	None	N
Local Government: Municipal Structures Act,	19(2)	Annual reviewing of the needs of the community	Council	Executive Mayor	None	N
	19(2)	Annual reviewing of the municipality's priorities to meet those needs	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
1998 (Act 117/1998)	19(2)	Annual reviewing of the municipality's processed for involving the community	Council	Executive Mayor	None	N
	19(2)	Annual reviewing of the municipality's organisational and delivery mechanisms for meeting the needs of the community	Council	Executive Mayor	None	N
	19(3)	Developing mechanisms to consult the community and community organisations in performing its functions an exercising its powers	Council	Executive Mayor	None	N
	56(4)	Determining the ceremonial role of the Executive Mayor	Council	Executive Mayor	None	N
	82(2)	Determining the suitable qualifications of a person to be appointed as Municipal Manager	Council	Executive Mayor	None	N
	82(1)(a)	Appointing a Municipal Manager	Council	Executive Mayor	None	N
	82(1)(b)	Appointing an acting Municipal Manager	Council	Executive Mayor	None	N
	83(3)(a)	Determining the activities to ensure integrated development planning for the (district) municipality as a whole	Council	Executive Mayor	None	N
	83(3)(b)	Determining the activities to promote bulk infrastructural development and services for the (district) municipality as a whole	Council	Executive Mayor	None	N
	83(3)(c)	Determining the activities to build the capacity of (local municipalities in its area) the municipality to perform its functions and exercise its powers where such capacity is lacking	Council	Executive Mayor	None	N
	83(3)(d)	Determining the activities to promote the equitable distribution of resources (between the local municipalities) in its area to ensure appropriate levels of municipal services within the area	Council	Executive Mayor	None	N
	88(1)	Deciding on the nature and scope of the assistance to be provided to another municipality	Council	Executive Mayor	None	N
	88(2)	Deciding to request another municipality for financial, technical and administrative assistance	Council	Executive Mayor	None	N
	88(2)(a)	Deciding the nature, scope and duration of the financial, technical and administrative support services to be provided to (a local) the municipality within its area	Council	Executive Mayor	None	N
	4(2)(e)	Determining processes, mechanisms and procedures for consulting the local community about the level, quality, range and impact of	Council	Executive Mayor	None	N
Local Government: Municipal Structures Act, 1998 (Act 117/1998)						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		municipal services provided by the municipality, either directly or through another service provider and the available options for service delivery				
	4(2)(d)	Determining processes, mechanisms and procedures for ensuring that municipal service are provided to the local community in a financially and environmentally sustainable manner	Council	Executive Mayor	None	N
	4(2)(h)	Determining processes, mechanisms and procedures for promoting gender equity in the exercise of the municipality's executive authority	Council	Executive Mayor	None	N
	5(1)(b)	Determining the processes, mechanisms and procedures to provide to the local community prompt responses to their written or oral communications, including complaints, to the municipal council or to another political structure or a political office bearer or the administration of the municipality	Council	Executive Mayor	None	N
	5(1)(c)	Determining the processes, mechanisms and procedures for informing the local community of decisions of the municipal council, or another political structure or any political office bearer of the municipality, affecting their rights, property and reasonable expectation	Council	Executive Mayor	None	N
	5(1)(d)	Determining the processes, mechanisms and procedures for regularly disclosing to the local community (to regular disclosure) of the state of affairs of the municipality, including finances	Council	Executive Mayor	None	N
	11(2)	Entering into a written agreement with another municipality to exercise executive authority in the area of that other municipality	Council	Executive Mayor	None	N
	17(2)(a)	Determining appropriate mechanisms, processes and procedures to enable the local community for the receipt, processing and consideration of petitions and complaints lodged by members of the local community	Council	Executive Mayor	None	N
	17(2)(b)	Determining appropriate mechanisms, processes and procedures for notification and public comment procedures, when appropriate	Council	Executive Mayor	None	N
	17(2)(e)	Determining appropriate mechanisms, processes and procedures for report-back to the local community	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	28(2)	Determining appropriate mechanisms, processes and procedures for consulting the local community before adopting a process to guide the planning., drafting, adoption and review of its integrated development plan	Council	Executive Mayor	None	N
	40	Establishing mechanisms to monitor and review the municipality's performance management system	Council	Executive Mayor	None	N
	42	Determining mechanisms, processes and procedures to involve the local community in the development, implementation and review of the municipality's performance management system, the setting of appropriate key performance indicators and performance targets for the municipality	Council	Executive Mayor	None	N
	44	Determining the manner to make known, both internally and to the general public, the key performance indicators and performance targets the council set for purposes of its performance management system	Council	Executive Mayor	None	N
	46	Preparing the municipality's annual performance report reflecting: 1. The performance of the municipality and of each external service provider during the financial year. 2. Comparison of the performances preferred to in paragraph (1) above with targets set for and performances of the previous financial year. 3. Measures taken to improve performance.	Council	Executive Mayor	In terms of chapter 12 of the MFMA	N
	56(a)	Appointing managers directly accountable to the Municipal Manager	Council	Executive Mayor	After consultation with the Municipal Manager	N
	56(b)	Determining the relevant skills and expertise to perform the duties associated with a post of manager directly accountable to the Municipal Manager	Council	Executive Mayor	None	Y
	57(1)(a)	Approving the employment contract between the municipality and the Municipal Manager and a manager directly accountable to the Municipal Manager	Council	Executive Mayor	None	N
	57(1)(a)	Signing an employment contract with the Municipal Manager or a manager directly accountable to the Municipal Manager	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
	57(1)(b)	Approving the first and annual performance agreement between the municipality and the Municipal Manager	Council	Executive Mayor	None	N
	57(4B)A	Approving the evaluation of performance of the Municipal Manager or a manager directly accountable to the Municipal Manager after the end of the financial year	Council	Executive Mayor	In terms of the criteria as set out in the performance agreement	N
	57(6)(a)	Determining the term of employment of the Municipal Manager	Council	Executive Mayor	None	N
	57(6)(b)	Determining a provision for the cancellation of (a contract of employment) an employment agreement or performance agreement between the municipality and the Municipal Manager or a manager directly accountable to the municipal manager for non-compliance with the employment contract of performance agreement	Council	Executive Mayor	None	N
	57(7)	Deciding whether a manager directly accountable to the municipal manager must be appointed for a fixed term of employment	Council	Executive Mayor	None	N
	57(7)	Determining the term of employment of a manager directly accountable to the Municipal Manager	Council	Executive Mayor	None	N
	59(1)	Developing a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances	Council	Executive Mayor	None	N
	77	Reviewing of current mechanisms to provide municipal services and the redetermination thereof	Council	Executive Mayor	None	N
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	13(2)	Investing money not immediately needed	Council	Executive Mayor	In consultation with the Municipal Manager and the Chief Financial Officer	N
	19(1)(b)	Approving a capital project, including its total cost	Council	Executive Mayor	Subject to the asset management policy	N
	19(1)(d)	Considering the sources of funding of a capital project	Council	Executive Mayor	Subject to the budget policy	N
	19(2)	Considering, in respect of a capital project, the projected cost covering all financial years until the project is operational the future operational costs and revenue on the project, including municipal tax and tariff implications	Council	Executive Mayor	Subject to the asset management policy	N
	19(3)	Deciding to approve capital projects below the prescribed value individually or as part of a	Council	Executive Mayor	Only in respect of projects below the prescribed amount	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		consolidated capital programme				
	23(1)	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	Executive Mayor	None	Y
	23(2)	Deciding to give the Executive Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	Executive Mayor	None	Y
	32(7)	Determining whether an alleged irregular expenditure incurred by the municipal manager constitutes a criminal offence	Council	Executive Mayor	None	N
	32(7)	Determining whether the Municipal Manager allegedly committed an act of theft or fraud				
	32(7)	Reporting alleged irregular expenditure incurred by the Municipal Manager that constitutes a criminal offence and alleged theft and fraud perpetrated by the Municipal Manager to the SAPS	Council	Executive Mayor	None	N
	34(1)	Entering into an agreement with the national or provincial government to assist the municipality to build its capacity for efficient, effective and transparent financial management	Council	Executive Mayor	None	N
	39(3)	Determining the deputation that will appear before a committee of parliament considering the approval or renewal of a decision of National Treasury to stop the transfer of funds to the municipality	Council	Executive Mayor	None	N
	44(2)(b)	Deciding whether to request National Treasury to mediate or to appoint a mediator to mediate a dispute of a financial nature between the municipality and another organ of state (excluding National Treasury)	Council	Executive Mayor	None	N
Promotion of Administrative Justice ct, 2000 (Act3/2000)	3(3)	Granting to a person whose rights or legitimate expectations may be materially affected by intended administrative action by the municipality, an opportunity to obtain assistance and, in serious or complex cases, legal representation and arguments and appear in person	Council	Executive Mayor	None	N
Promotion of Equality and Prevention of	26	Adoption of appropriate equality plans, codes, regulatory mechanisms and other appropriate measures for the effective promotion of equality in	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Unfair Discrimination Act, 2000 (Act 4/2000)		the spheres of the municipality's operation, enforcing and monitoring the enforcement of the equality plan, codes and regulatory mechanisms developed by the municipality and making regular reports to the monitoring authorities or institutions as may be provided in regulations, where appropriate				
	28(3)	Determining mechanisms, processes and procedures to eliminate discrimination on the grounds of race, gender and disability and promote equality in respect of race, gender and disability	Council	Executive Mayor	None	N
Water Services Act, 1998 (Act 107/1998)	3	Determining the processes, mechanisms, plans and programmes for realising the right of access to basic water supply and basic sanitation	Council	Executive Mayor	None	N
Local Government: Municipal Planning and Performance Management Regulations, 2001	3(5)(a)	Consulting with the local municipalities within the municipal area about a proposed amendment of the integrated development plan	Council	Executive Mayor	None	N
	3(5)	Determining the manner of consulting local municipalities with regard to a proposed amendment to the integrated development plan	Council	Executive Mayor	None	N
	4(2)(b)	Making and submitting written presentations regarding an objection to the proposed amendments to the municipality's integrated development plan suggested by the MEC	Council	Executive Mayor	None	N
	9(1)	Setting key performance indicators, including input indicators and output indicators (and output indicators) in respect of which the development priorities and objectives contained in the integrated development plan	Council	Executive Mayor	None	N
	9(2)	Determining the manner and frequency of the involvement of the community in setting key performance indicators	Council	Executive Mayor	None	N
	11	Annually reviewing of the municipality's key performance indicators	Council	Executive Mayor	None	N
	12	Determining performance targets in respect of each key performance indicator	Council	Executive Mayor	None	N
	13(1)	Involving the community in developing and implementing mechanisms, systems and processes for the monitoring, measurement and review of performance	Council	Executive Mayor	None	N
	13(1)	Approving and implementing mechanisms systems and processes for the monitoring,	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		measurement and review of performance				
	15(1)(a)	Deciding to establish a integrated development and planning forum	Council	Executive Mayor	None	N
	15(1)(b)	Determining appropriate mechanisms to invite the local community to identify persons to serve on the integrated development and planning forum	Council	Executive Mayor	None	N
Organisational Rights Agreement	12.1.3	Appointing the municipality's representatives in the local labour forum	Council	Executive Mayor	In terms of section 8.2.1.1 of the agreement	
INCIDENTAL POWERS OF THE EXECUTIVE MAYOR (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)						
Incidental Powers (Powers not explicitly conferred by Statute) Incidental Powers (Powers not explicitly conferred by Statute)	1	Submitting or opposing an appeal to a higher court or other judicial tribunal in respect of a judgment handed down by a lower court or tribunal	Council	Executive Mayor	Subject that written internal legal opinion is sought on particular matters	Y
	2	Appointing councillors and employees to attend meetings, workshops, seminars, conferences and similar events which are incidental to the execution of Council's powers and functions at the municipality's cost and which will be conducted outside the national territory of the Republic of South Africa	Council	Executive Mayor	Subject to adequate budget provision	Y
	3	Appointing councillors, the municipal manager and heads of department to attends meetings, workshops, seminars, conferences and similar events which are incidental to the execution of Council's functions and powers at the municipality's cost, which will be conducted within the national territory of the Republic of South Africa	Council	Executive Mayor	Subject to adequate budget provision	Y
	4	Attendance by the Executive Mayor of meetings, workshops, seminars, conferences and similar events which are incidental to the execution of Council's functions and powers at the municipality's cost within the national territory of the Republic of South Africa	Council	Executive Mayor	Subject to adequate budget provision	Y
	5	Considering departmental reports	Council	Executive Mayor	In terms of the service delivery and budget implementation plan	Y
	6	Deciding on the use of the coat of arms of the municipality for commemorative and other	Council	Executive Mayor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		purposes				
	8	Making press statements on behalf of Council	Council	Executive Mayor	None	N
	10	Approving the leave for the Municipal Manager	Council	Executive Mayor	Subject to sufficient notice given to the Executive Mayor prior to commencement of annual leave	N
	11	When the Council goes on recess, taking decisions on behalf of the Council and committees where failure to exercise such delegated authority might prejudice the Council and/or its service	Council	Executive Mayor	In consultation with the Municipal Manager	Y
	12	Appointing an acting director/chief financial officer	Council	Executive Mayor	In consultation with the Municipal Manager	Y
	12	Awarding of bursaries to non-employees	Council	Executive Mayor	Subject to budgetary provision and the policy of Council	Y
	13	Approving applications for donations and accepting donations	Council	Executive Mayor	Subject to budgetary provision and the policy of Council	Y
Employment Equity Act, 1998 (Act 55/1998)	16	Taking reasonable steps to consult and attempt to reach agreement with a representative trade union representing members at the workplace on -	Council	Executive Mayor	In consultation with the Municipal Manager	Y
		a) the conduct of the analysis of the municipality's employment policies, practices, procedures and the working environment., in order to identify employment barriers which adversely affect people from designated groups and a profile of the workforce within each occupational category an level in order to determine the degree of under-representation of people from designated groups in various occupational categories and levels in the workforce b) The preparation and implementation of an employment equity plan which will achieve reasonable progress towards employment equity in the workforce; and c) an annual report				
	24	Assigning one or more senior managers to take responsibility for monitoring and implementing an employment equity plan and providing the managers with the authority and means to perform their functions	Council	Executive Mayor	In consultation with the Municipal Manager	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Municipal Supply Chain Management Regulations - Government Gazette 30 May 2005	6(2)(ii)	Receive and consider a report from the Municipal Manager on the implementation of the supply chain management policy	Council	Executive Mayor	Report the actions taken and decisions to the Council	
	6(2)(iii)	Receive and consider a report from the Municipal Manager whenever there are problems in implementing the supply chain management policy	Council	Executive Mayor	Report the actions taken and decisions to the Council	
Inter-governmental Relations Framework Act	24	Establish the (district) intergovernmental forum in terms of the act	Council	Executive Mayor		

POWERS RETAINED BY THE COUNCIL

Constitution of the Republic of South Africa, 1996 (Act 108/1996)	6	Determination of language policy	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor and taking into account the language preferences and usage in the municipal area	N
	23(3)	Forming/joining an employer's organisation	Council	None	Subject to receiving and considering report and recommendations from the Executive Mayor	N
	43(c)	Exercising the municipality's legislative power	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	139	Considering a directive issue by the provincial government pursuant to the municipality failing to fulfil an executive obligation in terms of legislation	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	152	Deciding the actions that must be taken to achieve the objects of local government	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	156(1)	Deciding which of the local government matters assigned to the municipality must be performed	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	160(1)(b)	Electing a chairperson (Speaker)	Council	None	Subject to section 36(3) and (4) of the Structures Act	N
	160(1)(c)	Electing an executive and other committees	Council	None	In terms of section 79 and 80 of the Structures Act, and section 17(4) of the Systems Act	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Constitution of the Republic of South Africa, 1996 (Act 108/1996)	160(6)	Making by-laws that prescribe rules and orders	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	163	Deciding to become and remain a member of an organisation representing municipalities	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	195(4)	Deciding whether to appoint a number of persons on policy considerations	Councils	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	Y
	217	Determining a procurement system that is fair, equitable, transparent, competitive and cost-effective when it contracts for goods or services	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	227(1)	Deciding on the allocation of the equitable shares of revenue raised nationally accruing to the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	229(1)	Imposing rates on property and surcharges on fees for services provided by or on behalf of the municipality and, to the extent authorised by national legislation, other taxes, levies and duties appropriate to local government or to the category of local government into which the municipality falls	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor in the form of a draft annual budget or adjustment budget	N
	229(4)	Deciding to share revenue raised by the municipality with municipalities that have fiscal power and functions in the municipality's area	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor in the form of a draft annual budget or adjustments budget	N
	230	Deciding to raise loans for capital or current expenditure	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor subject to national treasury regulations and of the MFMA	N
Local Government: Municipal Demarcation Act, 1998 (Act x/1998)	21(4)	Submitting an objection regarding the determination or redetermination of the municipality's boundaries to the demarcation board	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor, in consultation with affected category B and neighbouring (district) municipalities	N
Local Government: Municipal Structures Act, 1998 (Act 117/1998)	15	Reviewing and rationalising the by-laws, regulations and resolutions (including standing delegations) of the preceding municipalities that binds the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	18(4)	Designating councillors determined by the MEC for local government to be full-time councillors	Council	None	Subject to receiving and considering a report with recommendations of the MEC for local government	N
	33	Determining whether the establishment of a particular committee is necessary	Council	None	In terms of section 79 and 80 of the Structures Act, and Section 17(4) of the Systems Act	N
	34	Deciding to dissolve the Council	Council	None	Subject to receiving and considering a report and	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Structures Act, 1998 (Act 117/1998)					recommendations of the Executive Mayor	
	36(2)	Electing a Speaker to fill a vacancy in the position of Speaker	Council	None	Subject to section 36(3) and (4) of the Structures Act	N
	40	Deciding to remove the Speaker from office	Council	None	Provided that the notice of the motion to remove the Speaker has been given to all councillors	N
	41	Electing an acting Speaker	Council	None	Subject to section 36(3) and (4) of the Structures Act	N
	54	Deciding to have an Executive Mayor	Council	None	Subject to receiving a report from the Municipal Manager with the recommendation of the MEC	N
	55	Electing an Executive Mayor	Council	None	Subject to the conditions contained in section 55 of the Structure Act	N
	58	Removing the Executive Mayor from office	Council	None	Providing that notice of the motion to remove the Executive Mayor from office has been given to all councillors	N
	60(3)	Designating which of the powers and functions of the Executive Mayor must be performed and exercised together with the other members of the mayoral committee	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	79(1)(a)	Establishing committees	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	79(1)(b)	Appointing members of committees	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	79(1)(c)	Dissolving committees	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	79(2)(a)	Determining the functions of a committee	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	79(2)(c)	Appointing the chairperson of a committee	Council	None	None	N
	79(2)(d)	Authorising a committee to co-opt advisory members who are not members of the Council and setting limits on such co-option	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	79(2)(e)	Removing a member of a committee	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	79(2)(f)	Determining a committee's procedures	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	80(1)	Appointing committees to assist the Executive Mayor	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	81(3)	Determining a procedure for traditional leaders to express a view on any matter directly affecting the area of a traditional authority	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	84(1)	Determining the extent to which the municipality performs the functional competencies assigned to it	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	84(2)	Determining the extent to which the municipality performs the functional competencies assigned to it	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	87(2)	Deciding whether to object to the temporary assignment of a functional competency or another municipality to the (district) municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	4(2)(h)	Determining processes, mechanisms and procedures for promoting gender equity in the exercise of the municipality's legislative authority	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	4(2)(j)	Determining the contribution to be made by the municipality, together with other organs of state, to the progressive realisation of the fundamental rights contained in section 24, 25, 26, 27 and 29 of the Constitution	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	5(1)(e)	Determining the processes, mechanisms and procedures through which the local community may demand that the proceedings of the municipal Council and those of its committees must be open to the public, conducted impartially and without prejudice and untainted by personal self-interest	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	14(3)	Deciding whether to adopt a standard by-law promulgated by the minister for provincial and local government of the MEC for local government, the extent of such adoption and any modifications and qualifications to such standard by-law	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	15(3)	Determining a reasonable fee for a copy of or an extract from the municipal code of the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	16(1)(c)	Determining the annual allocation of funds in the budget, as may be appropriate for the purpose of implementing a culture of municipal governance that complements formal representative government with a system of participatory governance	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	17(2)(d)	Determining appropriate mechanisms, processes and procedures for consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	17(4)	Establishing and appointing the members of one or more advisory committee(s) consisting of persons who are not councillors to advise the	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		Council on any matter within the Councils competence				
	21(1)(b)	Determining newspapers circulating in the area as newspapers of record	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor with due regard to circulation of newspapers in the (district) municipality and the languages predominant within the (district) municipality	N
	21(2)	Determining the official languages in which municipal notices must be published	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor, taking into account the language preferences and usage in the area	N
	25(1)	Adopting an integrated development plan for the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	26(a)	Determining the Council's vision for the long term development of the municipality with special emphasis on the municipality's most critical development and internal transformation needs to be incorporated in the integrated development and planning	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	26(c)	Determining the Councils development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs to be incorporated in the integrated development and planning	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	26(f)	Determining the Councils operational strategies to be incorporated in the integrated development and planning	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	27(1)	Adopting a framework for integrated development planning in the area as a whole	Council	None	Subject to receiving and considering report and recommendations of the Executive Mayor	N
	27(1)	Determining the consultative process (with the local municipalities in its area) that must be followed prior to adopting a framework for integrated development and planning	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	28(1)	Adopting a written process to guide the planning, drafting, adoption and review of its integrated development plan	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	32(3)	Considering the MECs request to reconsider the integrated development and planning or to follow the approved process/work plan	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	34	Annual reviewing and amendment of integrated development and planning	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	53(1)	Defining the specific role and are of responsibility	Council	None	Subject to receiving and considering a report and	M

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		of each political structure and political office bearer of the municipal and of the Municipal Manager			recommendations of the Executive Mayor	
	53(5)	Determining the relationships among those political structure and political office bearers and the Municipal Manager, and the manner in which they must interact	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	53(5)	Determining the appropriate lines of accountability and reporting for those political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	53(5)	Determining the mechanisms, process and procedures for minimising cross-referrals and unnecessary overlapping or responsibilities between those political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	53(5)	Determining the mechanisms, processes and procedures for resolving disputes between those political structures and political office bearers and the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	53(5)	Determining the mechanisms, processes and procedures for interaction between those political structures and political office bears and the Municipal Manager and other staff members of the municipality and councillors and the Municipal Manager and other staff members of the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	60(1)	Determining a policy framework for taking decisions to expropriate immovable property or rights in or to immovable property and the determination or alteration of the remuneration, benefits or other conditions of service of the Municipal Manager and managers directly responsible to the Municipal Manager	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	65(1)	Considering a report of the Municipal Manager regarding the review of the municipality's delegated powers	Council	None	In consultation with the Executive Mayor and the affected political office bearer	
	66(1)	Determining a <u>policy framework</u> which would cater for staff establishment for the municipality, a job description for each post on the staff establishment, the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation attached to posts in the establishment and a	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service				
	68(2)	Determining the allocation provided for in the budget for the development and implementation of training programmes	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	74(1)	Adopting and implementing of a tariff policy on the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements	Council	None	The agreement must comply with the provision of the Act, MFMA and with any other applicable legislation; subject to receiving and considering a report and recommendations of the Executive Mayor	N
	75(1)	Adopting by-laws to give effect to the implementation and enforcement of its tariff policy	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	85(1)	Establishing a part of the municipality as an internal municipal service (district) area to facilitate the provision of a municipal service in that part of the municipality	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	86(1)	Developing and adopting a policy framework for the establishment, regulation and management of an internal municipal service (district) area	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	87	Deciding to establish, together with another municipality, a multi-jurisdictional municipal service (district) area to facilitate the provision of a municipal service in the relevant municipal areas or parts of those municipal areas	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	96(b)	Adopting, maintaining and implementing a credit control and debt collection policy which is consistent with the municipality's rates and tariff policies	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	98(1)	Adopting by-laws to give effect to the municipality credit control and debt collection policy, its implementation and enforcement	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	99(c)	Determining the frequency during which the Executive Mayor must report to the Council on the implementation and enforcement of the municipality credit control and debt collection policy and any by-laws, the performance of the Municipal Manager in implementing the policy and any by-laws, and the evaluation or review of the policy and any such by-laws, or the implementation of the policy and any such by-	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures				
	Sch 1(4)(3)	Adopting a uniform standing procedure for the imposition of a fine or the removal of a Councillor	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	Sch 1(6)(2)	Considering an application by a Councillor to be a [party to or beneficiary under a contract for the provision of goods or services to the municipality or the performance of any work otherwise than as a Councillor for the municipality, r to obtain a financial interest in any business of the municipality of to appear on behalf of any other person before the Council or a committee for a fee or other consideration	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	N
	Sch 1(7)(4)	Determining which of the financial interest of councillors must be made public having regard to the need for confidentiality and the public interest for disclosure	Council	None	Subject to receiving and considering a report and recommendations of the Speaker	M
	Sch 1(11)	Mandating a Councillor to interfere in the management or administration of any department or give an instruction to an employee	Council	None	Subject to receiving and considering a report and recommendations of the Executive Mayor	N
	Sch 1(14)(1)	Investigating and making a finding on any alleged breach of a provision of the code of conduct for councillors or establishment of a special committee to investigate and make a finding on any alleged breach of the code and to make appropriate recommendations to the Council	Council	None	Subject to receiving a report and recommendations from the Speaker	N
	Sch 1(14)(2)	Imposing a penalty on a Councillor having been found guilty of a breach of the code of conduct for councillors	Council	None	Subject to receiving a report and recommendations from the Speaker	N
	Sch 1(15)(3)	Imposing a penalty on a traditional leader having been found guilty of a breach of the code of conduct for councillors	Council	None	Subject to receiving a report and recommendations from the Speaker	N
	8(1)	Designating a bank account of the municipality as the municipality's primary bank account	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	13(2)	Establishing an appropriate and effective cash management and investment policy for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset	Council	None	On condition that the asset concerned is not needed to provide the minimum level of basic municipal services and the Council considered the fair market value of the asset concerned	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
	14(4)	Determining the value of movable assets in respect of which the Municipal Manager may determine -				
	16(1)	a) whether an asset to be disposed of is not needed to provide the minimum level of basic municipal services; and				
		b) the fair market value of such asset and the economic and community value to be received in exchange of the asset	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	16(1)	Approval of an annual budget	Council	None	NOTE: 1. In terms of section 160(2)(b), read with section 160(3)(b) of the Constitution a budget must be approved by a decision taken by the Council with a supporting vote of a majority of its members 2. Approval of the budget must be considered on or before 1 June each year in terms of section 24(1) of the MFMA 3. In terms of section 30(5) of the Structures Act the Council may only after it received and considered a report and recommendations of the Executive Mayor regarding the annual budget, approve the budget 4. See section 25(1) of the MFMA.	N N
	16(3)	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council	None	A separate appropriation must be made for each financial year	N
	28(1)	Deciding to revise an approved budget by way of an adjustments budget	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	32(2)	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure	Council	None	Except in the case of - 1. unauthorised expenditure if the amount of the expenditure is authorised in an adjustments budget; or 2. is certified by the Council, after investigation by a Council committee, as irrecoverable and written off by the Council; and 3. irregular or fruitless and wasteful expenditure is, after investigation by a Council committee, certified by the Council as irrecoverable and	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)					written off by the Council	
	32(2)	Appointing a committee to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	Council	None	NOTE: in terms of the judgments of the Courts in the cases of <u>The Democratic Alliance and another v Amos Masondo and another</u> (WLD) (Case No 01/9260) (2001) and <u>The Democratic Alliance and another v Amos Masondo NO and the Minister of Provincial and Local Government (CC)</u> (Case No cct 29/02) a mayoral committee was found not to be a committee of a municipal Council. The Council may therefore not appoint the mayoral committee to perform such an investigation.	N
	33(1)	Deciding to enter into a contract which will impose financial obligations on the municipality beyond 3 financial years	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	34(3)(a)	Considering the results of the provincial governments monitoring of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	34(3)(b)	Considering a notification of the provincial government of any emerging or impending financial problems in the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	37(1)(a)	Determining the steps the municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the municipality's fiscal and financial relations	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	37(2)	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next 3 financial years and notifying the receiving municipality thereof	Council	None	Such notification must be given on or before 3 March each year	N
	38(2)	Considering a notice received from the national treasury of its intention to stop the transfer of funds to the municipality	Council	None	Subject to receiving and considering a report and recommendation from the Executive Mayor	
	44(1)	Deciding the reasonable steps to settle a dispute of a financial nature between the municipality and another organ of state out of court	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	45(1)	Deciding whether to incur short term debt	Council	None	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution.	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)					3. In terms of section 30(5) of the Structures Act the Council may only after it received and considered a report and recommendations of the Executive Mayor regarding a loan, approve the raising of a loan	N
	46(1)	Deciding whether to incur long term debt	Council	None	1. In terms of section 160(2) of the Constitution the Council may not delegate the raising of loans. 2. A decision to raise a loan must be taken by the Council with a supporting vote of a majority of its members in terms of section 160(3)(b) of the Constitution 3. In terms of section 30(5) of the Structure Act the Council may only after it received and considered a report and recommendations of the Executive Mayor regarding a loan, approve the raising of a loan	N
	48(3)(a)	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	48(3)(b)	Deciding, if an asset or right that has been hypothecated in any manner as security, is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	83(2)	Determining the resources or opportunities to be made available for the training officials to met the prescribed financial management competency levels	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	84(2)(b)(ii)	Considering the comments or representations received from the local community, organised labour and other interested persons in respect of the municipality's intention to establish and/or participate in a municipal entity	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	84(2)(b)(iii)	Considering the views and recommendations of the National Treasury and the Provincial Treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the municipality's intention to establish and/or participate in a municipal entity	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	113(1)	Deciding whether to consider an unsolicited bid received outside the municipality's normal bidding process	Council	None	In accordance with the prescribed framework	N
	116(3)	Considering the reasons for the proposed amendment of a contract of agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of the municipality and deciding whether to consent to the amendment of the contract or agreement	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	120(1)(a)	Determining whether a proposed public-private partnership agreement will provide value for money to the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	120(1)(b)	Determining whether a proposed public-private partnership agreement will be affordable for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	120(1)(c)	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	120(4)	Deciding to conduct a feasibility study before a public-private partnership is concluded	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	129(5)	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which Councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a Council to assist it to consider an annual report	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	135(3)	Considering whether the municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	135(3)(a)	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
		Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	137(2)	Receiving an assessment of the seriousness of	Council	None	Subject to receiving and considering a report and	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003) Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		the financial problem in the municipality, the determination of the provincial executive whether the financial problem experienced by the municipality, singly or in combination with other problems is sufficiently serious or sustained that the municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the municipality			recommendations from the Executive Mayor	
		Receiving a copy of the municipal financial recovery service's determination of the reasons for the crisis in the municipality's financial affairs and assessment of the municipality's financial state	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	141(3)(a) 144(2)	Participating in consultation with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	141(3)(c) 144(2)	Commenting on a draft financial recovery plan or an amendment to such plan for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	143(3)(a)	Receiving an approved financial recovery plan for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	147(1)(b)	Receiving progress reports and a final report on any intervention from the MEC for local government of the MEC for finance	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	148(1)(b)(i)	Declaring the municipality's willingness to fulfil the executive obligation in terms of legislation of the	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		Constitution that gave rise to any discretionary intervention in the municipality				
	148(3)(a)	Receiving a notification that an intervention in the municipality has ended	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	152(1)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days, all legal proceedings, including the execution of legal process, by persons claiming money from the municipality if the municipality is unable to meet its financial commitments	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	153(1)(a)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	153(1)(b)	Deciding to apply to the High Court for an order to suspend the municipality financial obligations to creditors, or any portion of those obligations, until the municipality can meet those obligations	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	153(1)(b)	Deciding to apply to the High Court for an order to terminate the municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	165(1)	Deciding whether to establish an Internal Audit unit or to outsource the Internal Audit function	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	166(1) and (6)	Deciding whether to establish an Internal Audit committee for - 1. the municipality only; or 2. the municipality and the local municipalities within the district municipal area); or 3. the municipality and any municipal entity under its sole control	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	166(2)	Receiving reports of the audit committee	Council, any political office bearer, Municipal Manager, senior management	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	166(4)	Determining the number of members of the audit committee	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
		Determining the nature of the appropriate experience that persons should possess to be	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		considered for appointment as a member of the audit committee				
	166(5)	Appointing the members of the audit committee of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
		Appointing from amongst the members of an audit committee who is not in the employ of the municipality a chairperson	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	168(3)	Considering any guidelines issue by the minister of finance in terms of section 168(1) of the MFMA	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
Remuneration of Public Office Bearers Act, 1998 (Act 20/1998)	7(4)	Determining the salary, allowances and benefits payable to councillors	Council	None	Subject to receiving and considering a report and recommendations of the Municipal Manager	N
Water Services Act, 1998 (Act 107/1998)	4	Determining conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	7	Granting permission to obtain water for industrial use from any source other than the distribution system of a water services provider nominated by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	11(6)	Determining reasonable limits on the use of water	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	19	Determining whether to perform the functions of a water service provider itself or to enter into a written contract with a water services provider or form a joint venture with another water services institution to provide water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	21	Making by-laws which contain conditions for the provision of water services	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	22	Considering applications to operate as water services provider within the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
Housing Act, (Act 107/1997)	10	Deciding to apply for accreditation to administer national housing programmes	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
Dispensing of Tender Regulations,	2	Setting a lower threshold for disposing with the calling of tenders	Council	None	Subject to the supply chain management policy	M

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
1998						
Local Government: Municipal Planning and Performance Management Regulations, 2001 Local Government: Municipal Planning and Performance Management Regulations, 2001	3(5)(b)	Considering the comment (of local municipalities, if any,) on any proposed amendment of the integrated development plan	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	8	Adopting a performance management system	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)	Establishing a performance audit committee	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)	Appointing the members of a performance audit committee	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)(c)	Deciding whether to have a separate performance audit committee or a consolidated audit committee	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)(d)	Designating a member of the performance audit committee as chairperson	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	14(2)(i)	Determining the remuneration of members of the performance audit committee who are not councillors or employees of the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
INCIDENTAL POWERS OF THE COUNCIL (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)						
Incidental Powers (Powers not explicitly conferred by statute)	1	Construction, demolition and extension of permanent municipal buildings	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	2	Considering the sub-division, consolidation or changing the legitimate use of land owned by the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	3	Considering the acquisition of land and other fixed property for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	4	Nominating, electing and appointing representatives of the municipality in public bodies	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
	5	Approving over-expenditure of the budget or any vote in the budget	Council	None	Subject to receiving and considering a report and recommendations from the Executive Mayor	N
Municipal Supply Chain Management Regulations -	2	Making and implementing a supply chain management policy for the municipality	Council	None	Subject to receiving and considering a report and recommendations from the Municipal Manager and the content requirements in terms of subsections (1) to (4) and section 112(1) of the	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government Gazette 30 May 2005					MFMA	
GENERAL POWERS						
Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996)	160(7)	Deciding to close a meeting of the Council or those of its committees	Council	The Councillor/ person presiding at the meeting concerned at the time the motion to close the meeting concerned is made	Taking into account the reasonableness of the motion having regard to the nature of the business being transacted	
Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)	30(4)	Casting a casting vote when there is an equality of votes	Councillor presiding at a meeting	None	None	N
	20(3)	Deciding to close a meeting of the mayoral committee	Mayoral Committee	None	Taking into account the reasonableness of the motion having regard to the nature of the business being transacted	N
	95(d)	Stipulating the reasonable steps that must be taken to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems where the consumption of services has to be measured	Council	Responsible director	None	Y
	Sch 1(5)(b)	Determining whether a Councillor declared personal or private business interest in any matter before the Council or a committee of the Council is trivial or irrelevant	Council	The body at which the Councillor concerned makes the declaration	Taking into account any policy framework determined by the Council	N
	Sch 1(10)	Granting permission to a Councillor to disclose privileged or confidential information of the Council or committee to an unauthorised person	Council	Chairperson of the body	None	N
General Machinery Regulations	7	Notifying the inspector of any incident involving machinery	Council	Designated person in terms of 2(1)	one	N
Conditions of Employment	10.2.2.73	Determining the date, time and place of a disciplinary hearing	Council	Prosecutor	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Agreement - R1828, 28 October 1995	10.2.2.9.4	Determining the time, date and place of a disciplinary hearing into alleged serious misconduct	Council	Prosecutor	None	N
Local Government: Municipal Planning and Performance Management Regulations, 2001	14(1)(c)	Auditing the performance measurements of the municipality and submitting quarterly reports to the Municipal Manager and the performance audit committee	Internal Audit	None	none	N
	14(3)(a)	Calling of ordinary meetings of the performance audit committee	Chairperson of the Committee	None	None	N
	14(3)(a)	Determining the time, date and place of meetings of the performance audit committee	Chairperson of the committee	None	None	N
	14(3)(b)	Calling a special meeting of the performance audit committee	Chairperson of the committee	None	None	N
	14(3)(c)	Determining the procedures of the performance audit committee	Performance audit committee	None	Subject to receiving and considering a report from the Municipal Manager subject to standing rules of order of Council	N
STATUTORY POWERS OF THE SPEAKER						
Local Government: Municipal Structures Act, 1998 (Act 117/1998)	29(1)	Deciding when and where a Council meets	Speaker	None	None	N
	29(1)	Convening special Council meetings at a place and time set out in a request received in terms of section 29(1) of the Structures Act	Speaker	None	None	N
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	Sch 1(13)	Authorising an investigation into an alleged breach of the code of conduct for councillors	Speaker	None	None	N
Local Government: Municipal Finance	12(1)	Deciding to set up a relief, charitable, trust or other fund for whatever description	Speaker, Executive Mayor, Mayoral committee,	None	Subject to obtaining the prior express approval of the Council	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Management Act, 2003 (Act 56/2003)			Council, Any committee or other collective structure of the municipality			
	130(1)	Determining the reasonable time period to be allowed during a Council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Council	Speaker	None		
	133(1)(b)	Receiving information from the Auditor-General regarding the failure to submit annual financial statements to the Council	Speaker	None		
		Submitting information received from the Auditor-General regarding the failure to submit annual financial statements to the Council	Speaker	None		
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)						
POWERS DELEGATED TO THE SPEAKER						
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	4(2)(c)	Determining processes, mechanisms and procedures for encouraging the involvement of the local community	Council	Speaker	None	Y
	5(1)(a)	Determining the processes, mechanisms and procedures for the local community to contribute to the decision-making processes of the municipality and submit written or oral recommendations, representations and	Council	Speaker	None	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		complaints to the municipal Council or to another political structure or a political office bearer or the administration of the municipality				
	16(1)(a)	Determining the processes, mechanisms and procedures for encouraging and creating conditions for the local community to participate in the affairs of the municipality, including in the preparation, implementation and review of its integrated development plan, the establishment, implementation and review of its performance management system, the monitoring and review of its performance including the outcomes and impact of such performance, the preparation of its budget and strategic decisions relating to the provision of municipal services	Council	Speaker	None	Y
	16(1)(b)	Determining the processes, mechanisms and procedures for contributing to building the capacity of the local community to enable it to participate in the affairs of the municipality	Council	Speaker	None	N
		Determining the processes, mechanisms and procedures for contributing to building the capacity of councillors to foster community participation	Council	Speaker	None	N
	17(2)(c)	Determining appropriate mechanisms, process and procedures for public meetings and hearings by the municipal Council and other political structure and political office bearers of the municipality, when appropriate	Council	Speaker	None	
	19(1)	Determining the manner in which the Municipal Manager must give notice to the public of the time, date and venue of every ordinary meeting of the Council and every special or urgent meeting of the Council, except when time constraints make this impossible	Council	Speaker	None	N
	62(4)(c)	Where the Council comprises more than 14 councillors, appointing an appeal authority consisting of a committee of councillors who were not involved in the decisions, for considering appeals against a decision taken by a political structure, political office bearer, Councillor or staff member of the municipality in terms of a power or duty delegated of sub-delegated that affects the rights of a person	Council	Speaker	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
	Sch 1(4)((1)	Considering applications submitted by councillors for leave of absence from meetings they are required to attend	Council	Speaker/Chairperson of the body concerned	Subject to provisions of standing orders of Council	N
	Sch 1(4)(1)	Imposing a fine as determined by the standing rules and orders on a Councillor for not attending a meeting which that Councillor is required to attend or failing to remain in attendance at such a meeting	Council	Speaker/Chairperson of the body concerned	Subject to provisions of standing order so f Council	M
	Sch 1(8)	Considering and refusing or consenting to an application of a full-time councillors, except the Speaker, to undertake other paid work	Council	Speaker	None	N
	Sch 1(14)(3)	Making representations to the MEC regarding appeal of a Councillor that has been found guilty of a breach of the code of conduct for councillors	Council	Speaker	None	N

**INCIDENTAL POWERS OF THE SPEAKER
(POWERS NOT EXPLICITLY CONFERRED BY STATUTE)**

Incidental Powers (Powers not explicitly conferred by statute)	1	Performs all other duties assigned to him/her in the Council's rules of order	Council	Speaker	None	N
	2	Ensures the Council meets at least quarterly	Council	Speaker	None	N
	3	Maintains order during meetings of the Council and ensures compliance with the Code of Conduct for Councillors	Council	Speaker	None	N
Constitution of the Republic of South Africa, 1996 (Act 108/1996)	154(2)	Making representations regarding draft legislation affecting the status, institutions, powers or functions of local government	Council	Speaker	None	Y
Local Government: Municipal Demarcation Act, 1998	26(3)	Considering a written invitation by the demarcation board to make representations regarding the intended demarcation of the municipality's boundaries	Council	Speaker	None	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
(Act x/1998)						
Local Government: Municipal Structures Act, 1998 (Act 117/1998)	12(4)	Participating in any consultations regarding the establishment of a municipality	Council	Speaker	None	
	16(3)	Participating in any consultation regarding an amendment to the notice establishing the municipality	Council	Speaker	None	N
	19(2)	Annual reviewing of the municipality's overall performance in achieving the objects of local government set out in the Constitution	Council	Speaker	None	N

DELEGATION OF POWERS: CHIEF WHIP

Legislation	Council Resolution.	Power Conferred	Delegation Authority	Delegated Body	Conditions/ Limitations/ Directions	Power to Sub-Delegation YES/NO
	CL 07/09/2007	The Chief Whip provides effective, transparent accountable and corporate governance and conduct effective oversight of the affairs of council	Council	Chief Whip		
	CL 07/09/2007	Collaborates on a regular basis with the Speaker on issues of conduct of Councilors, councilor benefits and governance, to ensure that Councilors comply with all applicable legislation and code of conduct applicable to local government.	Council	Chief Whip		
	CL 07/09/2007	Attend Committee Meetings, i.e. whip forum, advisory committee of Council rules committee, etc.	Council	Chief Whip		
	CL 07/09/2007	Organizes political seminars and inter active sessions with councilors and political parties represented in council	Council	Chief Whip		
	CL 07/09/2007	Promotes integration of social, political and institutional aspects of councilors	Council	Chief Whip		
	CL 07/09/2007	Co-ordinates the debate between the external parties i.e. councilors and party officials	Council	Chief Whip		
	CL 07/09/2007	Review the adequacy of political processes used in council	Council	Chief Whip		
	CL 07/09/2007	Attends to significant disagreement between council and the external parties	Council	Chief Whip		
	CL 07/09/2007	Prepares council reports on various projects	Council	Chief Whip		

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		undertaken by the Whippers				
	CL 07/09/2007	Ensure smooth operation of all Council Committees in terms of political views and representatives	Council	Chief Whip		
	CL 07/09/2007	Co-operates with whips of other parties to ensure that members maintain discipline and good conduct		Chief Whip		
	CL 07/09/2007	Organises party business		Chief Whip		
	CL 07/09/2007	Liaises with the speaker on council issues and imposing party discipline		Chief Whip		
	CL 07/09/2007	Ensures that councilors attend all council and other meetings, reports back to constituency issues are attended to		Chief Whip		
	CL 07/09/2007	Ensures that councilors motions are prepared and timeous be given in preparation for council meetings		Chief Whip		
	CL 07/09/2007	Carries out any other responsibilities delegated by political parties from time to time		Chief Whip		
	CL 07/09/2007	Attends to any functions as may be delegated by council or the Executive Mayor or Mayoral Committee.		Chief Whip		
	CL 07/09/2007	To strive for effective and efficient overall political management		Chief Whip		
	CL 07/09/2007	To act as an interface between the Speaker and the Executive Mayor on executive and legislative programme of the Council		Chief Whip		
	CL 07/09/2007	To facilitate and promote good party political relations among the different parties in Council		Chief Whip		
	CL 07/09/2007	Ensure provision of adequate information to Councillors and political parties in council to enhance their ability and capacity to influence meaningful decision making		Chief Whip		

STATUTORY POWERS OF THE MUNICIPAL MANAGER

Local Government: Municipal Structures Act,	25(3)	Calling and setting a date or dates for a by-election	Municipal Manager	None	In consultation with the electoral commission and the Executive Mayor	N
	29(2)	Determining the time, date and place of the first	Municipal	None	With the applicable time limit as set by the	M

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
1998 (Act 117/1998) Local Government: Municipal Systems Act, 2000		Council meeting after a Council has been declared elected	Manager		electoral commission	
	6(2)(a)	Determining the processes, mechanisms and procedures for the administration to be responsive to the needs of the local community	Municipal Manager	Directors and Chief Financial Officer	In consultation with the Executive Mayor	Y
	6(2)(b)	Determining the processes, mechanisms and procedures for facilitating a culture of public service and accountability amongst staff	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	6(2)(c)	Determining the processes, mechanisms and procedures for preventing corruption	Municipal Manager	Chief Financial Officer and directors	In consultation with the Executive Mayor	N
	6(2)(d)	Determining the processes, mechanisms and procedures for establishing clear relationships and facilitating co-operation and communication between it and the local community	Municipal Manager	Directors and Chief Financial Officer	In consultation with the Executive Mayor	Y
	6(2)(e)	Determining processes, mechanisms and procedures for giving members of the local community full and accurate information about the level and standard of municipal services they are entitled to receive	Municipal Manager	Directors and Chief Financial Officer	In consultation with the Executive Mayor	Y
	6(2)(f)	Determining the process, mechanisms and procedure for informing the local community how the municipality is managed, of the costs involved and the persons in charge	Municipal Manager	Director: Corporate Services		Y
	19(1)	Giving notice to the (public) community of the time, date and venue of every ordinary, special or urgent meeting of the Council, except when time constraints make this impossible	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor and Speaker	
	32(1)(a)	Submitting the approved integrated development plan to the MEC	Municipal Manager	Director: Planning and Economic Development	None	Y
	55(1)(a)	Subject to the policy directions of the Council, forming and developing an economical, effective, efficient and accountable administration equipped to carry out the task of implementing the municipality's integrated development plan, operating in accordance with the municipality's performance management system and responsive to the needs of the local community to	Municipal Manager	None	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		participate in the affairs of the municipality				
	55(1)(b)	Subject to the policy direction of the Council managing the municipality's administration in accordance with legislation applicable to the municipality	Municipal Manager			
	55(1)(c)	Subject to the policy directions of the Council, implementing the municipality's integrated development plan and the monitoring of progress with implementation of the plan	Municipal Manager			
	55(1)(d)	Subject to the policy directions of the Council, managing the provision of services to the local community in a sustainable and equitable manner	Municipal Manager	Director: Planning and Economic Development		
	55(1)(e)	Subject to the policy direction of the Council, appointing staff other than managers directly accountable to the Municipal Manager subject to the Employment Equity Act, 1998 (Act No 55 of 1998)	Municipal Manager	Chief Financial Officer and directors	In consultation with the Executive Mayor to appoint post level 1 to 4	
	55(1)(f)	Subject to the policy directions of the Council, managing, effectively utilisation and training of staff	Municipal Manager			
	55(1)(g)	Subject to the policy directions of the Council, maintaining discipline of staff	Municipal Manager			N
	55(1)(h)	Subject to the policy directions of the Council, promoting sound labour relations and compliance by the municipality with applicable labour legislation	Municipal Manager			N
	55(1)(i)	Subject to the policy directions of the Council, advising the political structure and political office bearers of the municipality	Municipal Manager		As per the legislature	N
	55(1)(j)	Subject to the policy directions of the Council, managing communications between the municipality's administration and its political structures and political office bearers	Municipal Manager			N
	55(1)(k)	Subject to the policy directions of the Council, carrying out the decisions of the political structures and political office bearers of the municipality	Municipal Manager		Within respective functional areas, in consultation with the Executive Mayor, subject to decisions being in accordance with section 11(4) of the Systems Act	N
	55(1)(l)	Subject to the policy directions of the Council, administering and implementing of the municipality's by-laws and other legislation	Municipal Manager		Within respective functional areas, in consultation with the Executive Mayor	Y
	55(1)(n)	Subject to the policy directions of the Council,	Municipal			Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Systems Act, 2000 (Act 32/2000)		facilitating participation by the local community in the affairs of the municipality	Manager			
	55(1)(o)	Subject to the policy directions of the Council, developing and maintain a system whereby community satisfaction with municipal services is assessed	Municipal Manager			N
	55(1)(p)	Subject to the policy directions of the Council, implementing national and provincial legislation applicable to the municipality	Municipal Manager			Y
	55(1)(q)	Subject to the policy directions of the Council, performing any other function that may be assigned by the municipal Council	Municipal Manager			Y
	112	Obtaining the approval of the national prosecuting authority to enable an employee to institute criminal proceedings and conduct prosecutions in respect of by-laws and other legislation applicable to the municipality	Municipal Manager		Subject to the provisions of section (22(8)(b) of the National Prosecuting Authority Act, 1998 and in consultation with the Executive Mayor	N
	117	Custody of all records and documents of the municipality	Municipal Manager		Taking into consideration the applicable legislation	Y
Municipal Supply Chain Management Regulations - Government Gazette 30 May 2005	3(1)(a)	Prepare and submit a draft supply chain management policy to Council for adoption	Municipal Manager		In compliance with regulation 2 and the content requirement of section 112(1) of the MFMA, in consultation with the Executive Mayor	N
	3(1)(b)	Annually review the implementation of the supply chain management policy	Municipal Manager		Report to the Executive Mayor in terms of regulation 6(2)(ii)	N
	3(1)(c)	When he/she considers it necessary, submit a proposal for the amendment of the policy to Council	Municipal Manager			N
	3(2)(c)	Report deviation from the treasury standard guidelines for determining the supply chain management policies to the national and Provincial Treasury	Municipal Manager			N
	4	Ensure that all reasonable steps are taken to have and implement a supply chain management policy	Municipal Manager		In compliance with regulation 2 and in terms of section 62(1(f)(iv) of the MFMA and in consultation with the Executive Mayor	N
	6(2)(iii)	Submit with immediate effect a report to Council whenever there are problems in implementing the supply chain management policy	Municipal Manager			N
	6(3)	Submit a report on the implementation of the supply chain to the Executive Mayor	Municipal Manager		Within 10 days of the end of each quarter	N
	29(3)	Appointing a chairperson of the bid adjudication committee	Municipal Manager			N
	29(6)	Refer recommendations of the evaluation	Municipal			N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Municipal Supply Chain Management Regulations - Government Gazette 30 May 2005		committee back for re-consideration	Manager			
	29(7)	Complying with section 114 of the Act	Municipal Manager		Within 10 days of the approval	N
	38(2)	Inform the National Treasury in writing of any actions taken in terms of regulation 39(1)(b)(ii),(e) and (f)	Municipal Manager			N
	47(2)	Report promptly to the National Treasury and alleged contravention whether the offending person and any representative of intermediary through which such person is alleged to have acted, should be listed in the National Treasury's database (for persons) for persons prohibited from doing business with the public sector	Municipal Manager			N
	48	Disclose promptly to the national and Provincial Treasury any sponsorships promised, offered or granted to the municipality, directly or indirectly through a representative or intermediary by any person who is: 1. a provider or prospective provider of goods and services to (those) the municipality 2. a recipient or prospective recipient of goods disposed or to be disposed of by the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	8(5)	Submission of the municipality's primary bank account details, and any impending change thereof	Municipal Manager	Chief Financial Officer		Y
	9(a)	Submission of the prescribed details regarding any new bank accounts opened for the municipality	Municipal Manager	Chief Financial Officer		Y
	9(b)	Submission of the details of the municipality's bank accounts annually before the start of a financial year	Municipal Manager	Chief Financial Officer	None	Y
	10(1)(a)	Administration of the municipality's bank accounts	Municipal Manager	Chief Financial Officer	None	Y
	10(2)	Enforcing compliance with section 7, 8 and 11 of the MFMA	Municipal Manager	Chief Financial Officer	None	Y
	11(1)	Authorising staff to withdraw or authorize the withdrawal of money from the municipality's bank accounts	Municipal Manager	As determined from time to time	1. Subject to the prescribed framework 2. If the municipality has a primary bank account which is separate from its other bank accounts, only the Chief Financial Officer	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)					may be authorised to withdraw money or authorise the withdrawal of money from the municipality's primary bank account in terms of section 11(2) of the MFMA	
	11(4)(a)	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the municipality's bank accounts	Municipal Manager	Chief Financial Officer	A quarterly consolidated report of all withdrawals made from the Municipality's bank accounts must be tabled in the Council, and submitted to the Provincial Treasury and the Auditor-General within 30 days after the end of each quarter.	Y
		Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the municipality's bank accounts in the Council	Municipal Manager	Chief Financial Officer		Y
	11(4)(b)	Submission of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) of the MFMA to the Provincial Treasury and the Auditor-General	Municipal Manager	Chief Financial Officer		Y
	12(4)	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	Municipal Manager	Chief Financial Officer	Such authorisation must be in accordance with decisions of the Council in this regard and only for the purposes of which, and subject to the conditions on which, the fund was established or the money in the fund was donated	Y
	22(a)	Making the annual budget as tabled public, and inviting the community to submit representations in connection therewith	Municipal Manager	Director: Corporate Services	1. In accordance with chapter 4 of the Systems Act 2. in consultation with the Executive Mayor and the Chief Financial Officer	Y
	22(b)	Submitting the annual budget to the national and provincial treasury, affecting municipalities and prescribed organs of state	Municipal Manager	Chief Financial Officer	None	Y
	24(3)	Submission of the approved annual budget to the national and the Provincial Treasury	Municipal Manager	Chief Financial Officer	None	Y
	31(c)	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget line	Municipal Manager	Chief Financial Officer	None	Y
	32(3)	Deciding whether a decision taken by the Council or the executive committee is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	In consultation with the director: Corporate Services	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		Instructing an authorised official not to implement a decision taken by the Council or the Executive Mayor that is like to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	None	N
		Informing the Council or the Executive Mayor that a decision taken by the Council or the Executive Mayor is likely to result, if it is implemented, in unauthorised. Irregular or fruitless and wasteful expenditure	Municipal Manager	None	None	N
	32(4)	Deciding whether an expenditure incurred by the municipality was unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	In consultation with the Executive Mayor	N
		Determining the amount of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
		Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	Municipal Manager	None	In consultation with the Chief Financial Officer and the director: Corporate Services	N
		Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
		Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
		Informing the Executive Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken to recover or rectify such expenditure and to prevent a recurrence of such expenditure	Municipal Manager	None	None	N
	32(6)	Determining whether an alleged irregular expenditure constitutes a criminal offence	Municipal Manager	None	In consultation with the Executive Mayor	N
		Determining whether alleged theft or fraud occurred in the municipality.	Municipal Manager	None	In consultation with the Executive Mayor	N
		Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft or fraud which occurred in the municipality to the				N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		SAPS.				
	33(1)(a)(i)	publication of draft contract and information statement summarising the municipality's obligations if the contract will impose financial obligation beyond three years	Municipal Manager	Director : Corporate Services	In consultation with the Executive Mayor	Y
	33(1)(a)(ii)	If the contract imposes financial obligations beyond three years, soliciting the view of the National and Provincial treasuries; responsible for local government	Municipal Manager	Chief Financial Officer	None	N
	45(2)(b)	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Municipal Manager	None	In consultation with the Executive Mayor	N
	46(2)(b)	Signing a debt agreement or other document which creates any long-term debt	Municipal Manager	None	In consultation with the Executive Mayor	N
		Determining the (proposed) remedial or corrective steps to deal with any serious financial problems facing the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	60(b)(i)	Determining the nature, extent and manner of providing guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the municipality	Municipal Manager	None	None	N
	61(1)(b)	Deciding to disclose to the Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None	None	N
		Deciding the timing and manner of disclosing to the Council and Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Council or the Executive Mayor	Municipal Manager	None	None	N
	62(1)(a)	Deciding the reasonable steps to be taken to ensure (that) that the resourced of the municipality are used effectively, efficiently and economically	Municipal Manager	None	None	Y
	62(1)(b)	Deciding the reasonable steps to be taken to ensure (that) that full and proper records of the municipality's financial affairs are kept in accordance with any prescribed norms and standards	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	62(1)(c)(i)	Deciding the reasonable steps to be taken to	Municipal	Chief	In consultation with the Executive Mayor	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		ensure (that) that the municipality has and maintains, effective, efficient and transparent systems of financial and risk management and internal control	Manager	Financial Officer		
	62(2)(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standard	Municipal Manager	None	In consultation with the Executive Mayor	N
	62(1)(d)	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Municipal Manager	None	In consultation with the Executive Mayor	N
	62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the municipality that has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MGM	Municipal Manager	None	In consultation with the Executive Mayor NOTE: Ensure that disciplinary action is taken consistent with the relevant collective agreement	N
	62(1)(f)(i)	Deciding the reasonable steps to be taken to ensure that the municipality has and implements, a tariff policy referred to in section 74 of the Systems Act	Municipal Manager	None	In consultation with the Executive Mayor	N
	62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the municipality has and implements a credit control and debt collection policy referred to in section 96(1) of the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
	63(2)(a)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	63(2)(b)	Deciding the reasonable steps to be taken to ensure that the municipality assets and liabilities are valued in accordance with Standard of generally recognised accounting practices,	Municipal Manager	None	In consultation with the Executive Mayor	Y
	63(2)(c)	Deciding the reasonable steps to be taken to ensure the municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(a)	Deciding the reasonable steps to be taken to	Municipal	Chief	In consultation with the Executive Mayor	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		ensure that the municipality has effective revenue collection systems consistent with section 94 of the Systems Act and the municipality's credit control and debt collection policy	Manager	Financial Officer		
	64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the municipality being calculated on a monthly basis	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(c)	Deciding the reasonable steps to be taken to ensure that accounts for (regional services, Council levies and) municipal services are prepared on a monthly basis, or as often as may be prescribed where monthly accounts are uneconomical	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(d)	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the municipality's primary and other bank accounts	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(e)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue.	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(f)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control in respect of debtors and revenue	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(g)	Deciding the reasonable steps to be taken to ensure that the municipality charges interest on arrears. Except where the Council has granted exemptions in accordance with its budget related policies and within a prescribed framework	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(2)(h)	Deciding the reasonable steps to be taken to ensure that all revenue received by the Municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(3)	Informing the National Treasury of any payments due by an organ of state to the municipality in respect of municipal tax or other municipal services, if such payments are regularly in arrears for periods of more than 30 days	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	64(4)(a)	Deciding the reasonable steps to be taken to	Municipal	Chief	In consultation with the Executive Mayor	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		ensure that any funds collected by the municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	Manager	Financial Officer		
	64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the municipality on behalf of another organ of state are not used for purposes of the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(a)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(b)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(c)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control in respect of creditors and payments	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments by the municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	Municipal Manager	Chief Financial Officer	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit	Y
	65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing by the municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(f)	Deciding the reasonable steps to be taken to ensure that the municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(g)	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)						
	65(2)h)	Deciding the reasonable steps to be taken to ensure that the municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(i)	Deciding the reasonable steps to be taken to ensure that the municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	65(2)(j)	Deciding the reasonable steps to be taken to ensure that all financial accounts of the municipality are closed at the end of each month and reconciled with its records	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	66	Reporting to the Council on all expenditure incurred by the municipality on staff salaries, wages. Allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	67(1)	Determining whether an organisation or body outside any sphere of government to whom funds of the municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction -	Municipal Manager	None	In consultation with the Executive Mayor	N
		a) has the capacity to comply with any agreement with the municipality;	Municipal Manager	None	In consultation with the Executive Mayor	N
		b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;		None	In consultation with the Executive Mayor	N
		c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;	Municipal Manager	None	In consultation with the Executive Mayor	N
		e) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and	Municipal Manager	None	In consultation with the Executive Mayor	N
		f) has in respect of previous similar transfers complied with all the requirements of section	Municipal Manager	None	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		67(1) of the MFMA.				
	67(1)	Entering into an agreement with an organisation or body outside any sphere of government to whom funds of the municipality stand to be transferred, otherwise than in compliance with a commercial or other business transaction	Municipal Manager	None	In consultation with the Executive Mayor	N
	67(2)	Obtaining the approval of the Provincial Treasury to transfer funds of the municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been an failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	67(3)	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the municipality was transferred otherwise than in compliance with a commercial or other business transaction with -	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		a) any agreement with the municipality;	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial to the municipal manager promptly;	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA.	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
	67(4)	Determining whether an organisation or body outside any sphere of government to whom funds of the municipality stand to be transferred	Municipal Manager	None	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		otherwise than in compliance with a commercial or other business transaction is an and organisation or body serving the poor or used by government as an agency to serve the poor				
	68(a)	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Municipal Manager	Chief Financial Officer	None	Y
	68(b)	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor	Municipal Manager	None	In consultation with the Executive Mayor	N
		Making the administrative support, resources and information required by the Executive Mayor available to him/her	Municipal Manager	None	In consultation with the Executive Mayor	N
	69(1)(a)	Determining, in relation to implementing the municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	69(1)(b)	Determining, in relation to implementing the municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	69(2)	Determining whether it is necessary to prepare and adjustments budget	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
		Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Municipal Manager	Chief Financial Officer	None	Y
	69(3)(a)	preparing and submitting a draft service delivery ad budget implementation plan for the budget year	Municipal Manager	None	Within 14 days after the approval of the municipality's annual budget	N
	69(3)(b)	Preparing and submitting, within 14 days after the approval of the municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(1)(b) of the Systems Act for the Municipal Manager and all senior managers	Municipal Manager	None	An annual performance agreement must be concluded on or before 31 July of each year in terms of section 57(2)(a) of the Systems Act	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	70(1)	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	70(2)	Informing the National Treasury that the municipality's bank account or, if the municipality has more than one bank account, the consolidated balance in those bank accounts, shown a net overdrawn position for a period exceeding a prescribed period	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	71(1)	Submitting to the Executive Mayor and the Provincial Treasury, within 10 working days after the end of month concerned a statement indicating an actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement	Municipal Manager	Chief Financial Officer	1. The statement must contain the information referred to in section 71(1), (2) and (3) of the MFMA 2. The statement submitted to the provincial treasury must be in the form of a signed and an electronic document	Y
	71(5)	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirements	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	72(1)(a)	Performing an assessment of the municipality's performance during the first half of each financial year	Municipal Manager	None	In consultation with the Executive Mayor	N
	72(1)(b)	Submitting the mid-year performance assessment report to the Executive Mayor, the National Treasury and the Provincial Treasury	Municipal Manager	None	On or before 25 January each year	N
	72(3)	Determining whether it is necessary to recommend than adjustments budget be considered and that revised projections for revenue and expenditure in necessary	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	73(a)	Informing the Provincial Treasury of any failure by the Council to adopt or implement a budget-	Municipal Manager	Chief Financial	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		related policy or a supply chain management policy		Officer		
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	73(b)	Informing the provincial treasury of any non-compliance by a political structure or political office bearer of the municipality with a budget related policy or the supply chain management policy	Municipal Manager	None	In consultation with the Executive Mayor	N
	74(1)	Submitting to the national treasury, the provincial treasury, the department of local government and the auditor-general such information, returns, documents, explanations and motivations as may be prescribed or as may be required	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	74(2)	Reporting his/her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons, to the Executive Mayor and the provincial treasury	Municipal Manager	None	None	N
	75(1)	Ensuring that the required documents are uploaded to, and available on, the municipality's website within 5 days after its tabling in the council or on the date on which it must be made public, whichever occurs first	Municipal Manager	Director: Corporate Services	None	Y
	77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Municipal Manager	None	In consultation with the Executive Mayor	N
	79(1)(a)	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the municipality's financial administration for the proper application of the MFMA	Municipal Manager	None	In consultation with the Executive Mayor	N
	79(1)(b)	Delegating to a member of the municipality's top management or any other official of the municipality any of the power or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of the aims of a specific provision of the MFMA	Municipal Manager	None	<ol style="list-style-type: none"> 1. No delegation may be done by the Municipal Manager to any political structure or political office bearer of the municipality 2. A delegation must be in writing. 3. A delegation is subject to such limitations and conditions as the Municipal Manager may impose in a specific case. 4. A delegation may either be to a specific individual or to the holder of a specific post in the municipality. 5. A delegation may, in the case of a delegation to a member of the municipality top 	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)					management, authorise that member to sub-delegate the delegated power or duty to an official or the holder of a specific post in that member's area of responsibility. 6. A delegation does not divest the Municipal Manager of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty. 7. In consultation with the Executive Mayor.	
	79(1)(c)	Regularly reviewing delegations issued to a member of the municipality's top management or any other official of the municipality and, if necessary, amending or withdrawing any of those delegations	Municipal Manager	None	In consultation with the Executive Mayor	N
	79(2)	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	Municipal Manager	None	No variation or revocation of a decision taken under delegated powers may detract from any rights that may have accrued as a result of the decision and in consultation with the Executive Mayor	N
	80(1)(b)	Allocating officials of the municipality to the Chief Financial Officer	Municipal Manager	None	In consultation with the Executive Mayor	N
	114(1)	Submitting a report containing the reasons for deviating from a recommendation relating to a bid to the Auditor-General, the Provincial Treasury and the National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the municipality is approved	Municipal Manager	None	None	N
	115(1)(a)	Implementing the municipality's supply chain management policy	Municipal Manager			
	115(1)(b)	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimize the likelihood of fraud, corruption, favouritism and unfair and irregular practices	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	116(2)(a)	Determining the reasonable steps to be taken to ensure that a contract or agreement procured through the supply chain management policy of the municipality is properly enforced	Municipal Manager	The relevant departmental head administering the	None	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)				contract concerned		
	116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the municipality on a monthly basis	Municipal Manager	The relevant departmental head administering the contract concerned	None	
	116(2)(c)	Determining the capacity that needs to be established within the municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the municipality on a monthly basis	Municipal Manager	None	None	N
	116(2)(c)	Establishing the capacity in the municipality's administration to assist the municipal manager to enforce the provisions of a contract or agreement between the municipality and a contractor under a contract or an agreement with the municipality on a monthly basis	Municipal Manager	None	None	N
	116(2)(d)	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors	Municipal Manager	Chief Financial Officer	None	
		Determining the frequency/regularity of reports to be submitted to the Council regarding the management of contracts and/or agreements and the performance of contractors	Municipal Manager	Chief Financial Officer	None	
	116(3)(a)	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the municipality in the Council	Municipal Manager	The relevant departmental head administering the contract concerned	In consultation with the Executive Mayor	Y
	116(3)(b)	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the municipality and inviting the local community to submit representations to the municipality	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	120(6)(a)	Submitting a report on the feasibility study together with all other relevant documents to the	Municipal Manager	None	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal		Council for a decision, in principle, on whether the municipality should continue with the proposed public-private partnership				
	126(6)(b)	Making the particulars of the proposed public-private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the municipality comments or representations in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	126(6)(c)	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Council at which the matter is to be considered	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	121(2)(e)	Performing an assessment of any arrears on municipal taxes and services charges for inclusion in the municipality annual report	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	121(2)(f)	Performing an assessment of the municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the municipality's approved budget for the relevant financial year for inclusion in the municipality's annual report	Municipal Manager	None	In consultation with the Executive Mayor	N
	122(1)/126(a)	Preparing annual financial statements which fairly presents the state of affairs of the municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	126(1)(a)	Submitting the annual financial statements of the municipality to the auditor-general on or before 31 August of each year	Municipal Manager	Chief Financial Officer	None	Y
	122(1)	Preparing consolidated annual financial	Municipal	Chief	In consultation with the Executive Mayor	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Finance Management Act, 2003 (Act 56/2003)	126(1)(b)	statements of the municipality	Manager	Financial Officer		
	126(1)(b)	Submitting the consolidated annual financial statements of the municipality to the Auditor-General on or before 31 August of each year	Municipal Manager	Chief Financial Officer	None	N
	126(3)(b)	Receiving the audit report on the municipality's annual financial statements and any consolidated annual financial statements of the municipality and of a municipal entity over which the municipality has sole control or effective control (if it is a private company)	Municipal Manager	None	None	N
	127(5)(a)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Municipal Manager	Director: Corporate Services	None	Y
	127(5)(b)	Submitting the annual report to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	Y
	129(2)(a)	Attending the meetings of the Council and its committees where the annual report is discussed and responding to questions concerning the report	Municipal Manager	None	None	N
	129(2)(b)	Submitting copies of the minutes of meetings of the Council and its committees where the annual report was discussed to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government	Municipal Manager	Director: Corporate Services	None	N
	129(3)	Publishing the oversight report regarding the annual report	Municipal Manager	Director: Corporate Services	None	Y
Local Government: Municipal Finance Management Act, 2003						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
(Act 56/2003) Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	131(2)(a)	Submitting the municipality's responses to the issued raised in an audit report to the MEC for local government	Municipal Manager	None	None	N
	132(2)	Submission of the municipality's annual report and oversight report to the provincial legislature	Municipal Manager	None	None	N
	146(1)(c)	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the municipality resulting from a mandatory principal intervention	Municipal Manager	None	In consultation with the Executive Mayor	N
	152(1)	Bringing an application to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the municipality if the municipality is unable to meet its financial commitments	Municipal Manager	None	In consultation with the Executive Mayor	N
	152(2)	Giving notice of an application by the municipality to the High Court for an order to stay all legal proceedings, including the execution of legal process, to persons claiming money from the Municipality if the municipality is unable to meet its financial commitments	Municipal Manager	None	In consultation with the Executive Mayor	N
	153(1)(a)	Bringing an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the municipality	Municipal Manager	None	In consultation with thee Executive Mayor	N
	153(3)	Giving notice of an application in the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, to persons claiming money from the municipality	Municipal Manager	None	In consultation with the Executive Mayor	N
	153(1)(b)	Bringing an application in the High Court for an order to suspend the municipality's financial obligations to creditors, or any portion of those obligations, until the municipality can meet those obligations	Municipal Manager	None	In consultation with the Executive Mayor	N
	153(3)	Giving notice of an application in the High Court for an order to suspend the municipality's financial obligations to creditors, or any portion of those obligations, until the municipality can meet those obligations	Municipal Manager	None	In consultation with the Executive Mayor	N
		Bringing an application in the High Court for an order to terminate the municipality financial	Municipal Manager	None	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA				
	153(3)	Giving notice of an application in the High Court for an order to terminate the municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Municipal Manager	None	In consultation with the Executive Mayor	N
	167(2)(a)	Recovering any amount paid or given in cash or in kind to a person as a political office bearer or as a member of a political structure of the municipality otherwise than in accordance with the framework of the Public Office bearers Act, 1998 (Act No 20 of 1998), including any bonus, bursary, loan, advance or other benefit	Municipal Manager	None	In consultation with the Executive Mayor	N
		Establishing the capacity in the municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the municipality on a monthly basis	Municipal Manager	None	None	N
Promotion of Access to Information Act, 2000 (Act 2/2000)	17(1)	Designation such number of persons as deputy information officers as are necessary to render the municipality as accessible as reasonably possible for requesters of its records	Municipal Manager	Director: Corporate Services	In consultation with the Executive Mayor	N
Occupational Health and Safety Act, 1993 (Act x /1993)	16(1)	Ensuring that the duties of the municipality as contemplated in the Occupational Health and Safety Act are properly discharged	Municipal Manager	None	In consultation with the Executive Mayor	
POWERS DELEGATED TO THE MUNICIPAL MANAGER						
Constitution of the Republic of South Africa, 1996 (Act 108/1996)	153	Deciding on the structure and management of the municipality's administration and budgeting and planning processes to five priority to the basic needs of the community and to promote the social and economic development of the community	Council	Municipal Manager	Subject to a policy framework determined by the Council an in consultation with the Executive Mayor	N
Local Government: Municipal	95(a)	Establishing a customer management system	Council	Municipal Manager	In consultation with the Executive Mayor	N
	95(b)	Establishing mechanisms for users of services	Council	Municipal	In consultation with the Executive Mayor	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Systems Act, 2000 (Act 32/2000)		and ratepayers to give feedback to the municipality or other service provider regarding the quality of the services and the performance of the service provider		Manager		
	101	Issuing of written authorisation to an employee to access at all reasonable hours to the premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	109(2)	Deciding to compromise or compound any action, claim or proceedings and submission to arbitration of any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws	Council	Municipal Manager	In consultation with the Executive Mayor	N
	110	Issuing a certificate to be used in legal proceedings involving the municipality that the municipality used the best known, or the only, or the most practicable and available methods in exercising any of its powers or performing any of its functions	Municipal Manager	Municipal Manager	In consultation with the Executive Mayor	N
Municipal Supply Chain Management Regulations - Government Gazette 30 May 2005	7(1)	Establish a municipal supply chain management unit	Council	Municipal Manager	In consultation with the Executive Mayor	N
	27(5)	Inviting service providers and other role players concerned with development and effective service delivery planning in the (district) municipality	Executive Mayor	Municipal Manager	In consultation with the Executive Mayor	Y
	37(8)	Submit to the Auditor-General reasons for rejecting or not following any recommendations of the national and Provincial Treasury	Council	Municipal Manager	Within 7 days after the decision on the award of the unsolicited bid is taken. No contract may be entered into or signed within 30 days of submission; in consultation with the Executive Mayor.	N
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	7(1)	Deciding at which bank/banks to open a bank account for the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	14(2)(a)	Deciding, at a meeting open to the public and on reasonable grounds, that an asset of the municipality is not needed to provide the minimum level of basic municipal services	Council	Municipal Manager	Only in respect of movable capital assets below a value determined by the Council and in consultation with the Executive Mayor	N
	14(2)(b)	Considering the fair market value of an asset to be disposed of and the economic and community value to be received in exchange for an asset to be disposed of	Council	Municipal Manager	Only in respect of movable capital assets below a value determined by the Council and in consultation with the Executive Mayor	N
	32(2)	Identifying the person who is liable for	Council	Municipal	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)		unauthorised, irregular or fruitless and wasteful expenditure		Manager		
	33(1)	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year	Council	Municipal Manager	Provided the term of the contact does not exceed 3 years and in consultation with the Executive Mayor	N
	44(2)(a)	Reporting a dispute of a financial nature between the municipality and another organ of state (excluding the National Treasury) to the National Treasury	Council	Municipal Manager	In consultation with the m\Executive Mayor	N
	45(2)(a)	Approving any short term debt agreement	Council	Municipal Manager	In consultation with the Executive Mayor	N
	46(2)(a)	Approving any long term debt agreement	Council	Municipal Manager	In consultation with the Executive Mayor	N
	113(1)	Deciding whether to consider an unsolicited bid received outside the municipality's normal bidding process	Council	Municipal Manager	In compliance with regulation 37(2) of the supply chain management policy	N
	119(2)	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the municipality to meet the prescribed competency levels	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	120(5)	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility study regarding a proposed public-private partnership	Council	Municipal Manager	In consultation with the Executive Mayor	N
	121(1)	Preparing an annual report for the municipality	Council	Municipal Manager	Subject to the requirements set by national and provincial department and in consultation with the Executive Mayor	Y
	126(4)	Receiving a report outlining the reasons for the delay from the Auditor-General if he/she is unable to complete an audit within 3 months after submission of the municipality's annual financial statements	Council	Municipal Manager	None	N
	131(1)	Ensuring that the municipality addresses all the issues raised in an audit report	Municipal Manager	None	In consultation with the Executive Mayor	Y
	135(3)(b)	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	135(3)(c)	Notifying organised local government of any serious financial problem in meeting its financial	Council	Municipal Manager	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		commitments experienced or anticipated by the municipality				
	145(1)(a) 146(1)(a)	Implementing an approved financial recovery plan for the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	145(1)(b)	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	Y
Labour Relations Act, 1995 (Act 66/1995)	12(4)	Setting conditions as to time and place that are reasonable and necessary to safeguard life or property or to prevent the undue disruption of work when any office bearer or official of a trade union enters the municipality's premises in order to recruit members or communicate with members, or otherwise serve members' interests, to hold meetings with employees outside their working hours at the employer's premises and to vote at the employer's premises in any election or ballot contemplated in that trade union's constitution	Council	Municipal Manager	In consultation with the Executive Mayor	Y
Labour Relations Act, 1995 (Act 66/1996)	16(2) and (3)	Deciding whether or not to disclose information to a union representative or union	Council	Municipal Manager	In consultation with the Executive Mayor	N
	23	Ensuring compliance with collective agreements	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	69(2)	Considering an application by a trade union to picket inside the municipality's premises	Council	Municipal Manager	In consultation with the Executive Mayor	N
	72	Entering into a minimum service level agreement in respect of essential services provided by the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	76	Deciding to take into employment one or more replacement workers during a strike or similar action and determining their conditions of employment	Council	Municipal Manager	In consultation with the Executive Mayor	N
	142	Applying to the CCMA to subpoena a person to appear in proceedings before the CCMA	Council	Municipal Manager	In consultation with the Executive Mayor	N
	142A	Applying to the CCMA to make a settlement agreement an arbitration award	Council	Municipal Manager	In consultation with the Executive Mayor	N
	188A(1)	Seeking the consent of an employee accused of misconduct or poor work performance to consent to arbitration regarding the allegations	Council	Municipal Manager	In consultation with the Executive Mayor	N
	188A(1)	Applying to the SALGA Bargaining Council	Council	Municipal	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Labour Relations Act, 1995 (Act 66/1995)		(Mpumalanga Division) or the CCMA to arbitrate any allegation relating to an employee's conduct or capacity		Manager		
	189	Deciding whether to dismiss one or more employees based on the municipality's operational requirements	Council	Municipal Manager	In consultation with the Executive Mayor	N
	189A(3)	Requesting the CCMA to appoint a facilitator to facilitate consultation between the municipality and other consulting parties regarding the proposed dismissal of one or more employees based on the municipality's operational requirements	Council	Municipal Manager	In consultation with the Executive Mayor	N
	191	Appointing a person or body to represent the municipality in any proceedings before the SALGA Bargaining Council (Mpumalanga Division) or the CCMA	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Sch 8(8)(a)	Deciding whether to appoint a newly-hired employee on probation	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Sch 8(8)(d)	Determining the period of probation with reference to the nature of the job and the time it takes to determine the employee's suitability for continued employment	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Sch 8(8)(e)	Determining the basis and methodology of assessing the performance of an employee appointed on probation	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Sch 8(8)e	Determining the reasonable evaluation, instruction, training, guidance or counselling in order to allow an employee appointed on probation to render satisfactory service	Council	Municipal Manager	In consultation with the Executive Mayor	N
	Sch 8(8)(f)	Deciding to extend an employee's period of probation	Council	Municipal Manager	In consultation with the Executive Mayor	N
Basic Conditions of Employment Act, 1997 (Act x/1997)	7	Regulating the working time of each employee in accordance with the provisions of any act governing occupational health and safety, with due regard to the health and safety of employees and the Code of Good Practice on the Regulation of Working Time and with due regard to the family responsibilities of employees	Council	Municipal Manager	In consultation with the Executive Mayor	N
	9(2)	Concluding an agreement to extend the working hours of an employee by up to 15 minutes in a day but not more than 60 minutes in a week to enable an employee whose duties include serving	Council	Municipal Manager	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Basic Conditions of Employment Act, 1997 (Act x/1997)		members of the public to continue performing those duties after the completion of ordinary hours of work				
	11(1)	Concluding an agreement in writing requiring or permitting an employee to work up to twelve hours a day, inclusive of the meal intervals, without receiving overtime pay	Council	Municipal Manager	In consultation with the Executive Mayor	N
	14(1)	Determining of meal intervals	Council	Municipal Manager	In consultation with the Executive Mayor	N
	14(3)	Concluding an agreement in writing reducing the meal interval to not less than 30 minutes; and dispensing with a meal interval for an employee who works fewer than 6 hours on a day	Council	Municipal Manager	In consultation with the Executive Mayor	N
	17(2)	Concluding an agreement requiring or permitting an employee to perform night work, provided that the employee is compensated by the payment of an allowance, which may be a shift allowance, or by a reduction of working hours and transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift	Council	Municipal Manager	In consultation with the Executive Mayor	N
	17(2)	Determining a night work allowance	Council	Municipal Manager	In consultation with the Executive Mayor	N
	21	Concluding an agreement with an employee who has been granted annual leave to be paid on his/her usual pay day	Council	Municipal Manager	none	N
	22(6)	Concluding an agreement to reduce an employee's pay during that employees absence from work on sick leave	Council	Municipal Manager	None	N
	23(1)	Deciding whether an employee who has been absent from work for more than 2 consecutive days or on more than 2 occasions during an 8-week period and, on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury	Council	Municipal Manager	In consultation with the head of department	N
	38(1)	Deciding whether to require an employee who	Council	Municipal	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		has resigned or has been dismissed must work during the notice period or whether the notice period is waived		Manager		
	69(5)	Ensuring compliance with a compliance order within the time period stated in the order unless the employer objects in terms of section 71	Council	Municipal Manager	In consultation with the head of department	N
	71	Deciding to object to a compliance order	Council	Municipal Manager	In consultation with the head of department	N
	72	Deciding to appeal against a decision of the Director-General of labour regarding an objection of the municipality to a compliance order	Council	Municipal Manager	In consultation with the head of department	N
Occupational Health and Safety Act, 1993 (Act x/1993)	7(3)	Ensuring that the municipality's health and safety policy is signed and displayed in the workplace where employees normally report for service	Council	Municipal Manager	In consultation with the head of department	
	17(6)	Complying with a directive of a labour inspector with regard to the appointment of additional health and safety representatives at a workplace	Council	Municipal Manager	In consultation with the head of department	N
	19(1)	Establishing a health and safety committee for every workplace where to or more health and safety representatives has been appointed	Council	Municipal Manager	In consultation with the head of department	N
	19(1)	Consulting with the health and safety committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work	Council	Municipal Manager	In consultation with the Head of department	Y
	19(2)	Determining the number of members of a health and safety committee	Council	Municipal Manager	In consultation with the head of department	Y
	19(2)	Designation of persons to represent the employer in a health and safety committee	Council	Municipal Manager	In consultation with the head of department	N
Employment Equity Act, 19x (Act x/19x)	7(1)	Deciding whether an employee or an applicant for employment must submit for medical testing	Council	Municipal Manager	In consultation with the Manager: Human Resources	N
	36	Issuing a written undertaking to comply with the provisions of the Employment Equity Act when requested by a labour inspector	Council	Municipal Manager	In consultation with the Manager: Human Resources	N
	39	Objecting to a compliance order issued by a labour inspector in terms of section 38 of the Employment Equity Act	Council	Municipal Manager	In consultation with the Manager: Human Resources	N
	40	Appealing against a compliance order issue by the Director-General of labour in terms of section 39 of the Employment Equity Act	Council	Municipal Manager	In consultation with the Manager: Human Resources	N
Skills Development Act, 19x	10(1)	Prepare, adopt and amend a workplace skills plan	Council	Municipal Manager	In consultation with the Manager: Human Resources	Y
	17	Entering into learnership agreement	Council	Municipal	In consultation with the Manager: Human	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
(Act x/19x)				Manager	Resources	
Local Government: Municipal Planning and Performance Management Regulations, 2001	6(b)	Preparing action plans for the implementation of strategies identified by the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	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	In consultation with the Executive Mayor	N
General Machinery Regulations	2(1)	Designating a person in a fulltime capacity in respect of every premises on or in which machinery is being used	Council	Municipal Manager	In consultation with the Executive Mayor	N
Organisational Rights Collective Agreement	6	Granting permission to trade union office bearers and officials to access the workplace to conduct union business during working hours	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	8.2	Considering a request by a shop stewards committee for additional meetings between shop stewards and union members or additional meeting time	Council	Municipal Manager	In consultation with the Executive Mayor	N
Organisational Rights Collective Agreement	8.4.3	Convening a meeting with a trade union wishing to define its constituencies	Council	Municipal Manager	In consultation with the Executive Mayor	N
	8.4.4	Concluding an agreement with a trade union regarding the delimitation of its constituencies	Council	Municipal Manager	In consultation with the Executive Mayor	N
	8.5.1	Granting access to the workplace to a trade union to conduct elections for the election of shop stewards	Council	Municipal Manager	In consultation with the Executive Mayor	M
	8.7.2	Approving the date for the holding of a meeting between shop stewards and members of the union concerned	Council	Municipal Manager	In consultation with the Executive Mayor	N
	8.7.4	Deciding on the facilities to be made available to shop stewards of a union	Council	Municipal Manager	In consultation with the Executive Mayor	N
	8.7.5	Giving access to unions to display notices on notice boards within each department or service unit, provided that a copy is handed to the employer prior to such notice being displayed	Council	Municipal Manager	In consultation with the Executive Mayor	Y
	9.5.3	Notifying the trade union of any non-compliance with the terms of the agreement by shop stewards	Council	Municipal Manager	In consultation with the Executive Mayor	N
	9.5.4	Deciding not to recognise a full-time shop steward	Council	Municipal Manager	In consultation with the Executive Mayor	N
	9.5.5	Giving notice to trade unions to improve its membership within 60 days	Council	Municipal Manager	In consultation with the Executive Mayor	N
	9.9.1	Designating the manager to whom full-time shop	Council	Municipal	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		stewards must report		Manager		
	12.1.1	Establishing a local labour forum	Council	Municipal Manager	In consultation with the Executive Mayor	N
INCIDENTAL POWERS OF THE MUNICIPAL MANAGER (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)						
Incidental Powers (Powers not explicitly conferred by statute)	1	Commencing with any legal process, whether civil or criminal, on behalf of the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	2	Defending or opposing any legal process, whether civil or criminal, against the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	3	Obtaining the services of an advocate for official purposes	Council	Municipal Manager	In consultation with the Executive Mayor	N
	4	Incurring expenses relating to obtaining the services of investigators to obtain evidence in cases of alleged irregular conduct or misconduct	Council	Municipal Manager	In consultation with the Executive Mayor	N
	5	Granting of legal aid to employees of the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	6	Deciding the payment of an award not exceeding an amount determined from time to time by the Council to a person, other than an employee, who willingly reported an incident that resulted in the conviction of an accused person by a court for an offence relating to damage to or theft of municipal property	Council	Municipal Manager	In consultation with the Executive Mayor	N
	7	Granting of bursaries to employees of the municipality	Council	Municipal Manager	In terms of the Council's policy	N
	8	Approving the allocating of official telephones, mobile phones and cellular phone allowances to employees	Council	Municipal Manager	As per the policy	N
	9	Approving the attendance by employees on level 1 to 3 of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic of South Africa	Council	Municipal Manager	In consultation with the head of department concerned	Y
	10	Signing, authenticating and/or executing, together with the Executive Mayor -	Council	Municipal Manager	In consultation with the Executive Mayor	N
		a) any document conferring freedom of the municipality or honorary residence to a person, pursuant to a Council resolution	Council	Municipal Manager	In consultation with the Executive Mayor	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Incidental Powers (Powers not explicitly conferred by statute)		b) documents relating to the transfer or acquisition of immovable property	Council	Municipal Manager	In consultation with the Executive Mayor	N
		c) documents to commence with any legal process, whether criminal or civil, on behalf of the municipality and to defend or oppose any legal process against the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
		d) documents necessary to submit, oppose or defend any appeal to a higher court or other body in respect of judgment handed down by a lower court or body	Council	Municipal Manager	In consultation with the Executive Mayor	Y
		e) any other document the signing, authentication or execution of which had not been delegated to another person	Council	Municipal Manager	In consultation with the Executive Mayor	Y
		f) contracts relating to the construction of buildings, civil, electrical and mechanical works	Council	Municipal Manager	In consultation with the Executive Mayor	N
		g) contracts relating to the construction of buildings, civil, electrical and mechanical works	Council	Municipal Manager	In consultation with the Executive Mayor	N
		h) a declaration by a seller for the payment of transfer duties in connection with all property transactions, including declarations concerning buildings constructed with funds obtained from the state, including the national or provincial housing fund	Council	Municipal Manager	In consultation with the Executive Mayor	N
		i) contracts for the acquisition and alienation of immovable property and rights in respect thereof	Council	Municipal Manager	In consultation with the Executive Mayor	N
		j) contracts for the leasing of property by or to the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
		k) any and all documentation regarding the registration of immovable property in the municipality's name, irrespective of the manner in which such property was acquired	Council	Municipal Manager	In consultation with the Executive Mayor	N
		l) contracts which may be necessary for the alienation of any rights of the municipality in immovable property owned by the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
		m) any and all documentation relating to the expropriation of immovable property by the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
		n) any and all documents relating to the registration in favour of the Council or another	Council	Municipal Manager	In consultation with the Executive Mayor	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Incidental Powers (Powers not explicitly conferred by statute)		party of servitudes and notarial deeds				
		o) contracts for the handling and disposal of waste	Council	Municipal Manager	In consultation with the Executive Mayor	N
		p) any and all documents relating to obtaining statutory required permits and licences, including the establishment, extension and closing of landfill sites and cemeteries and the treatment and disposal of wastewater and industrial effluent	Council	Municipal Manager	In consultation with the Executive Mayor	N
		q) contracts relating to the provision of water and electricity to the municipality whether in bulk or retail quantities	Council	Municipal Manager	In consultation with the Executive Mayor	N
		r) any and all documents relating to the registration, deregistration or changes to sectional title schemes	Council	Municipal Manager	In consultation with the Executive Mayor	N
	11	Granting permission to persons to examine the records of the municipality for research purposes	Council	Municipal Manager	In consultation with the Executive Mayor	N
	12	Dismissing an employee for the operational requirements of the municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
	12	Providing temporary ad hoc technical, administrative and management assistance, including training, to another municipality	Council	Municipal Manager	In consultation with the Executive Mayor	N
POWERS DELEGATED (GENERAL) TO ALL HEADS OF DEPARTMENT						
Basic Conditions of Employment Act, 1997 (Act x/1997)	10(1)(a)	Concluding an agreement with an employee requiring that employee to work overtime and a further agreement to extend such agreement	Council	Directors	In consultation with the Municipal Manager	N
	10(3)	Determining, by way of agreement, whether an employee who works overtime will be paid in cash for such overtime or time off in lieu of such pay	Council	Directors	In consultation with the Municipal Manager	N
	18(1)	Concluding an agreement requiring and employee to work on a public holiday	Council	Director concerned	Subject to any Bargaining Council agreement	N
	20(4)	Granting of annual leave not later than 6 months after the end of an employee's annual leave cycle	Council	director concerned	Subject to any Bargaining Council Agreement	
	20(6)	Permitting an employee, at the employee's written request, to take leave during a period of unpaid leave	Council	Director concerned	Subject to any bargain Council agreement	
	20(7)	Reducing an employee's entitlement to annual leave by the number of days of occasional leave on full remuneration granted to the employee at	Council	Director concerned	Subject to any Bargaining Council	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Basic Conditions of Employment Act, 1997 (Act x/1997)		the employees request in the leave cycle				
	20(9)	Ensuring that an employee who has been granted leave does not work during such period	Council	Director concerned	Subject to any Bargaining Council Agreement	
	25	Granting of maternity leave	Council	Director concerned	Subject to any Bargaining Council Agreement	
	26(1)	Making arrangements to ensure that a pregnant employee or an employee who is nursing her child does not perform work that is hazardous to her health or the health of her child	Council	Director concerned	Subject to any Bargaining Council Agreement	N
	26(2)	Making arrangements during an employees pregnancy, and for a period of six months after the birth of her child is suitable, alternative employment on terms and conditions that are not less favourable than her ordinary terms and conditions of employment, if the employee is required to perform night work, as defined in section 17(1) of her work poses a danger to her health or safety or that of her child and it is practicable for the employer to do so	Council	Director concerned	Subject to any Bargaining Council Agreement	N
	27(1)	Granting of not more than 3 days family responsibility leave to an employee during an annual leave cycle	Council	Director concerned	Subject to any Bargaining Council agreement	N
	27(5)	Deciding whether an employee who applied for or who has been granted family responsibility leave must submit reasonable proof of the event for which the leave was required	Council	Director concerned	Subject to any Bargaining Council Agreement	N
Conditions of Employment Agreement (R1828 28 October 1994)	8.1.1	Deciding whether an employees work performance is unsatisfactory	Council	Directors concerned	None	N
	9.5.1	Requiring an employee to work overtime	Council	Directors concerned	Provided there is an agreement between the municipality and that employee that the employee will work overtime and that adequate funds are available for this purpose on the budget	N
	9.5.2	Determining which employee shall be compensated for overtime work by way of time off and which by way of cash payment	Council	Departmental head	None	N
	9.6	Determining whether an employee must be available to perform standby services	Council	Departmental head	After consultation with the director: Corporate Services	N
	10.2.2.1	Receipt of complaints of alleged misconduct against an employee	Council	Head of department concerned	None	N
	10.2.2.2	Investigating alleged misconduct and making a	Council	Head of	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Conditions of Employment Agreement R1828 28 October 1994		preliminary finding whether the allegation warrants disciplinary hearing and informing the accuser of the decision		department concerned		
	11.4	Deciding whether or not an employee has absconded	Council	Head of department concerned	None	N
	12.1	Deciding which employees must wear uniforms and other protective clothing whilst at work	Council	Head of department concerned	None	N
	12.1	Determining the uniforms and other protective clothing that must be worn whilst at work	Council	Head of department concerned	In consultation with the chief financial officer	N
	12.1.1.13	Determining whether an employee must return any uniform or protective clothing supplied to him/her by the Council when his/her employment is terminated	Council	Head of department concerned	In consultation with the chief financial officer	N
	12.5	Determining whether the loss or damage of any uniform or protective clothing can be ascribed to the relevant employee	Council	Head of department concerned	After consultation with the chief financial officer	N
	14.1	Receiving a grievance submitted by an employee	Council	Head of department concerned	None	N
	16.1	Appointing a person to be in control of the leave register and personal leave records of employees	Council	Director: Corporate Services	None	N
	16.3.1.1	Considering applications for leave of absence from employees	Council	Head of department concerned	After ascertaining whether the applicant has leave available and subject to the operational requirements of Council	N
	16.3.1.4	Deciding to cancel, postpone or interrupt an employee's leave	Council	Head of department concerned	None	N
	16.11	Granting of unpaid leave to an employee	Council	Head of department concerned	None	N
	16.12.3	Granting of additional sick leave to an employee at half pay	Council	Head of department concerned	None	N
	16.12.4.1	Granting of vacation leave to an employee instead of sick leave	Council	Head of department concerned	None	N
	16.12.5.1	Converting vacation leave to sick leave	Council	Head of department	Subject to medical certificate presented	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Conditions of Employment Agreement (R1828, 28 October 1994)				concerned		
	16.14.3	Requiring an employee to submit him/her for medical examination	Council	Head of department concerned	None	N
	16.14.4.2	Requiring an employee to submit a certificate of indisposition for any absence due to illness or injury for a period of 3 or less working days	Council	Head of department concerned	None	N
	16.14.6	Refusing to grant an application for sick leave	Council	Head of department concerned	None	N
	16.14.7	Compelling an employee to take sick leave	Council	Head of department concerned	None	N
	16.16.1	Deciding to grant special sick leave to an employee due to indisposition arising from an injury owing to his/her duties and during the course thereof	Council	Head of department concerned	None	N
	16.21	Granting of permission to an employee to resume duty before his/her leave expired	Council	Head of department concerned	None	N
	16.23	Converting of vacation leave to cash	Council	Head of department concerned	After consultation with the Chief financial officer and subject thereto that the applicant requested provision to be made on the budget	N
Organisational Rights Agreement	5.1	Granting applications for leave of absence for trade unions activities and training	Council	Head of department concerned	In consultation with the director: Corporate Services and subject to any Bargaining Council agreement	N
	5.4	Considering requests for further time off from shop stewards	Council	Head of department concerned	In consultation with the director: Corporate Services and subject to any Bargaining Council agreement	N
	B2.2	Granting permission to a shop steward to leave his/her workplace to carry out his/her functions as shop steward	Council	Head of department concerned	In consultation with the director: Corporate Services and subject to any Bargaining Council agreement	N
Occupational Health and Safety Act, 1993 (Act No x of 1993)	8(1)	Ensuring that as far as it is reasonable practicable, a working environment that is safe and without risk to the health of employees is provided and maintained	Council	Directors as designated	None	N
	9(1)	Ensuring, as far as is reasonably practicable, the persons other than employees who may be directly affected by the municipality's activities are not there exposed to hazards to their health or safety	Council	Directors as designated	None	N
	10(1)	Ensuring that any article supplied for use at work	Council	Director	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Occupational Health and Safety Act, 1993 (Act No x of 1993)		shall ensure, as far as is reasonably practicable, that the article is safe and without risks to health when properly used and that it complies with all prescribed requirements		concerned		
	10(2)	Ensuring that the erection or installation of any article for use at work on or in any premises of the municipality as far as is reasonably practicable that nothing about the manner in which it is erected or installed makes it unsafe or creates a risk to health when properly used	Council	Director concerned	None	M
	17(1)	Designating, in writing for a specified period health and safety representatives for every workplace where more than 20 employees work, or for different sections thereof	Council	Director concerned	None	N
	17(2)	Consulting with recognised representatives of employees in good faith regarding the arrangements and procedures for the nomination or election, period of office and subsequent designation of health and safety representatives	Council	Director concerned	None	N
	17(2)	Recognising employees for the purpose of consulting about the election or appointment of health and safety representatives	Council	Director concerned	None	N
	18(3)	Providing such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his/her functions	Council	Director concerned	n	
INCIDENTAL POWERS DELEGATED TO ALL HEADS OF DEPARTMENT						
Incidental Powers (powers not explicitly conferred by statute)	1	Applying penalty clauses of contracts in the event of late or non-delivery of goods or services to the municipality	Council	Head of department concerned	After consultation with the Municipal Manager	N
	3	Approving the attendance by employees of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic of South Africa	Council	Head of department concerned	Provided that the meeting etc is in line with the respective KPA's of employees	N Y
	4	Authorising employees to work overtime	Council	Head of department	Subject to the Council policy	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Incidental Powers (Powers not explicitly conferred by statute)				concerned		
	5	Enforcing national, provincial and local legislation, including the institution of criminal proceedings for the alleged contravention thereof	Council	Head of department concerned	After consultation with the Municipal Manager	N
	6	Enforcing penalty clauses for late delivery of goods and services or the completion of work	Council	Head of Department concerned	After consultation with the chief financial officer	N
	7	Discharging any temporary employee or employee appointed for a fixed term at the expiration of his/her term of employment or when his/her services are no longer required	Council	Head of department concerned	After consultation with the Municipal Manager	N
	8	Extending the validity of non-accumulative leave of an employee	Council	Head of Department concerned	After consultation with the municipal manager	N
STATUTORY POWERS OF THE CHIEF FINANCIAL OFFICER						
Local Government: Municipal Finance Management Act, 2003 (Act 56/2003)	81(1)(b)	Advising the Municipal Manager on the exercise of powers and duties assigned to him/her in terms of the MFMA	Chief Financial Officer	None	None	N
	81(1)(c)	Assisting the Municipal Manager in administering the municipality's bank accounts and in the preparation and implementation of the municipality's budget	Chief Financial Officer	None	None	N
	81(1)(d)	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them	Chief Financial Officer	None	None	N
	82	Deciding to sub-delegate any powers and duties to employees in the budget and treasury office	Chief Financial Officer	None	A sub-delegation must be in writing, is subject to such limitations or conditions as the Chief Financial Officer may impose and does not divest the Chief Financial Officer of the responsibility concerning the delegated duty	
	82(4)	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer	Chief Financial Officer	None	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
POWERS DELEGATED TO THE CHIEF FINANCIAL OFFICER						
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	55(1)(e)	Subject to the policy directions of the Council, appointing support staff subject to the Employment Equity Act, 1998 (Act No 55 of 1998)	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager to appoint post level 5 to 15	N
	95(e)	Stipulating the steps that must be taken to ensure that persons liable for payments receive regular and accurate accounts that indicate the bases for calculating the amounts due	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	95(f)	Establishing accessible mechanisms for persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	95(g)	Establishing accessible mechanisms for dealing with complaints from persons, together with prompt replies and corrective action by the municipality	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	95(h)	Establishing mechanisms to monitor the response time and efficiency in complying with complaints from such persons, together with prompt replies and corrective action by the municipality	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	95(i)	Determining the number and location of pay points and other mechanisms for settling accounts or for making pre-payments for services	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	102(1)	Deciding to consolidate any separate accounts of persons liable for payments to the municipality and to credit a payment by such a person against any account of that person	Council	Chief Financial Officer	None	Y
	103(1)(a)	Obtaining the consent of employees of other employers to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	103(1)(b)	Entering into agreement with the employers of other employees to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	103(2)	Determining special incentives for employers to enter into agreements with the municipality to deduct any payment of rates or other taxes, or fees for municipal services from the salaries and wages of such employees	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)	118	Issuing of rates clearance certificates	Council	Chief Financial Officer	None	Y
	7(1)	Deciding to open a bank account for the municipality	Council	Chief Financial Officer	Taking into account the cost of operating more than one account and the administrative capacity of the municipality to manage more than one account	N
		Deciding to close a bank account	Council	Chief Financial Officer	In consultation with the Municipal Manager	N
	7(2)	Determining into which bank account money collected or received by the municipality must be deposited	Council;	Chief Financial Officer	See section 48(2) of the MFMA	N
	8(3)	Determining the reasonable steps to be taken to ensure that the prescribed money receive is paid into the municipality's primary bank account	Council	Chief Financial Officer	None	N
	8(5)	Submission of the municipality's primary bank account details, an any impending change thereof	Municipal Manager	Chief Financial Officer	None	N
	9(a)	Submission of the prescribed details regarding any new bank accounts opened for the municipality	Municipal Manager	Chief Financial Officer	None	N
	9(b)	Submission of the details of the municipality bank accounts annually before the start of a financial year	Municipal Manager	Chief Financial Officer	None	N
	10(1)(a)	Administration of the municipality's bank accounts	Municipal Manager	Chief Financial Officer	None	Y
	10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Municipal Manager	Chief Financial Officer	None	N
	11(4)(a)	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(1)(b) to (j) of the MFMA from the municipality's bank accounts	Municipal Manager	Chief Financial Officer	A quarterly consolidated report of all withdrawals made from the municipality's bank accounts must be tabled in the Council, and submitted to the provincial treasure and the Auditor-General within 30 days after the end of each quarter, and In consultation with the Municipal Manager	N
Local		Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the municipality's bank accounts in the Council	Municipal Manager	Chief Financial Officer		

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)	11(4)(b)	Submission of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA to the Provincial Treasury and the Auditor-General	Municipal Manager	Chief Financial Officer		
	12(2)	Deciding to open a separate bank account in the name of the municipality for the purpose of a relief, charitable, trust or other fund	Council	Chief Financial Officer	In consultation with the Executive Mayor	N
	12(4)	Issuing written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of a relief, charitable, trust or other fund	Municipal Manager	Chief Financial Officer	Such authorisation must be in accordance with decisions of the Council in this regard and only for the purposes for which, and subject to the conditions on which, the fund was established or the money in the fund was donated	N
	22(b)	Submitting the annual budget to the National Treasury and the Provincial Treasury, (affected municipalities) and prescribed organs of state	Municipal Manager	Chief Financial Officer	None	Y
	24(3)	Submission of the approved annual budget to the National Treasury and the Provincial Treasury	Municipal Manager	Chief Financial Officer	None	N
	26(4)	Obtaining the approval of the MEC responsible for finance to withdraw funds from the municipality's bank accounts, if a budget has not been approved on or before 1 July of each year	Council	Chief Financial Officer	In consultation with the Executive Mayor	N
	31(c)	Issuing a certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit	Municipal Manager	Chief Financial Officer	Funds for the programme in question was appropriated for more than one financial year	N
	31(e)	Submitting the certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit issued by the municipal manager and the Executive Mayor's approval for exceeding the amount appropriated in respect of a capital	Council	Chief Financial Officer	In consultation with the Executive Mayor	N
	32(2)	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an	Council	Chief Financial Officer In the case of the	In consultation with the Executive Mayor	N
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		adjustments budget		Chief Financial Officer being liable, the Municipal Manager		
	33(1)(a)(ii)	If the contract imposes financial obligations beyond 3 years, soliciting the view of the National Treasury and Provincial Treasury	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	54(1)(d)	Determining the (proposed) remedial or corrective steps to deal with any serious financial problems facing the municipality	Municipal Manager	Chief Financial Officer	If the municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the Municipal Manager to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the municipality's approved budget, the tabling of an adjustments budget or steps in terms of chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems. After the consultation with the Executive Mayor	Y
	62(1)(b)	Deciding the reasonable steps to be taken to ensure that that full and proper records of the municipality's financial affairs are kept in accordance with any prescribed norms and standards	Municipal Manager	Chief Financial Officer	None	Y
	62(1)(c)(i)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control	Municipal Manager	Chief Financial Officer	None	Y
	63(2)(a)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	Y
	63(2)(b)	Deciding the reasonable steps to be taken to ensure that the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	63(2)(c)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		be prescribed				
	64(2)(a)	Deciding the reasonable steps to be taken to ensure that the municipality has effective revenue collection systems consistent with section 95 of the Systems Act and the municipality's credit control and debt collection policy	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(2)(b)	Deciding the reasonable steps to be taken to ensure that revenue due to the municipality is calculated on a monthly basis	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(2)(c)	Deciding the reasonable steps to be taken to ensure that accounts for regional services Council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(2)(d)	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the municipality's primary bank account	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(2)(e)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(2)(f)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control in respect of debtors and revenue	Municipal Manager	Chief Financial Officer	Subject to any prescripts in this regard	N
	64(2)(g)	Deciding the reasonable steps to be taken to ensure that the municipality charges interest on arrears, except where the council has grant exemptions in accordance with its budget related policies and within a prescribed framework	Municipal Manager	Chief Financial Officer	Subject to any prescripts in this regard	N
	64(2)(h)	Deciding the reasonable steps to be taken to ensure that all revenue received by the municipality, including revenue received by an collecting agent on its behalf, is reconciled at least on a weekly basis	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(3)	Informing the National Treasury of any payments due by an organ of state to the municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		periods of more than 30 days				
	64(4)(a)	Deciding the reasonable steps to be taken to ensure that any funds collected by the municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the municipality on behalf of another organ of state are not used for purposes of the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	65(2)(a)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	65(2)(b)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	65(2)(c)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control in respect of creditors and payments	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	N
	65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments by the municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques	Municipal Manager	Chief Financial Officer	Cash payments and payments by way of cash cheques may be made for exceptional reasons only and only up to a prescribed limit	N
	65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing by the municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	65(2)(f)	Deciding the reasonable steps to be taken to ensure that the municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	65(2)(h)	Deciding the reasonable steps to be taken to ensure that the municipality's available working	Municipal Manager	Chief Financial	In consultation with the Municipal Manager	N
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		capital is managed effectively and economically in terms of the prescribed cash management and investment framework		Officer		
	65(2)(i)	Deciding the reasonable steps to be taken to ensure that the municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost effective	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	65(2)(j)	Deciding the reasonable steps to be taken to ensure that all financial accounts of the municipality are closed at the end of each month and reconciled with its records	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	66	Reporting to the Council on all expenditure incurred by the municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	67(2)	Obtaining the approval of the Provincial Treasury to transfer funds of the municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	67(3)	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the municipality was transferred otherwise than in compliance with a commercial or other business transaction with -	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
		a) any agreement with the municipality; b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement; c) to report at least monthly to the Municipal Manager on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Municipal Manager promptly;	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
Local		d) implements effective, efficient and transparent				

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		financial management and internal control systems to guard against fraud, theft and financial mismanagement; and e) has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA				
	68(a)	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	69(1)(a)	Determining, in relation to implementing the municipality's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	69(1)(b)	Determining, in relation to implementing the municipality's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	69(2)	Determining whether it is necessary to prepare an adjustments budget	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
		Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	70(1)	Reporting in writing to the Council any impending shortfalls in budgeted revenue and overspending of the municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	70(2)	Informing the National Treasury that the municipality's bank account or, if the municipality has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	71(1)	Submitting to the Executive Mayor and the Provincial Treasury within 10 working days after the end of each month, a statement in the prescribed format on the state of the	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
Local						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Government: Municipal Systems Act, 2000 (Act 32/2000)		municipality's budget				
	71(5)	Submitting to the national or provincial organ of state or municipality which transferred an allocation during any particular month to the municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocation exempted by the annual Division of Revenue Act from compliance with this requirement			In consultation with the Municipal Manager	
	72(3)	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	N
	74(1)	Submitting to the national treasury, the provincial treasury, the department of local government and the auditor-general such information, returns, documents, explanations and motivations as may be prescribed or as may be required	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	Y
	115(1)(b)	Determining the reasonable steps to be taken to ensure that proper mechanisms and separation of duties in the supply management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	
	116(2)(d)	Regularly report to the council regarding the management of contracts and/or agreements and the performance of contractors	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
		Determining the frequency/regularity of reports to be submitted to the council regarding the management of contracts and/or agreements and the performance of contractors	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	
	122(1)/126(1)(a)	Preparing annual financial statements which fairly presents the state of affairs of the municipality, its performance against its budget, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year	Municipal Manager	Chief Financial Officer	In consultation with the Executive Mayor	

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
	126(1)(a)	Submitting the annual financial statements of the municipality to the auditor-general on or before 31 August of each year	Municipal Manager	Chief Financial Officer	None	
	122(1)/126(1)(b)	Preparing consolidated annual financial statements of the municipality	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	
	126(1)(b)	Submitting the consolidated annual financial statements of the municipality to the Auditor-General on or before 31 September of each year	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager	
Basic Conditions of Employment Act, 1997 (Act x/1997)	41	Determining the severance pay payable to an employee dismissed due to the operational requirements of the municipality	Council	Chief Financial Officer	In consultation with the Municipal Manager	
Conditions of Employment Agreement (R1828 28 October 1994)	7.1.1	Determining the dates on which employees will be paid	Council	Chief Financial Officer	In consultation with the Municipal Manager	
	7.2	Receipt of requests for payment of an employee's salary when he/she takes annual leave	Council		In consultation with the Municipal Manager	
	7.6	Supplying permission to an employee to cede the right, title, interest or claim in respect of any pay due to him/her	Council		In consultation with the Municipal Manager	
	8.1.3	Calculating and paying an acting allowance	Council		In consultation with the Municipal Manager	
Organisational Rights Agreement	4.1	Deducting union subscription fees and fees for union-initiated schemes in respect of employees that supplied it in with written authorisation	Council	Chief Financial Officer	In consultation with the Municipal Manager	
	7.1	Deducting union subscriptions or levies employees that supplied it with written authorisation	Council	Chief Financial Officer	In consultation with the Municipal Manager	
	7.5	Remittance of aggregate amount collected to the office or bank designated by the respective trade union on or before the 7th day of the month	Council	Chief Financial Officer	In consultation with the Municipal Manager	
<p align="center">INCIDENTAL POWERS OF THE CHIEF FINANCIAL OFFICER (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)</p>						
Incidental Powers (Powers not explicitly conferred by	1	Turning down applications for donations that are obviously contrary to the municipality's policy governing grants and donations	Council	Chief Financial Officer	In consultation with the Municipal Manager	N
	2	Deciding to refund tender deposits in respect of any tender where the municipality is not	Council	Chief Financial	In consultation with the director concerned	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
statute) Incidental Powers (Powers not explicitly conferred by statute)		contractually obliged to refund deposits		Officer		
	3	Deducting any monies owed by an employee to the municipality from his/her pay	Council	Chief Financial Officer	Subject to the employee signing a stop order	N
	4	Considering of requests for making available address lists of consumers, rates and levy payers	Council	Chief Financial Officer	In consultation with Municipal Manager	N
	5	Submitting and finalising insurance claims (including cell phones)	Council	Chief Financial Officer	In consultation with the Municipal Manager	Y
	6	Maintaining the municipality's financial registers relating to the leasing of property by or to the municipality	Council	Chief Financial Officer	In consultation with the Municipal Manager	N
	7	Granting power of attorney to any supplier of vehicles and other equipment that must be licensed to register such vehicle or equipment in the name of the municipality	Council	Chief Financial Officer	In consultation with the Municipal Manager	N
	8	Implementing and enforcing the municipality's debt collection and credit control policy, including the institution of legal proceedings to recover monies owed to the municipality, the signing, execution and authentication of any documents in this regard and the appointment of attorneys and advocates to represent the municipality in such cases	Council	Chief Financial Officer	In consultation with the Municipal Manager	N
	9	Approving the attendance by employees on level 5 to 15 of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic of South Africa	Council	Municipal Manager	In consultation with the Municipal Manager	N
POWERS DELEGATED TO THE SUPPLY CHAIN MANAGER						
Municipal Supply Chain Management Regulations - Government Gazette dated 30 May 2005	6(2)(ii)	Submit a report on the implementation of the supply chain management policy to Council	Municipal Manager	Supply Chain Manager	Within 30 days of the end of each financial year; In consultation with the Municipal Manager	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
POWERS DELEGATED TO THE DIRECTOR: CORPORATE SERVICES						
Local Government: Municipal Systems Act, 2000 (Act 32/2000)	13(a)	Determining a practical way to bring the contents of the by-law to the attention of the local community	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	15(1)	Compiling and maintaining in bound or loose leaf form, and when feasible also in electronic format, a compilation of all the by-laws, including any provisions incorporated by reference as by-laws of the municipality	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	20(4)(b)	Determining reasonable steps to regulate public access to, and public conduct at, meetings of the Council and its committees	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	21A(a)	Displaying all documents that must be made public at the municipality's head office, satellite offices and libraries	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	21A(b)	Displaying all documentation that must be made public at the municipality's website	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	21A(c)	Notifying the local community of the place and website address where detailed particulars can be obtained	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	21B(a)	Establishing official website of the municipality	Council	Director: Corporate Services	In consultation with the Municipal Manager	
	21B(b)	Place on the website information required to made public in terms of MFMA	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	21B(3)	Maintaining and regularly updating municipality's website	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	Y
	46(4)(a)	Determining a reasonable price for a copy of the municipality's annual performance report	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	55(1)(e)	Subject to the policy direction of the Council appointing subject to the Employment Equity Act	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	95(c)	Stipulating the reasonable steps that must be taken to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (No 56 of 2003)		fees, and the manner in which monies raised from the service are utilised				
	22(a)	Making the annual budget as tabled public, inciting the community to submit representations in connection therewith	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	Y
	33(1)((a)(i)	Publication of draft contract and information statement summarising the municipality's obligation if the contract will impose financial obligations beyond 3 years	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	75(1)	Ensuring that the required documents are uploaded to, and available on, the municipality's website within 5 days after its tabling in the Council or on the date on which it must be made public, whichever occurs first	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	116(3)(b)	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the municipality and inviting the local community to submit representations to the municipality	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	Y
	120(6)©	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public-private partnership involves the provision of water, sanitation, electricity or any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership as least 60 days prior to the meeting of the Council at which the matter is to be considered	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	121(2)(e)	Performing an assessment of any arrears o municipal taxes and service charges for inclusion in the municipality's annual report	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	127(5)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	127(5)(b)	Submitting the annual report to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	N
	129(2)(b)	Submitting copies of the minutes of meetings of the Council and its committees where the annual	Municipal Manager	Director: Corporate	In consultation with the Municipal Manager	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Local Government: Municipal Finance Management Act, 2003 (No 56 of 2003)		report was discussed to the auditor-general, the Provincial Treasury and the provincial department responsible for local government		Services		
	166(2)	Receiving reports of the audit committee	Council Any political office bearer, Municipal Manager, senior management staff	None	In consultation with the Municipal Manager	N
	178(2)(b)	Submitting to the National Treasury a list of all public-private partnerships to which the municipality is a party, with a value of more than R1m (one million rands) in total or per annum	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	178(2)(c)	Submitting to the National Treasury a list of all other types of contracts of the municipality for the period beyond 1 January 2007 and the value of more than R1m (one million rands) in total or per annum	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Labour Relations Act, 1995 (Act No 66 of 1995)	15(1)	Granting of leave to union representatives and office bearers of union activities	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
Basic Conditions of Employment Act, 1997 (Act No x of 1997)	29(4)	Keeping the written particulars of an employee for a period of 3 years after the termination of employment	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
Conditions of Employment Agreement (R1828 28 October 1984)	5.2	Requesting the Bargaining Council to evaluate or re-evaluate any or all posts in the establishment	Council	Director; Corporate Services	In consultation with the Municipal Manager	N
	5.3	Receiving requests from employees regarding the re-evaluation of their posts	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	5.4.2	Determining whether or not an employee retains his/her grouping, salary scale and post designation personal to holder or contractual to holder after re-evaluation	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	6.1.4	Determining the screening techniques to select candidates for appointment, promotion or transfer	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	6.2.2	Determining the proof of good health to be submitted by an employee for appointment	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	6.3.1	Determining the manner in which vacancies must be brought to the attention of employees	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	6.3.3	Determining the increment al date of an employee who was promoted to another position	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	92.1.	Determining the form and manner of attendance	Council	Director:	In consultation with the Municipal Manager	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
		registers		Corporate Services		
Organisational Rights Agreement	B6.3	Notifying a trade union of non-compliance by a full-time shop steward of the terms of the organisational rights agreement	Council	Director; Corporate Services	In consultation with the Municipal Manager	N
	B6.5	Suspending the right of a trade union whose membership has fallen below 1000 to full-time shop stewards	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	B8.5	Making arrangements for the performance of the official duties of a full-time shop steward during his/her term of office as a full-time shop steward	Council	Director; Corporate Services	In consultation with the Municipal Manager	N
Local Government: Municipal Planning and Performance Management Regulations, 2001	14(2)(g)	Provision of secretariat services to the performance audit committee	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
Municipal Supply Chain Management Regulations - Government Gazette 30 May 2005	27(6)	Providing administrative and other support services to the forum	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	37(3)	Making public the decision to consider an unsolicited bid that complies with regulation 2	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	37(4)	Submit to national and Provincial Treasury comments and written responses from the unsolicited bidder	Council	Director: Corporate Services	In consultation with the Municipal Manager	Y
	6(4)	Make public the report on the implementation of the supply chain management policy	Municipal Manager	Director: Corporate Services	In consultation with the Municipal Manager	Y
	B11.1	Receiving and deciding a request by a trade union for an office and furniture and other office facilities	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	B11.2	Establishing and agreeing of a budget in relation to an office for full-time shop stewards	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	D3.4	Representing the employer during the compilation of the agenda for a meeting of the local labour forum	Council	Director: Corporate Services	In consultation with the Municipal Manager	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
INCIDENTAL POWERS OF THE DIRECTOR: CORPORATE SERVICES						
Incidental Powers (Powers not explicitly conferred by statute)	1	Considering and granting or refusing any application by third parties to use the facilities of the municipality	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	2	Granting of permission for the free use of municipal facilities for departmental purposes	Council	Director: Corporate Eservices	In consultation with the Municipal Manager	N
	3	Instituting criminal or civil proceedings against any former employee or Councillor who neglected or failed to return any property of the municipality which he/she may have had in his/her possession at the time of terminating his/her employment	Council	Director: Corporate Services	In consultation with the Municipal Manager	N
	4	Instituting legal proceedings against any third party for damages to property of the municipality caused by such third party and for injuries sustained by an employee of the municipality whilst on duty as a result of the action or inaction of a third party	Council	Director: Corporate Services	In consultation with the Executive Mayor	N
	5	Granting permission for reimbursement of the relocation cost incurred by a newly appointed employee	Council	Director: Corporate Eservices	In consultation with the Executive Mayor	N
	6	Reviewing the schedule of uniforms and protective clothing	Council	Director: Corporate Services	In consultation with the Executive Mayor	N
	7	Deciding to reduce the rent payable in respect of leasing of the municipality's facilities in meticulous cases	Council	Director: Corporate Services	In consultation with the Executive Mayor	N
	8	Granting permission to third parties to perform work on municipal property	Council	Director: Corporate Services	Provided that such work will not prejudice the municipality's interests and that the municipality is indemnified in writing against any claims and damages which may result from such work, and in consultation with the Executive Mayor	N
	9	Authorising the removal, pruning and planting of trees and other plants on property of the municipality	Council	Director: Corporate Services	None	N
	10	Approving the attendance by employees on level 5 to 15 of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the territory of the Republic of South Africa	Council	Municipal Manager	In consultation with the Municipal Manager	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
POWERS DELEGATED TO THE MANAGER: HUMAN RESOURCES						
Basic Conditions of Employment Act, 1997 (Act x/1997)	29(2)	Supplying the written particulars of his/her employment to a newly appointed employee	Council	Municipal Manager	In consultation with the director concerned	N
	29(2)	Amending the written particulars of employment issued to an employee when any such particulars changes	Council	Municipal manager	In consultation with the director concerned	N
	29(3)	Explaining in cases where an employee is not able to understand the written particulars, to the employee the written particulars in a language and in a manner that the employee understands	Council	Municipal Manager	In consultation with the director concerned	N
	30	Ensuring the display at the workplace where it can be read by employees a statement in the prescribed form of the employee's rights under the Basic Conditions of Employment Act in the official languages which are spoken in the workplace	Council	Municipal Manager	None	N
	31(1)	Keeping of the following minimum records in respect of each employee: 1. the employees name and occupation; 2. the time worked by each employee; 3. the remuneration paid to each employee; 4. the date of birth of any employee under 18 years of age; and 5. any other prescribed information.	Council	Municipal Manager	In liaison with the salary office	N
	69(4)	Ensuring that a copy of the compliance order is displayed prominently at a place accessible to the affected employees at each workplace named in it	Council	Municipal Manager	None	N
Conditions of Employment Agreement - R1828 28 October 1994	10.2.2.7	Placing the record of a disciplinary hearing, the finding and penalty on the relevant employee's file	Council	Manager: Human Resources	None	N
Employment Equity Act, 1998 (Act No 55 of 1998)	8	Ensuring that any psychometric test or similar assessment has been scientifically shown to be valid and reliable, can be applied fairly to employees or applicants for employment and is not biased against any employee or applicant for employment or group	Council	Municipal Manager	Subject to any Bargaining Council agreement	
	25(1)	Ensuring that a notice informing employees about the provisions of the Employment Equity Act is displayed at the workplace where it can be read by employees	Council	Municipal Manager	None	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
	25(2)	Placing in prominent places that are accessible to all employees the most recent report submitted by the municipality to the Director-General and any compliance order, arbitration award or order of the labour court concerning the provisions of the Employment Equity Act in relation to the municipality	Council	Municipal Manager	None	N
	27(1)	Submitting a statement to the Employment Conditions Commission on the remuneration and benefits received in each occupational category and level of that employer's workforce	Council	Manager: Human Resources	After consultation with the Director: Corporate Services	N
Organisational Rights Agreement	7.3	Agreeing with trade unions on a date for meetings of the local labour forum	Council	Municipal Manager	In consultation with the director: corporate service and in line with any local labour forum agreement	N
	7.4	Circulation of the agendas for meetings of the local labour forum	Council	Municipal Manager	In consultation with the Director: Corporate Services and in line with any local labour forum agreement	N
	7.5	Keeping and distribution of minutes of the local labour forum	Council	Municipal Manager	In consultation with the director: Corporate Services	N
	7.6	Informing the trade union of the employers intention to invite SALGA officials to attend a meeting of the local labour forum	Council	Municipal Manager	In consultation with the Director: Corporate Services	N
	B5.5	Receiving notification of a trade union of its elected shop stewards	Council	Municipal Manager	None	N
	B6.5	Notifying a trade union that its membership has declined to less than 1000	Council	Manager: Human Resources	None	N
	B6.6	Receiving a notice from a trade union to increase the number of full-time shop stewards to which it is entitled	Council	Manager: Human Resources	None	N
	D3.1	Agreeing with the trade unions on the dates for meetings of the local labour forum	Council	Manager: Human Resources	After consultation with the director; Corporate Services	N
	D3.2	Deciding to call a special meeting of the local labour forum	Council	Manager: Human Resources	In consultation with the Director: Corporate Services and in line with any local labour forum agreement	N
<p align="center">POWERS DELEGATED TO THE MANAGER: LEGAL SERVICES / ADMINISTRATION</p> <p align="center">INCIDENTAL POWERS (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)</p>						
Incidental	41	Disposing of documents and other records in	Council	Manager:	In consultation with the director; Corporate	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Powers (Powers not explicitly conferred by statute)		terms of relevant legislation regulating archives		Legal Services / Administration)	Services	
	62	Leasing of municipal facilities, including halls, to third parties	Council	Manager: Legal Services / Administration	In consultation with the Director: Corporate Services	N
	63	Deciding not to lease any facilities of the municipality to a third party if the risk involved is deemed to be too high	Council	Manager: Legal Services / Administration	In consultation with the director: Corporate Services	N
POWERS DELEGATED TO THE DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT (DIRECTOR: OFFICE OF THE MUNICIPAL MANAGER)						
Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)	55(1)(e)	Subject to the policy directions of the Council appointing support staff subject to the Employment equity Act	Municipal Manager	Chief Financial Officer	In consultation with the Municipal Manager to appoint post level 5 to 15	N
	3(4)(b)	Publishing a proposed amendment to the municipality's integrated development plan	Council	Director (Office of the Municipal Manager) planning and economic development	None	N
	15(1)(b)	Inviting the local community to identify persons to serve on the integrated development and planning forum, including representatives from ward committees, if any	Council	(Director: office of the Municipal Manager) Director: planning and economic development	In consultation with the Municipal Manager	N
	15(2)	Convening of meetings of the integrated development and planning forum	Council	(Director: office of the Municipal Manager) Director: planning and economic development	In consultation with the Municipal Manager	N
Local Government: Municipal Planning and Performance Management	3(4)(b)	Publishing a proposed amendment to the municipality's integrated development plan	Council	Director: Planning and Economic Development	None	N
	15(1)(b)	Inviting the local community to identify persons to serve on the integrated development and	Council	Director: Planning and	In consultation with the Municipal Manager	N

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Regulations, 2001		planning forum, including representatives from water committees, if any		Economic Development		
	15(2)	Convening of meetings of the integrated development and planning forum	Council	Director: Planning and Economic Development	In consultation with the Municipal Manager	N
INCIDENTAL POWERS OF THE DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT (POWERS NOT EXPLICITLY CONFERRED BY STATUTE)						
Incidental Powers (powers not explicitly conferred by statute)	1	Considering and approving or rejecting any building plan	Council	Director: Planning and Economic Development	None	N
	2	Considering and granting or refusing applications for the erection of temporary and permanent advertisements	Council	Director: Planning and Economic Development	None	N
	3	Issuing notices regarding nuisances and unhygienic conditions on private properties	Council	Director: Planning and Economic Development	None	Y
	4	Erecting and sitting traffic signs	Council	Director: Planning and Economic Development	None	N
	5	Approving the attendance by staff on level 5 to 15 of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic of South Africa	Municipal Manager	Director: Planning and Economic Development	In consultation with the Municipal Manager	N
	6	Approving the attendance by staff on level 5 to 15 of meetings, workshops, seminars, conferences and similar events at the municipality's cost and which will be conducted within the national territory of the Republic of South Africa	Municipal Manager	Director: Planning and Economic Development	In consultation with the Municipal Manager	N
Incidental						

Legislation	Section	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
Powers (Powers not explicitly conferred by statute)	7	Considering applications for the licensing of businesses	Council	Director: Planning and Economic Development	In consultation with the Municipal Manager	Y

Legislation	Section/Number	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
INCIDENTAL POWERS DELEGATED TO: DIRECTOR TECHNICAL SERVICES						
	1	Facilitate the inclusion of any land in the sewerage network or water network and reclaim such costs from the applicant on completion of the work	Council	Director Technical Services	In consultation with the Municipal Manager	N
	2	Prescribe the materials that shall be used for the installation of civil engineering services in proclaimed townships with due consideration of the geological ground formations on each case	Council	Director Technical Services	In consultation with the Municipal Manager	N
	3	Prescribe the materials to be used in existing townships for the maintenance, renovation, extension and provision of civil electrical engineering services and private building work	Council	Director Technical Services	In consultation with the Municipal Manager	N
	4	Unless authorization has been granted: a) A person may not tamper in any way with the property sewage or connecting sewage b) No person may burgle or tamper in any part of a property sewage with the exception of the purpose of repair and maintenance	Council	Director Technical Services	In consultation with the Municipal Manager	Y
	5	Connection of electricity from any area/site to the network of Council according to the councils policy	Council	Director Technical Services	In consultation with the Municipal Manager	Y
	6	Reselling of electricity. To approve the meter and installation where electricity is being re-sold	Council	Director Technical Services	In consultation with the Municipal Manager	N
	7	Approval of plans and/or design schemes by town developers according to the relevant conditions of establishment for the installation of electricity networks	Council	Director Technical Services	In consultation with the Municipal Manager	N

Legislation	Section/Number	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
INCIDENTAL POWERS DELEGATED TO: DIRECTOR COMMUNITY SERVICES						
	1	Reservation of graves	Council	Director Community Services	In consultation with the Municipal Manager	Y
	2	Permission for burials	Council	Director Community Services	In consultation with the Municipal Manager	Y
	3	Authorise all Health inspectors in the Councils employment to act on behalf of the Council in the execution of the prescriptions of the food standard.	Council	Director Community Services	In consultation with the Municipal Manager	Y
	4	To consider applications for membership of libraries to persons residing outside the councils area of jurisdiction on condition that such applications be considered on merit.	Council	Director Community Services	In consultation with the Municipal Manager	N
	5	Annually close the library for stock taking purposes and to place the necessary advertisement in respect of the said closure.	Council	Director Community Services	In consultation with the Municipal Manager	N
	6	Subject to the conditions laid down by Council from time to time, grant membership of a library, under the jurisdiction of the Council, to an adult who resides within the area of jurisdiction of the Council or who is a taxpayer of the Council.	Council	Director Community Services	In consultation with the Municipal Manager	N
	7	Subject to the conditions laid down by Council from time to time, grant membership of a library, under the jurisdiction of the Council, to a person under the age of twenty-one (21)	Council	Director Community Services	In consultation with the Municipal Manager	N

Legislation	Section/Number	Power Conferred	Delegating Authority	Delegated Body	Conditions / Limitations / Directions	Power to Sub-Delegate YES/NO
INCIDENTAL POWERS DELEGATED TO: DIRECTOR PUBLIC SAFETY						
	1	Provide standard procedures and guidelines for the employment, co-ordination and maintenance of the Fire Brigade Service.	Council	Director Public Safety	In consultation with the Municipal Manager	Y
	2	To determine the working hours of the Licence Department.	Council	Director Public Safety	In consultation with the Municipal Manager	N
	3	To authorize traffic office to act as peace officers during the execution of their duties.	Council	Director Public Safety	In consultation with the Municipal Manager	Y
	4	To authorize traffic officer to execute his/her duties relating to N/R/T Act 29/1989.	Council	Director Public Safety	In consultation with the Municipal Manager	Y
	5	To ensure the standardization of regulations relating to the handling, storage and distribution of petroleum products.	Council	Director Public Safety	After consultation with the Municipal Manager	Y
	6	To ensure the minimization of security related risks	Council	Director Public Safety	After consultation with the Municipal Manager	Y
	7	That in case of a disaster occurring outside the jurisdictional area of Chief Albert Luthuli Municipality, the emergency services is authorized to order disaster management personnel to act outside the jurisdictional area of CALM.	Council	Director Public Safety	After consultation with the Municipal Manager	Y
	8	To, in consultation with the relevant business unit manager(s) grant permission for the utilization of any Municipal facilities during an emergency.	Council	Director Public Safety	After consultation with the Municipal Manager	Y
	9	To co-approve of plans and/or draft designs submitted by developers and/or design engineers for new developments in order to ensure the prevention and mitigation of disaster.	Council	Director Public Safety	After consultation with the Municipal Manager	Y