Notice is hereby given, in terms of Section 19(b) of the Local Government: Municipal Systems Act, 32 of 2000 as amended, that a SPECIAL MEETING of the MUNICIPAL COUNCIL of Knysna Municipality will be held in the COUNCIL CHAMBER, Clyde Street, Knysna on FRIDAY, 11 JANUARY 2019 at 09:00 to consider the business set forth in the attached agenda.

Kennis geskied hiermee as gevolg van Artikel 19(b) van die Plaaslike Regering : Munisipale Stelsels Wet, 32 van 2000, dat 'n SPESIALE VERGADERING van die MUNISIPAAL RAAD van Knysna Munisipaliteit in die RAADSAAL, Clydedraat, Knysna op VRYDAG, 11 JANUARIE 2019 om 09:00 gehou sal word ten einde sake soos uiteengesit in die aangehegte agenda te oorweeg.

Ibhunga likaMASIPALA waseKnysna lazisa ngomthetho okwisolotya 19(b) wenqubo mgaqo olawula oMasipala, 32 of 2000, njengoko utshintshiwe, NGENTLANGANISO EKHETHEKILEYO yeBHUNGA likaMASIPALA waseKnysna eyakubanjelwa KWIGUMBI LEKHANSILE kwisitalato iClydee, Knysna lentlanganiso iyakuba NGOLWESIHLANU, NGOMHLA WE 11 EYOMQUNGU 2019 ngentsimbi ye 09:00 umba iyakuba lushishino oluchazwe kwi-agenda.

CLLR G WOLMARANS
The Speaker
Die Speaker
Usomlomo

MR P HARIFARSAD
Acting Municipal Manager
Waarnemende Munisipale Bestuurder
uManejala kaMasipala Obambeleyo

Date: 10 January 2019
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SPECIAL MUNICIPAL COUNCIL MEETING
AGENDA
11 JANUARY 2019

AGENDA

1. OPENING AND WELCOMING

2. SILENT PRAYER

3. ATTENDANCE OF MEMBERS
   3.1 COUNCILLORS PRESENT
   3.2 COUNCILLOR WITH LEAVE
   3.3 COUNCILLORS WITHOUT LEAVE


5. DISCLOSURE OF INTERESTS BY COUNCILLORS
6. **NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER**

6.1

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**SC01/01/19 DETERMINATION OF UPPER LIMITS FOR COUNCILLORS:**
**2018/2019 FINANCIAL YEAR**

---

**REPORT FROM THE ACTING MUNICIPAL MANAGER**

**PURPOSE OF THE REPORT**

To present the Regulation on the determination of Upper limits of salaries, allowances and benefits to different members of Municipal Councils as issued by the Minister for Cooperative Governance & Traditional Affairs in December 2018 and made public on Wednesday, 21 December 2018, for adoption and approval by Council for implementation.

**BACKGROUND / DISCUSSION**

In each financial year, the Minister of Cooperative Governance and Traditional Affairs issues a notice in the form of a Gazette for the increase of the upper limits of Public Office bearers and Councillors in terms of the Remuneration of Public Office Bearers Act, 1998. The Government Notice for the upper limits for the 2018/2019 financial year has reference 42134.

The upper limits of the annual total remuneration packages of Councillors have been determined in terms of the attached Government Notice dated 21 December 2018 and the increase is as follows in line with the municipality’s grading of 3 as per the formula provided, with effect from 1 July 2018:

- Executive Mayor - R827,749.00
- Deputy Mayor and Speaker - R662,200.00
- Members of the Mayoral Committee - R620,813.00
- Part time S79 Committee Chairperson - R336,171.00
- Part time Councillors - R261,952.00

The cellphone allowance has been determined at R3, 400.00 for all councillors.

**FINANCIAL IMPLICATIONS**

The financial implications of implementing the upper limits for Councillors in the 2018/2019 financial year, with effect from 1 July 2018, amount to R8, 380,429.00 inclusive of allowances.

This amount can be broken down as follows:

- Mayor x 1 = R827,749.00
- Deputy Mayor x 1 = R662,200.00
- Speaker x 1 = R662,200.00
- Mayoral Committee members (R620,813.00 x 4) = R2,483,252.00
- Part time Councillors (R261,952.00 x 14) = R3,667,328.00
The cellphone allowance is (R3400.00 x 21) R71,400.00

An amount of R8,653,000.00 has been provided for in the 2018/2019 budget for this purpose therefore, there will be no shortfall.

**POINTS CALCULATION IN TERMS OF GOVERNMENT GAZETTE NO. 42134**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Municipal income based on audited AFS for 2017/18</td>
<td>R843,988,358.00</td>
</tr>
<tr>
<td>Less Grant funding</td>
<td>R170,935,590.00</td>
</tr>
<tr>
<td>Equal to</td>
<td>R673,052,768.00</td>
</tr>
<tr>
<td>Add amounts received as agent for other spheres of Government</td>
<td>R47,023,615.00</td>
</tr>
<tr>
<td>Total Municipal Income</td>
<td>R720,076,383.00</td>
</tr>
</tbody>
</table>

**Total Population**

74,606

**Grading of Knysna Municipality in terms of Gazette no. 42134 (attached is supporting documentation)**

Total Municipal income points = 33.33
Points based on population = 16.67

Total points is = 50 which equates to a grade 3 Municipal grading

**RELEVANT LEGISLATION**

MUNICIPAL SYSTEM ACT 32 OF 2000

GOVERNMENT GAZETTE NO. 42134, LOCAL GOVERNMENT REGULATIONS ON DETERMINATION OF UPPER LIMITS FOR COUNCILLORS

**APPENDIX / ADDENDUM**

1. Government Gazette No. 42134 dated 21 December 2018

   **RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER**

[a] That Council notes the contents of the Government Gazette, No 42134 dated 21 December 2018 regarding the Upper Limits of Salaries, Allowances and Benefits of Councillors for the 2018/2019 financial year;

[b] That Council notes that the categorisation of the Knysna Municipal Council is determined on Grade 3, in terms of the relevant Government Gazette Notice No. 42134 dated 28 December 2018;

[c] That Council notes that the total cost of implementing the increase for the 2018/2019 financial year is R8,380,429.00;

[d] That Council notes that a budget provision of R8,653,000.00 was made in the 2018/2019 budget for implementation of upper limits for Councillors;
[e] That Council adopts the Government Gazette, 42134 for implementation of the Upper limits for Councillors with effect from 1 July 2018;

[e] That the concurrence of the MEC for Local Government should be sought before the implementation of the increase;

[f] That the Acting Municipal Manager ensures that the contents of the Government Notice No 42134 issued on the Upper limits of Councillors are implemented after the concurrence of the MEC for Local Government has been obtained.

File reference :  9/1/2/9

Execution : Acting Municipal Manager
Director : Corporate Services
Director : Financial Services
DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

NO. 1426

21 DECEMBER 2018

REMUNERATION OF PUBLIC OFFICE BEARERS ACT, 1998
(ACT NO. 20 OF 1998)

DETERMINATION OF UPPER LIMITS OF SALARIES, ALLOWANCES AND BENEFITS OF DIFFERENT MEMBERS OF MUNICIPAL COUNCILS

Under the powers vested in me by sections 7(1), 8(5)(a) and 9(5)(a) of the Remuneration of Public Office-bearers Act, 1998 (Act No. 20 of 1998), I, Zwelini Lawrence Mkhize, Minister for Cooperative Governance and Traditional Affairs, hereby:

(a) after consultation with the member of the Executive Council responsible for local government in each province; and

(b) after taking into consideration the matters listed in paragraphs (a) to (i) of section 7(1) of the Act,

determine the upper limits of the salaries, allowances and benefits of the different members of municipal councils as set out in the Schedule.

ZWELINI LAWRENCE MKHIZE, MP
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
SCHEDULE

PREAMBLE

The salary and allowances of a councillor is determined by that municipal council by resolution of a supporting vote of the majority of its members, in consultation with the member of the Executive Council responsible for local government in each province, having regard to the upper limits as set out hereunder, the financial year of a municipality and affordability of municipality to pay within the different grades of the remuneration of councillors, including the austerity measures as approved by national Cabinet.

For purposes of implementation of this Government Notice, "in consultation with" means that a municipal council must obtain concurrence of the MEC for local government prior to the implementation of the provisions of this Notice, subject to submission of information referred to in item 18 of this Notice to the MEC.

1. Definitions

In this Schedule, unless the context indicates otherwise, a word or phrase to which a meaning has been assigned in the Remuneration of Public Office-bearers Act, 1998 (Act No. 20 of 1998) (hereinafter referred to as "the Act") and the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (hereinafter referred to as "the Structures Act"), has that meaning and –

"basic salary" means the salary component of a councillor that excludes a travel allowance as provided in item (9)(1), housing allowance as provided in item 9(2), the municipal contribution to a pension fund as provided in item 13(1) and municipal contribution to a medical aid scheme as provided in item 13(2);

"full-time councillor" means a councillor who has been elected or appointed to an office which has been designated as full-time in terms of section 18(4) of the Structures Act;

"grade" in relation to this Notice means the grade of municipal council as determined in terms of item 4;

"part-time councillor" means a councillor other than a full-time councillor;

"pension fund" means any pension, provident or retirement annuity fund established and registered in terms of, and subject to, any law governing the registration and control of pension funds in the Republic of South Africa and to which an office bearer contributes or any pension scheme approved by Parliament for such office bearers;

"section 79 committee" means a committee of the municipal council established in terms of section 79 of the Structures Act;

"SETAs" means the Sector Education and Training Authorities established in terms of section 9 of the Skills Development Act, 1998 (Act No. 97 of 1998);

"special risk cover" means an insurance cover, provided to a councillor by the municipality, which covers the loss of or damage to a councillor's personal immovable or moveable property and assets, excluding property used by such councillor for business
purposes, as well as life and disability cover, for any loss or damage caused by riot, civil unrest, strike or public disorder;

"tools of trade" means the resources provided by a municipal council to a councillor to enable such councillor to discharge his or her duties in the most efficient and effective manner, and at all times remain the assets of the municipality concerned;

"total municipal income" means gross income in respect of a metropolitan, local or district municipality based on actual income received as stated in the audited financial statements of that municipality for the 2017/18 financial year. The gross income for the municipality will include the following:

- rates on property;
- fees for services rendered by the municipality, or on its behalf by a municipal entity;
- surcharges;
- other authorised taxes;
- levies and duties;
- income from fines for traffic offences and contravention of municipal by-laws or legislation assigned to the local sphere of government;
- regional services council replacement grant for district municipalities;
- interest earned on invested funds other than national and provincial conditional grants;
- rental for the use of municipal moveable or immovable property, and
- amounts received as agent for other spheres of government.

The gross income excludes the following:

- transfers and / or grants from the national fiscus and provincial fiscus, with the exception of regional services council replacement grant for district municipalities; and
- all value added tax (VAT) refunds.

"total population" means the official statistics of the population residing in the area of jurisdiction of a metropolitan, local or district municipality, as published in the Community Survey 2018: Statistical Release No. P0301, in terms of the Statistics Act, 1999 (Act No 6 of 1999); and

"total remuneration package" means the annual total cost to a municipality comprising of:

- a basic salary component;
- a travelling allowance as provided in items 8(1);
- housing allowance as provided in items 9(2);
- the municipal contribution to a pension, provident or retirement annuity fund as provided in item 13(1); and
- municipal contribution to a medical aid scheme as provided in item 13(2) to a councillor in a municipal financial year.
2. Allocation of number of points for total municipal income

The number of points allocated for the total municipal income of a municipality is as follows:

<table>
<thead>
<tr>
<th>TOTAL MUNICIPAL INCOME</th>
<th>NUMBER OF POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>R 0</td>
<td>8.33</td>
</tr>
<tr>
<td>R 10,000,001</td>
<td>16.67</td>
</tr>
<tr>
<td>R 50,000,001</td>
<td>25.00</td>
</tr>
<tr>
<td>R 200,000,001</td>
<td>33.33</td>
</tr>
<tr>
<td>R 1,500,000,001</td>
<td>41.67</td>
</tr>
<tr>
<td>More than R2,000,000,000</td>
<td>50.00</td>
</tr>
</tbody>
</table>

3. Allocation of number of points for total population

The number of points allocated for the total population within a municipality, is as follows:

<table>
<thead>
<tr>
<th>TOTAL POPULATION</th>
<th>NUMBER OF POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>8.33</td>
</tr>
<tr>
<td>50,001</td>
<td>16.67</td>
</tr>
<tr>
<td>100,001</td>
<td>25.00</td>
</tr>
<tr>
<td>250,001</td>
<td>33.33</td>
</tr>
<tr>
<td>550,001</td>
<td>41.67</td>
</tr>
<tr>
<td>More than 1,800,000</td>
<td>50.00</td>
</tr>
</tbody>
</table>

4. Determination of grade of municipal council

(1) The sum of the number of points allocated to a municipal council in terms of items 2 and 3 of the Notice, determines the grade of such municipal council as follows:

<table>
<thead>
<tr>
<th>GRADE OF MUNICIPAL COUNCIL</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0 to 16.66</td>
</tr>
<tr>
<td>2</td>
<td>16.67 to 33.33</td>
</tr>
<tr>
<td>3</td>
<td>33.34 to 50.00</td>
</tr>
<tr>
<td>4</td>
<td>50.01 to 66.67</td>
</tr>
<tr>
<td>5</td>
<td>66.68 to 83.35</td>
</tr>
<tr>
<td>6</td>
<td>83.36 and above</td>
</tr>
</tbody>
</table>
5. Upper limits of the annual total remuneration packages of full-time councillors

The upper limits of the annual total remuneration packages of full-time councillors are as follows:

<table>
<thead>
<tr>
<th>GRADE</th>
<th>EXECUTIVE MAYOR OR MAYOR</th>
<th>SPEAKER, DEPUTY EXECUTIVE MAYOR OR DEPUTY MAYOR</th>
<th>MEMBER OF THE EXECUTIVE COMMITTEE OR MAYORAL COMMITTEE, WHIP OR CHAIRPERSON OF A SUBCOUNCIL</th>
<th>CHAIRPERSON OF A SECTION 79 COMMITTEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>1,350,280</td>
<td>1,090,488</td>
<td>1,027,223</td>
<td>987,090</td>
</tr>
<tr>
<td>5</td>
<td>1,006,728</td>
<td>805,382</td>
<td>755,046</td>
<td>732,898</td>
</tr>
<tr>
<td>4</td>
<td>654,471</td>
<td>687,575</td>
<td>644,803</td>
<td>625,663</td>
</tr>
<tr>
<td>3</td>
<td>627,749</td>
<td>652,280</td>
<td>620,813</td>
<td>608,340</td>
</tr>
<tr>
<td>2</td>
<td>775,063</td>
<td>920,051</td>
<td>586,633</td>
<td>569,619</td>
</tr>
<tr>
<td>1</td>
<td>752,483</td>
<td>807,716</td>
<td>589,732</td>
<td>563,020</td>
</tr>
</tbody>
</table>

The mayor of a plenary type municipality should be remunerated according to the total remuneration package column of executive mayor or mayor.

6. Upper limit of annual total remuneration package or allowance in respect of councillors elected or appointed to a district council

(1) A councillor elected or appointed to a district council in terms of section 23(1)(b) of the Structures Act, may be paid the upper limit of the total remuneration package or allowance as follows:

(a) If a councillor is elected or appointed as speaker, mayor, executive mayor, member of a mayoral committee, member of an executive committee, chairperson of a section 79 committee or part-time member of a district council, such councillor is entitled to an amount equal to the difference between the total remuneration package that a councillor receives as a member of the local council and the total remuneration package allocated to that office in the district council in terms of items 5, 6, 7, 8, 9, 10, 11, 12 and 13 as the case may be.

(b) If the total remuneration package payable to a councillor as a member of the local council is equal to or higher than the total remuneration package that an appointed councillor to the district council receives, such a councillor is, in addition to the total remuneration package received at the local council, entitled to a sitting allowance not exceeding R1600.80, regardless of the number of meetings of the district council or committees of that council that are attended by such councillor on a specific day.
2. A district municipality is responsible for —

(a) the payment of the remuneration or the allowance referred to in sub-item (1);

(b) the reimbursement of travel expenses not exceeding the applicable tariffs prescribed by the national department responsible for transport for the use of privately-owned vehicles incurred by a councillor for the execution of official duties on behalf of that district municipality, in terms of that district council's policy; and

(c) the payment of cell phone expenses not exceeding 50% of the applicable allowances as prescribed under item 11 incurred by a part-time councillor for the execution of official duties on behalf of that district municipality, in terms of that district council's policy.

7. Upper limit of allowance in respect of councillors serving in the governance and intergovernmental structures of organised local government

(1) (a) A councillor designated by organised local government to serve in a governance structure of organised local government must, in addition to the total remuneration package applicable to that councillor, be paid an allowance not exceeding R1060.80, irrespective of the number of meetings attended by such councillor on a specific day.

(b) A councillor designated by organised local government to represent organised local government at any intergovernmental structure, including national and provincial executive authorities, must in addition to the total remuneration package applicable to that councillor, be paid an allowance not exceeding R1060.80, irrespective of the number of attendances by such councillor on a specific day.

(2) Organised local government is responsible for —

(a) the payment of the allowance referred to in sub-item (1);

(b) the payment of accommodation expenses incurred for attending a meeting of governance and intergovernmental structures in terms of applicable organised local government policy; and

(c) reimbursement of travel expenses, not exceeding the applicable tariffs prescribed by the national department responsible for transport for the use of privately-owned vehicles, incurred by a councillor for attending a meeting of governance and intergovernmental structures.

The gazette is also available free online at www.gpwonline.co.za
8. Upper limits of the annual total remuneration packages of part-time councillors

The upper limits of the annual total remuneration packages of part-time councillors are as follows:

<table>
<thead>
<tr>
<th>GRADE</th>
<th>EXECUTIVE MAYOR OR MAYOR</th>
<th>SPEAKER, DEPUTY EXECUTIVE MAYOR OR DEPUTY MAYOR</th>
<th>MEMBER OF THE EXECUTIVE COMMITTEE OR MAYORAL COMMITTEE OR WHIP</th>
<th>CHAIRPERSON OF SECTION 79 COMMITTEE</th>
<th>ALL OTHER COUNCILLORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>756,866</td>
<td>640,278</td>
<td>573,056</td>
<td>656,247</td>
<td>505,077</td>
</tr>
<tr>
<td>5</td>
<td>581,622</td>
<td>449,299</td>
<td>421,217</td>
<td>408,860</td>
<td>318,591</td>
</tr>
<tr>
<td>4</td>
<td>479,472</td>
<td>383,577</td>
<td>359,094</td>
<td>349,055</td>
<td>271,990</td>
</tr>
<tr>
<td>3</td>
<td>461,777</td>
<td>369,421</td>
<td>346,339</td>
<td>336,171</td>
<td>261,952</td>
</tr>
<tr>
<td>2</td>
<td>432,384</td>
<td>345,907</td>
<td>324,289</td>
<td>314,776</td>
<td>245,280</td>
</tr>
<tr>
<td>1</td>
<td>419,784</td>
<td>336,626</td>
<td>314,836</td>
<td>305,602</td>
<td>237,846</td>
</tr>
</tbody>
</table>

The mayor of a plenary type municipality should be remunerated according to the total remuneration package column of mayor/ executive mayor.

9. Upper limits of allowances of councillors

The upper limits of allowances of councillors, that constitute part of the annual total remuneration package, are as follows:

(1) Motor vehicle and travel allowance

(a) A councillor listed in item 5 and 8 of this Notice may structure his or her basic salary to provide for motor vehicle allowance.

(b) If a councillor structures a vehicle allowance, the councillor must provide proof of ownership of a private vehicle to the municipality and have the vehicle available for official duties.

(c) A councillor who uses a privately-owned vehicle for execution of official duties on behalf of the municipality, may be reimbursed for official kilometres travelled, in addition to the total remuneration package of a councillor as determined in terms of items 5 and 8 of the Notice, not exceeding the applicable tariffs as prescribed by the national department responsible for transport and in terms of the municipal council's policy.

[This gazette is also available here online at www.gpoonline.co.za]
(d) A councillor who utilises a privately-owned vehicle for official purposes must, for purpose of claiming kilometres travelled, keep a travel logbook containing the following information relating to actual official and private kilometres travelled per month as may be determined from time to time by the South African Revenue Service:

(i) Date of travel;
(ii) Kilometres travelled; and
(iii) Travel details, where to and reason for the trip.

(e) A councillor may, in exceptional circumstances and upon good cause shown, and with the approval of the Mayor or Speaker, utilise the municipal-owned vehicle for official purposes: Provided that the municipal council must, in line with the approved municipal council policy, exercise prudent financial management to ensure that the provision of motor vehicle does not undermine the need to prioritise service delivery and sustain viable municipalities.

(f) If a councillor uses a municipal-owned motor vehicle for official purposes, such councillor will not be reimbursed for kilometres travelled.

(2) Housing allowance

A councillor may structure his or her salary to provide for housing allowance as part of the total remuneration package.

10. Out of pocket expenses

A councillor may, in addition to the total remuneration package, be reimbursed for reasonable and actual out of pocket expenses incurred during the execution of official or ceremonial duties, in accordance with the applicable municipal council policy.

11. Upper limits of cell phone allowance for councillors

A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid a cell phone allowance not exceeding R3400.00 per month in accordance with the applicable municipal council policy.

12. Upper limits of mobile data bundles for councillors

A councillor may, in addition to the annual total remuneration packages provided for in terms of items 5 and 8 respectively, be paid an allowance on the use of data bundles not exceeding R300 per month.
13. Upper limits of pension, provident or retirement annuity fund contributions and medical benefits of councillors

(1) Pension, provident or retirement annuity contributions

(a) A councillor may participate in a pension, provident or retirement annuity fund registered in terms of the Pension Fund Act, 1956 (Act No. 24 of 1956).

(b) If a councillor elects to participate in a pension, provident or retirement annuity fund, the municipality must pay from his or her monthly salary, on behalf of that councillor, the monthly council contributions and councillor contributions to a pension, provident or retirement annuity fund to which the councillor is a member in accordance with the rules of such pension, provident or retirement annuity fund. The contributions by the municipal council and the councillor are included in the total remuneration package as a total cost to the municipality.

(2) Medical Aid Scheme

(a) A councillor may participate in a medical aid scheme registered in terms of the Medical Schemes Act, 1996 (Act No. 131 of 1996).

(b) If a councillor elects to participate in a medical aid scheme, the municipal council must deduct from that councillor’s salary, the monthly contributions and pay the contributions to a medical aid scheme to which the councillor is a member in accordance with the rules of such medical aid scheme. The contributions by the municipal council and the councillor are included in the total remuneration package as a total cost to the municipality.

14. Special risk cover

(1) A municipality must, in addition to the annual total remuneration packages as provided in items 5 and 8 respectively, take out risk insurance cover, to provide for an insurance cover, provided to a councillor by the municipality, which covers the loss of or damage to a councillor’s personal immovable or moveable property and assets, excluding property used by such councillor for business purposes, as well as life and disability cover, for any loss or damage caused by riot, civil unrest, strike or public disorder. The special risk insurance on residential property will be limited to R1, 5 million while on vehicles it is limited to R750 000. The life and disability insurance cover is limited to 2 times the total remuneration package of a councillor.

(2) In the event where the residential property of a councillor was damaged or destroyed as a result of riot, civil unrest, strike or public disorder, the municipality may, subject to affordability, provide alternative accommodation to the affected councillor, for a period of 30 days from the date of such an incident.
(3) Notwithstanding sub-item (2), the municipal council may, on good cause shown, provide alternative accommodation for a further period not exceeding 30 days.

(4) A councillor is obliged to submit to the municipality details of property, assets and beneficiaries to be covered by the special risk insurance upon request. A councillor who fails to submit the required details referred to herein will forfeit the benefits associated with the special risk insurance cover.

(5) If a councillor already belongs to another special risk cover, such councillor must declare to the municipality the details of property, assets and beneficiaries to be covered by the special risk insurance.

15. Tools of trade

(1) A municipal council may extend the following tools of trade to a councillor:

<table>
<thead>
<tr>
<th>TOOLS OF TRADE</th>
<th>APPLICABLE TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Braille reader</td>
<td>All visually impaired councillors</td>
</tr>
<tr>
<td>(b) Office space and furniture;</td>
<td></td>
</tr>
<tr>
<td>Parking bay;</td>
<td></td>
</tr>
<tr>
<td>Business cards;</td>
<td></td>
</tr>
<tr>
<td>Calculators;</td>
<td></td>
</tr>
<tr>
<td>Letter-heads;</td>
<td>All full-time councillors, part-time executive mayors or mayor, part-time</td>
</tr>
<tr>
<td>Stationery;</td>
<td>deputy executive mayors or deputy mayors, part-time speakers.</td>
</tr>
<tr>
<td>Toner cartridges;</td>
<td></td>
</tr>
<tr>
<td>Diaries;</td>
<td>part-time members of mayoral committee or members of executive committee and</td>
</tr>
<tr>
<td>Postage costs;</td>
<td>part-time chairpersons of section 76 committees.</td>
</tr>
<tr>
<td>Office telephone;</td>
<td></td>
</tr>
<tr>
<td>Appropriate mobile technology</td>
<td></td>
</tr>
<tr>
<td>and multi-digit of office (excluding</td>
<td></td>
</tr>
<tr>
<td>cell phones and mobile data card as</td>
<td></td>
</tr>
<tr>
<td>per item 10 and 11), including</td>
<td></td>
</tr>
<tr>
<td>facsimile, printer, photocopier and</td>
<td></td>
</tr>
<tr>
<td>scanner.</td>
<td></td>
</tr>
<tr>
<td>(c) Laptop or tablet</td>
<td>All councillors</td>
</tr>
<tr>
<td>(d) Official accommodation, fittings</td>
<td>Full-time Executive Mayor or Mayor</td>
</tr>
<tr>
<td>and furniture which was utilised as</td>
<td></td>
</tr>
<tr>
<td>an official residence by the</td>
<td></td>
</tr>
<tr>
<td>municipality, prior to 2016/17.</td>
<td></td>
</tr>
<tr>
<td>(e) Business cards;</td>
<td>Part-time councillors and the usage must comply with policy directives of the</td>
</tr>
<tr>
<td>Calculators;</td>
<td>municipality</td>
</tr>
<tr>
<td>Letter-heads;</td>
<td></td>
</tr>
<tr>
<td>Stationery;</td>
<td></td>
</tr>
<tr>
<td>Diaries.</td>
<td></td>
</tr>
<tr>
<td>(f) Postage costs;</td>
<td>Part-time councillor to have access to these tools of trade at the municipal</td>
</tr>
<tr>
<td>Office telephone;</td>
<td>offices</td>
</tr>
<tr>
<td>Multi-digit of office, facsimile,</td>
<td></td>
</tr>
<tr>
<td>printer, photocopier and scanner.</td>
<td></td>
</tr>
</tbody>
</table>

This profile is also available here online at www.apwenta.co.za.
(2) If a municipal council makes available tools of trade in terms of sub-item (1), such a municipal council must take into account accessibility, affordability and cost control, equity, flexibility, simplicity, transparency, accountability and value of tools of trade.

(3) The tools of trade must be insured by the council with the exception of sub-item (1)(g).

16. Capacity building

(1) The municipal council must develop and adopt a skills development plan and personal development plan prior to any councillor undergoing training.

(2) A municipality must make a provision in its budget for development and implementation of capacity building programme for a councillor during the term of office of that councillor.

(3) Capacity building programme consist of short courses or programmes as provided for in the training, education and development policy and skills development plan of the municipality, including training conducted by national departments, associated government agencies and SETAs, provincial departments, municipalities and organised local government.

(4) The capacity building programme must take into consideration the capacity needs to fulfil a councillor’s statutory obligations and affordability by a municipality.

17. Overpayment

(1) Any remuneration paid to a councillor of a municipality otherwise than in accordance with section 167(2) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 53 of 2003) including any bonus, bursary, loan, advance or other benefit is an irregular expenditure and the municipality —

(e) must recover that remuneration from the political office bearer or member; and
(b) may not write-off any expenditure incurred by the municipality in paying or giving that remuneration.

(2) The MEC must report to the Minister –

(a) any transgression of subsection (1), and

(b) any non-compliance with this Notice.

18. Information to be submitted to the Minister

(1) A municipality must submit to the MEC responsible for local government in the province, a report containing the following information in respect of its serving councillors for the 2018/19 financial year on an official letterhead of the municipality, signed by the mayor:

(a) Total number of councillors;
(b) Designation;
(c) Part-time or full-time;
(d) Name of incumbent;
(e) Gender;
(f) Total municipal income;
(g) Total population;
(h) Grading of municipal council;
(i) Date concurrence granted by the MEC;
(j) Total remuneration package; and
(k) Any allowance(s) payable to a councillor.

(2) Upon receipt of the data referred to in sub-item 1, the MEC must submit a consolidated report to the Minister by not later than 28 February 2019.

19. Transitional measures

(1) If a municipality has no audited financial statements for 2017/18 financial year by the date of publication of this Notice, the audited financial statements for the 2016/17 financial year will apply.

(2) If the grading of a municipal council is downgraded as a result of the redetermination of the grade of municipal council as set out in Item 4 of this Notice, a councillor who was in office as at 30 June 2018 will retain the total remuneration package as determined in terms of Government Notice No. 1440, Government Gazette No. 41335 of 15 December 2017 and the councillor is entitled to the applicable cost of living adjustment: Provided that the data used by the municipality for determination of the grading of a municipal council is correct.

(3) This Notice replaces Government Notice No. 1440 as published in Government Gazette No. 41335 of 15 December 2017.
20. Short title and commencement

This Notice is called the Determination of Upper Limits of Salaries, Allowances and Benefits of Different Members of Municipal Councils and takes effect from 1 July 2018.
SC02/01/19  APPOINTMENT OF A NEW MAYORAL COMMITTEE AND RECOMPOSITION OF THE PORTFOLIO COMMITTEES

REPORT OF THE DIRECTOR : CORPORATE SERVICES

PURPOSE OF THE REPORT

To inform the Municipal Council of the changes in the Mayoral Committee and to subsequently recompose the Portfolio Committees in line with the new Mayoral Committee.

BACKGROUND

The Executive mayor, in terms of Section 60(1)(a) of the Local Government : Municipal Structures Act, 1998, appointed on 7 January 2019, the following Councillors to his Mayoral Committee:

New

Cllr Wasserman  -  Chairperson : Planning and Integrated Human Settlement Committee

Cllr Davis  -  Chairperson : Technical Services Committee

Changes in Portfolios

Cllr Van Aswegen (Deputy Executive Mayor)  -  Chairperson : Governance and Economic Development Committee

Cllr Myers  -  Chairperson : Finance Committee

Unchanged

Cllr Salaze  -  Chairperson : Community Services Committee

Until the changes as mentioned above, there were only four (4) Portfolio Committees. The above changes split the former Finance and Governance Committee into two (2) separate Committees. There are thus now five (5) Portfolio Committees roughly aligned to the five (5) Directorates.

The members of the previous Portfolio Committees were as follows:

Planning and Development Committee

Chairperson : Cllr P Myers
Cllr I Uys
Cllr S Kwinana
Cllr M Skosana
Technical Services Committee

Chairperson: Cllr P Myers  
Cllr S Kwinana  
Cllr L Davis  
Cllr M Naki  
Cllr N Tsengwa

Finance and Governance Committee

Chairperson: Cllr E Van Aswegen  
Cllr E Bouw-Spies  
Cllr C Weideman  
Cllr C Croutz  
Cllr M Matiwane

Community Services Committee

Chairperson: Cllr M Salaze  
Cllr D Pofadder  
Cllr T Gombo  
Cllr M Skosana

DISCUSSION

The increase in the number of Portfolio Committees as a result of the appointment of a new Mayoral Committee, necessitates the recomposition of the members of the Portfolio Committees.

Furthermore, it is proposed that a report be requested where the councillors delegated to attend SALGA working group meetings be reconsidered in line with the recomposition of Portfolio Committees as discussed herein.

Lastly, the Register of Delegated Powers also needs to be amended in line with the recomposition of the Portfolio Committees.

The Delegations should be amended as follows:

Finance

Budget and Treasury matters  
Supply Chain Management and Stores  
Information Technology  
Asset Management  
Expenditure  
Income  
Insurance

Governance and Economic Development

The following new delegations will be added:
Economic Development
Tourism
Integrated Development Planning

Community Services

The following new delegations will be added:

Youth
Gender
Disabled

RELEVANT LEGISLATION


RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the appointment of a new Mayoral Committee and recomposition of the Portfolio Committees, be noted;

[b] That it be noted that the Executive Mayor, in terms of Section 60(1)(a) of the Local Government: Municipal Structures Act, 1998, appointed on 7 January 2019 the following Councillors to his Mayoral Committee:

Cllr M Wasserman - Chairperson: Planning and Integrated Human Settlement Committee

Cllr L Davis - Chairperson: Technical Services Committee

Cllr E Van Aswegen (Deputy Executive Mayor) - Chairperson: Governance and Economic Development Committee

Cllr P Myers - Chairperson: Finance Committee

Cllr M Salaze - Chairperson: Community Services Committee

[c] That the Portfolio Committees be recomposed as follows:

Planning and Integrated Human Settlement Committee

Chairperson: Cllr M Wasserman
Cllr
Cllr
Cllr
Cllr

Technical Services Committee

Chairperson: Cllr L Davis
Cllr


That the Acting Municipal Manager submit a report regarding the recomposition of Councillors delegated to attend SALGA Working Group meetings to the next Municipal Council meeting; and

That Council approves the amendment of the Register of Delegated Powers, in line with the new Portfolio Committees as follows:

Finance

Budget and Treasury matters
Supply Chain Management and Stores
Information Technology
Asset Management
Expenditure
Income
Insurance

Governance and Economic Development

The following new delegations will be added:

Economic Development
Tourism
Integrated Development Planning
Community Services

The following new delegations will be added:

Youth
Gender
Disabled.

File Reference: 3/2/1

Execution:
Acting Municipal Manager
Director: Corporate Services
Chief of Staff: Mayor's Office
Manager: Administration
Manager: Legal Services
7. **ADJOURNMENT**

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