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| DEPARTMENT: Office of the Executive Mayor

27 July 2021

The Parliament of the Republic of South Africa
Portfolio Committee on Co-operative Governance and Traditional Affairs
Attention: Ms. A F Muthambi, MP
Chairperson: PC on Co-operative Governance and Traditional Affairs
P.O. BOX 15
CAPE TOWN
8000

via E-mail : Committee Secretary, Ms S Cassiem, scassiem@parliament.gov.za

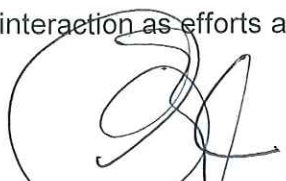
Dear: Ms. A F Muthambi, MP

RE: RESPONSE TO THE PORFOLIO COMMITTEE REVISED QUESTIONS AS PER THE VIRTUAL MEETING HELD 20TH JULY 2021.

The JB Marks Local Municipality herewith provides detailed responses to the follow-up questions as presented by the Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) during the virtual meeting held on the 20th July 2021.

The municipality appreciate the role of the portfolio committee in assisting this municipality to meet its constitutional obligation. In this regard, on behalf of the leadership of this municipality, we appreciated the second opportunity provided by the portfolio committee to provide comprehensive responses to the questions as presented.

The municipality is welcome any future engagement with the portfolio committee and regard this interaction as efforts aimed at promoting good governance.


MM MATABOGE (ALDERLADY)
EXECUTIVE MAYOR

Reference: 2021/07/27

**RE: RESPONSES TO THE PORFOLIO COMMITTEE REVISED QUESTIONS AS PER
THE VIRTUAL MEETING HELD 20TH JULY 2021.**

NEW SET OF FOLLOW-UP QUESTIONS

**1. THE MUNICIPALITY TO GIVE CLARITY ON LATE SUBMISSION OF THE REPORT TO
THE COMMITTEE**

The Municipality received the Portfolio Committee questions during the meeting held in Matlosana Local Municipality on the 7th May 2021. The process to respond to the questions requires the full collaboration of the Executive Mayor, Speaker and the Single-whip of council supported by the Acting Municipal Manager and the Administration Team.

In lieu of the above, while the Acting Municipal Manager was addressing the response to the questions, the Executive Mayor resigned on the 12th May 2021 with the new Executive Mayor being appointed only on the 14th May 2021. During this period, the responses could not be finalised since it required the Executive Mayor understanding and blessings thus the Acting Municipal Manager submitted a request to the portfolio committee requesting an extension in responding to the questions.

It is important to note that the Speaker experienced family bereavement of his child on the 14th May 2021 and was subsequently hospitalised on the 20th May 2021 and discharged from hospital on the 30th May 2021. The approval for the appointment of an Acting Speaker was only finalised on the 25 May 2021 and 25 June 2021 respectively.

This was a difficult moment for the municipality due to the vacuum that was created by the absence of key leadership of council who had the obligation to respond to some of the question and to authorise the entire council response to the portfolio committee of parliament.

Attached hereto is the following:

- 1.1.1. Letter of resignation of the Executive Mayor (ANNEXURE A).
- 1.1.2. Council Resolution for the appointment of the new Executive Mayor (ANNEXURE B).
- 1.1.3. Speaker of Council – Medical Certificates (ANNEXURE C).
- 1.1.4. Appointment letter of the Acting Speaker (ANNEXURE D).

As a result the municipality's response to the portfolio committee was incomplete and could not be submitted. It is brought to the attention of the portfolio that the outgoing Executive Mayor has also

failed to submit a handover report. The Acting Municipal Manager also had to deal with a number of outstanding and pressing issues within council.

As for what transpired on Tuesday, July 20, 2021 was just very unfortunate. We knew the time for the meeting would be 09:30 and our technical team was unable to connect. The internal dynamics of role confusion in the municipality, also came into the picture. The one section blamed the other and these are the things we've been trying to address.

This is an attempt to explain the reasons for the delay in providing the responses and why it was only supplied on July 16, 2021. As well, as to explain the happenings, on the day of the meeting. There never was any intent to deliberately disrespect the members and the important work that is being carried out by the Portfolio Committee on Co-operative Governance and Traditional Affairs.

On behalf of the municipality that I lead as Executive Mayor I do apologise unreservedly for everything and want to assure you that we have learned from this experience. Also, we have learned much from this robust engagement, which we had. I promise that going forward our performance will improve we owe it to the people of our city who elected us and have put their hope in us.

2. WHAT IS THE MUNICIPALITY'S PLAN ON SEWER SPILLAGES, WATER LEAKS AND POTHOLES

2.1. Sewer Spillages

The Municipality is experiencing a serious challenges relating to aged infrastructure which brings serious risk to the municipalities obligations relating to services delivery. This challenges pose serious potential failures to service delivery and environmental hazards. The municipality confirms and accepts that as a result of the aged infrastructure, the municipality's sewerage network is experiencing serious failures.

In addition to the above, the municipality has identified that the failures are increased by some manmade reasons such as:

- Foreign objects found in the sewerage lines
- The illegal connections into the existing sewerage line impacting on the capacity of the infrastructure.

Pertaining to the above the municipality has:

- Identified specific hotspot areas; Ikageng graveside, Lekhele Street, Parys line and near the Anglican Church in Ikageng, which are first point of response in addressing the spillages.
- Currently, the municipality is busy with the refurbishment of the sewerage plant and to increase the capacity of the plant in response to the growth of the city.
- The municipality has also prioritised and filled all critical vacant position in the sewages and water management unit of the municipality.
- Rapid response teams has been established to respond timeously to all spillages in the municipality.
- The municipality has also recently concluded the procurement of additional service delivery fleet, with the aim of increasing the response and efficiency of the service. In the 2021/22 financial year R30,600,000 is allocated for service delivery vehicles, (ANNEXURE E).
- The draft sewerage master plan are finalised and workshopped to all managers and councillors. The master plans are scheduled to be considered in the next council meeting.
- The Municipality is also undertaking an aggressive awareness campaigns and programs to educate the community of the risks aligned to illegal connections and disposing foreign objects into the sewerage lines.
- Some of the foreign object found in the sewerage lines includes, stones, animal skins, vehicles parts, etc. as seen in the pictures below:

Picture of some foreign objects found in the sewerage network are annexed hereto. (ANNEXURE F)

2.2. Water Leaks

- The municipality acknowledge that the water loss of the entire municipality is very high compared to acceptable national standard. The water loss challenge of the municipality involves, faulty meters, aged infrastructure and lack of zonal meters to accurately monitor the water loss and general water management in the city.

The municipality has addressed the following urgent management tools in respect of water management in the city.

- Telemetric systems
- The installation of water network zonal meters on new network
- Increase in the maintenance budget, addressing leaks and procurement of new meters.
- Active leak management teams

- Ensure improved water management within the municipality a water safety plan has been drafted as part of council overall high level planning.
- In this regard, the municipality has prioritised and filled all related critical position related to this service in addition new positions are identified in the proposed organisational structure to complement this unit fully.

2.3. Potholes

The municipality's road infrastructure is aged. A number of roads requires total upgrade and the municipality at this stage has no financial capacity to address this urgent and required upgrades. The problem is potholes is directly linked to water leaks and sewerage infrastructure challenges and the fact that the municipality is unable to address its maintenance all at once.

The efforts of the municipality in addressing the potholes are integrated with water leak detections and sewerage spillage response. The Municipality has assembled a dedicated pothole patching teams, while in the same breath the directorate is engaging private service providers to undertake emergency repairs and maintenance in support of council internal resources.

The municipality's roads master plan has been workshopped with all councillors and senior management, will in the nearest future be approved.

2.4. Why potholes are done by private residents.

The former Executive Mayor Cllr Kgotso Khumalo launched a joint 100 day program in a partnership with the Potchefstroom Business Chamber. This partnership is not with private residents. The partnership aim was an intensive interaction with the Potchefstroom Chamber Business and to share a common vision. In this process the business chamber identified a number of interventions in which they are prepared to partner with the municipality in order to improve the outlook of the city.

Part of the programme, the chamber presented a list of priority area's which they wish the municipality should address in the short term. Part of the initiative is fixing of potholes in the city.

The initiative is voluntarily and comes with no direct cost to the municipality while the business chamber supply labour, plant and machinery with the municipality supplying only asphalt.

The partnership with the Potchefstroom Business Chamber is welcomed by the municipality.

The Municipality had also advertised for a panel of Contractors towards the repairs of Potholes within the JB Marks which this initiative would have been a platform to transfer skill to our local SMME's.

3. WHAT IS THE RELATIONSHIP BETWEEN MPAC AND INTERNAL AUDIT AND ITS CAPACITY

3.2. Relationship between MPAC and Internal Audit.

The MPAC Chairperson and Assistant Manager: MPAC have a standing invitation to all Audit and Performance Audit Committee (APAC) meetings, as is stated in the APAC Charter. Meeting notices and agenda packs for all APAC meetings since November 2020 were issued to the MPAC Chairperson and the Assistant Manager.

3.3. The Capacity (MPAC & Internal Audit).

The MPAC unit consist of 4 staff members with one vacant position. The municipality will investigate through benchmarking process with other municipality the required and ideal staff complement of such a Unit.

Attached is the response from the MPAC chairperson on related questions. (ANNEXURE G)

The current structure of the Internal Audit unit consists out of three (3) posts, of which two (2) are currently filled, namely the position of Chief Audit Executive and the position of Chief Audit Clerk. An advertisement for the vacant post of Chief Audit Clerk, together with two (2) Finance Management Interns is prioritised as critical.

The Municipality is currently reviewing the organisational structure and has increased the capacity of the unit with an additional four (4) posts.

4. WHAT IS THE STATUS OF THE MUNICIPALITY'S WATER QUALITY

- ✓ The drinking water quality is measured according to South African National Standard (SANS 241:2015), to ensure that the water is suitable for human consumption.
- ✓ JB Marks Local municipality has 8 systems meant for provision of quality water to its community. The Municipality accepts that the water quality at 6 of the systems situated in the Villages at Ventersdorp region were often not complying with the standards during the year 2020 (See annexure – Fig 1: 2020 Drinking Water Quality Status from Integrated Regulatory Information

System – IRIS, ANNEXURE H) this was as a result of lack of personnel such as water process controller. In order to address the challenge a plant manager was appointed to oversee the process. Compliance in this regard is monitored on daily basis.

✓ However, it is should be noted that the water quality in Potchefstroom meets the standard.

5. CODE OF CONDUCT OF COUNCILLORS RELATING TO NONE ATTENDANCE OF MEETINGS (PORTFOLIO, MPAC AND COUNCIL.

Attached is the response from the MPAC chairperson on related questions. (ANNEXURE G)

6. PROVIDE PROOF OF MUNICIPALITY'S RESERVES.

The municipality's financial reserve are depicted below:

INSTITUTION	BALANCE
Standard Bank	R38,972,239.61
Nedbank (Operating Account)	R168,703,762.42
Investec	R68,873,499.88
ABSA	R14,995,151.81
TOTAL	R291,544,653.70

The financial reserve statement are attached. (ANNEXURE I)

7. MAINTENANCE PLAN- FOLLOW UP QUESTION

7.1. What are the time frames on the master plans?

✓ The Master Plans were developed both Councillors and Management were workshopped on two occasions in 20 & 21 April 2021 and 17 & 18 May 2021. The plan is to table the master plan to council in the first quarter of the financial year.

The following Master Plans will be table in Council:

- Comprehensive Integrated Transport Plan
- Roads and Storm-Water Master Plan
- Electricity Master Plan
- Energy Master Plan
- Integrated Spatial Development Framework
- Bulk Contributions Policy

7.2. How much is the budget and the ratio for infrastructure maintenance?
 R122 million (6%).

The budget allocated is 2% less than the national determined ratio of 8%.

The municipality has committed an additional budget on maintenance of R (ANNEXURE J).

8. MUNICIPAL VEHICLES – FOLLOW UP QUESTION

8.1. Is the municipality aware where all its vehicles were taken to?

The Municipality after being made aware of its vehicles being unaccounted for. The acting Municipal Manager undertook an initiative to locate all vehicles. As a result of the initiative, 62 service delivery vehicles and plant equipment were identified in possession of various individuals and workshops around town. This initiative is ongoing.

8.2. How is the municipality disposing their old assets?

Municipal assets is disposing-off assets in terms of the Municipal Finance Management Act 56/2003 section 14.

9. COUNCIL– ALL COUNCIL MEETING FROM 2019/2020 TO DATE FOLLOW UP QUESTION

9.1. How many ordinary council meeting were held in the 2019/20 financial year and to date?
 There were 7 Ordinary Council Meetings and 5 Special Council Meetings held.

Ordinary Council Meetings	Dates
	30 July 2019
	30 July 2019
	29 August 2019
	29 October 2019
	26 November 2019 & continued on the 3 December 2019
	31 January 2020
	25 February 2020 and continued on the 10 th March 2020
Special Council Meetings	11 July 2019
	9 September 2019
	30 September 2019
	28 February 2020
	26 May 2020

10. COUNCILLORS – FOLLOW UP QUESTION

10.1. What is the status of the municipal accounts of councillors and arrangements made?

No councillor is in arrears for 90 days or more in respect of their rates and taxes.

11. UIF&W - FOLLOW UP QUESTION

11.1. The UIF&W breakdown - specifically on how the erstwhile Ventersdorp destroyed documents increased

ANNEXURE K

11.2. **What is the status of unresolved balance of UIF&W?**

The accumulative amount as at the 30 June 2019 is as follows:

<u>Type of Expenditure</u>	<u>Balance as at 30 June 2019</u>
Unauthorised	R 837 120 395
Irregular	R2 287 774 090
Fruitless and wasteful	R 78 266 972

12. MPAC – FOLLOW UP QUESTION

12.1. Proof of attendance register of all MPAC meetings?

Attached hereto the report submitted by chairperson of MPAC. (ANNEXURE G)

12.2. What is the capacity status of MPAC?

The MPAC office has five (5) positions on the approved structure of Council and currently four (4) posts are filled, namely the Assistant Director: MPAC; the MPAC researcher; the MPAC co-ordinator and the Administrative Assistant. The position of Compliance officer is still vacant. The Committee itself constitutes out of eleven (11) Councillors knowledgeable with the prescripts of local government and the majority of the members have financial backgrounds.

12.3. What did the municipality do to address the matter?

The Councillors who failed to attend the scheduled MPAC meetings, and which resulted in the continuous postponement of MPAC meetings due to lack of a quorum, were removed as members of the Committee, and new members appointed by Council.

13. SPEAKER – FOLLOW UP QUESTION

13.1. Election of the Executive Mayor (report to be compiled by the MEC and Speaker)

A report on the election of the Executive Mayor will be provided by the MEC's.

13.2. What are the terms of reference of the Administrator?

The municipality was put under Provincial Intervention from 17 August 2020. The intervention was in terms Constitution of the Republic of South Africa, 139 1(b). The terms of reference are attached hereto for easy of reference.

Attached hereto is the provincial intervention terms of reference.

- Appointment of Administrator – Mr. TZ Makhatla (ANNEXURE L)
- Terms of reference provincial intervention- Dated 7 December 2020 Annexure M
- Appointment of Administrator – Ms DI Mongwaketse (ANNEXURE N)

13.3. What are the outstanding responses of questions posed by councillors to the Speaker/EM?

The following are the outstanding questions posed by councillors to the Speaker/EM which are not responded to yet.

Attached is the questions. **ANNEXURE O.**

13.4. Provide Council minutes on the tabling of the SIU report.

The previous Administrator, Mr TZ Mokhatla tabled the SIU on the 09 March 2021. The Report was presented virtually to council. No copy of the report were circulated to councillors due to the fact that the report was to be used as evidence in the disciplinary process. Council resolved as follows:

“SPC5/2021-03-09 PRESENTATION: SPECIAL INVESTIGATION UNIT REPORT BY THE ADMINISTRATOR, MR. TZ MOKHATLA (Special Council Meeting Agenda 2021-03-09, additional item – no report)

1. That cognisance be taken of the electronic presentation made by TZ Mokhatla, Administrator, on the Special Investigation Unit Report and the outcome thereof.

Attached hereto is the full set of minutes of council on the tabling of the SIU report. (ANNEXURE P).

14. PROGRESS REPORT OF SUSPENSION AND DISCIPLINARY OF THE MM AND CFO

The disciplinary process for the Municipal Manager has commence on the 26 July 2021. Once the MM disciplinary process is concluded, the Chief Financial Officer disciplinary process will commence thereafter. This process are undertaken virtually.

15. PORTFOLIO COMMITTEE AND MPAC SITTING

15.1. To receive questions and how to respond answer the questions by the EM.

Questions by councillors to the executive mayor are presented in writing to the speaker. The Executive Mayor upon receipt of the question, present a report to council responding to the questions.

15.2. Do you have any backlog of responses due by the Executive Mayor?

After the session with the portfolio committee on the 23rd July 2021, it was identified that a number of questions remains unanswered by the Executive Mayor. The Executive Mayor is busy consolidating all outstanding questions in order to ensure that they are responded to.

16. MPAC

16.1. How many times did MPAC meeting sit in the past financial year?

MPAC have had three (3) meetings during the 2020/2021 financial year, as follows:

- a) 13th August 2020;
- b) 13th October 2020;
- c) 12th November 2020;
- d) 19 April 2021-Covid Case
- e) 10 May 2021
- f) 19 May 2021- Postponed
- g) 8 June 2021
- h) 24 June 2021-Covid Case

Additional information in this regard can be found in the attached report of the chairperson of the MPAC. (ANNEXURE G)

16.2. How many reports have been rendered on UIF&W by MPAC to council

Refer to the report by the Chairperson of MPAC as annexured hereto.

16.3. How many recommendations by MPAC have been implemented?

Refer to the report by the Chairperson of MPAC as annexured hereto.

16.4. If no, reports by MPAC who should be held accountable for none presentation of this reports.

According to MFMA Section 32(4) Accounting Officer should investigate UIF &W & referred to MPAC to further investigate and make recommendations to Council.

17. REFUSE REMOVAL TRUCKS FOLLOW

17.1. Why have we spent so R 32 945 930.00 on refuse removal and not provided service delivery to Marikana.

Marikana is an informal settlement and this area is not proclaimed, however the none collection of refuse at Marikana was a serious and regrettable omission. The Municipality is planning on implementing interim measures in the area. The refuse collection at Marikana is planned to start on the 2nd August 2021.

18. OVERTIME FOLLOW UP

18.1. Why has the report never served at council?

The report on overtime served in council on the 30th March 2021. The report was considered under item- **C69/2021-03-30**

The report on overtime served at Council, as item C69/2021-03-30 on the 30th March 2021. Council resolved as follows:

C69/2021-03-30

1. That cognisance be taken of the report.
2. That cognisance be taken that Management is in the process of implementing electronic systems to curb and prevent fraudulent claims for overtime.
3. That cognisance be taken that staff allocation indicated as "unknown" have after compilation of the report, been allocated to the correct department.
4. That the Acting Municipal Manager submit a comprehensive report which include;
 - (a) the outcome of Investigations conducted;
 - (b) details on consequence management taken against employees who submitted fraudulent claims; and
 - (c) details on whether money was recouped from employees who submitted fraudulent claims.
5. That the Acting Municipal Manager regularly submit reports on the status of Overtime worked in the JB Marks Local Municipality, to Council."

18.1. What is the current status of overtime?

The municipality still allocate overtime to be worked by officials in the service delivery department, emergency services and other unavoidable urgent work required to be undertaken. The Municipality's vacancy rate stand at 17%. Some of the vacant positions are complemented by employees working overtime.

18.2. What is the overtime expenditure?

The below tabular expression depicts the municipality's expenditure on overtime from July 2020 to June 2021.

JB MARKS - OVERTIME 2021

Month	Normal	Double	Total	Cumulative total	Average
Jul-20	1 945 281.40	1 465 101.78	3 410 383.18	3 410 383	3 410 383
Aug-20	3 115 097.81	2 419 388.86	5 534 486.67	8 944 870	4 472 435
Sep-20	3 299 914.47	2 579 998.16	5 879 912.63	14 824 782	4 941 594
Oct-20	2 289 118.70	1 510 598.93	3 799 717.63	18 624 500	4 656 125
Nov-20	2 520 177.05	1 853 554.94	4 373 731.99	22 998 232	4 599 646
Dec-20	3 050 111.15	2 077 253.38	5 127 364.53	28 125 597	4 687 599
Jan-21	2 802 754.93	2 336 665.17	5 139 420.10	33 265 017	4 752 145
Feb-21	2 858 801.29	2 375 165.92	5 233 967.21	38 498 984	4 812 373
Mar-21	3 183 414.95	2 156 836.56	5 340 251.51	43 839 235	4 871 026
Apr-21	3 290 464.78	2 407 498.69	5 697 963.47	49 537 199	4 953 720
May-21	3 263 802.99	3 472 845.23	6 736 648.22	56 273 847	5 115 804
Jun-21	3 098 820.69	3 309 281.28	6 408 101.97	62 681 949	5 223 496
	34 717 760.21	27 964 188.90	62 681 949.11		

18.3. What is the average monthly overtime spent?

The average overtime spend per month is R5,2m considering the total overtime spend for the 2020/21 year.

18.4. How are you dealing with the overtime?

The municipality has initiated an overtime management process. The process involves submission of pre-approval prior an employee works overtime. This is implemented to ensure that the municipality planned overtime is managing at a maximum of 10 hours per work as legislated.

Emergency overtime is impossible to manage since it involves unplanned emergency work which remains unavoidable to be worked.

19. ARCHIVES AND RECORDS COVERED BY UIF&W FOLLOW UP

19.1. Report on how far is the municipality with the National archives and records act?

The municipality archives and records are not properly managed in terms of the National Archives Act. The Municipal has no proper archives and records management system. A proper management and care of archives and records is not in place. The municipality has identified that there is a need for an archives and records management system which is complaint to the act.

19.2. What is the MM doing on missing documents could not be found by AG on 2019/20

The Office of the Municipal Manager has identified the missing information that should in the archives unit. The service providers are requested, in writing, to submit such information, and such update the records information.

Four service providers received letter requesting documentation as missing from council records. One service provider has submitted their documents and two outstanding and one services provider responded through their attorneys.

20. THE DISASTER MANAGEMENT CENTRE – CONTRACT AWARDED FOR R16 MILLION. PAID MADE R19 MILLION – FOLLOW UP

20.1. Full detailed report as to why the administrator instructed that the project be finalised by the contractor on site?

✓ Please refer to the signed report for reinstatement of the Contract. (ANNEXURE Q)

- ✓ However further elaborating on the reasons for reinstating the Contractor is as follows;
The terminated Contractor had presented the Municipality with the possibility of litigation towards the termination therefore the administrative team without further delaying progress on the project as a result of the legal battle and expose the structure to further deterioration then decided to amicably solve the dispute by reinstating the Contractor at his initial tendered rates.

The willingness of the Contractor to use existing rates as per the appointment amount.

- ✓ The expenditure incurred to date is detailed as per the table below;

SUMMARY OF FINANCIAL PROGRESS					
DECRPTION	PROFESSIONAL FESS (AS PER SLA) VAT.INCL		CONTRACTOR (AS PER APPOINTMENT LETTER)		TOTALS (VAT. INCL)
Awarded Amount		R 6 348 333,86		R 18 955 639,20	R 25 303 973,06
Approved V.O's	CERT NO.	R -	CERT NO.	R -	R -
Revised Contract Amount		R 6 348 333,86		R 18 955 639,20	R 25 303 973,06
<i>PAYMENT CERTIFIED TO DATE</i>	1	R 2 843 109,04	1	R 815 380,53	<i>SEE Below the Expenditure To Date</i>
	2	R 900 393,52	2	R 1 126 989,45	
	3	R 436 181,21	3	R 583 952,14	
	4	R 701 236,65	4	R 454 611,33	
	5	R 436 163,83	5	R 298 695,64	
	6	R 388 271,53	6	R 408 729,78	
	7	R 184 000,00	7	R 371 234,04	
	8	R -	8	R 441 383,22	
Expenditure To Date		R 5 889 355,78		R 4 500 976,13	R 10 390 331,91
Balance to Date		R 458 978,08		R 14 454 663,07	R 14 913 641,15
Financial Progress (%)		92,8%		23,7%	41,1%

20.2. What is the cost of completion of the aforementioned project?

The project is planned to be completed at the cost of R 18 955 639.20.

20.3. Will the Municipality realise value for Money.

- ✓ Yes, the Municipality will recognise have value for money.
- ✓ Reference is made to the reinstatement report, whereby it is stated that would have required an additional R 9 009 885.13 to complete the project if the municipality would have proceeded with the tender process in appointing a new Contractor to Conclude the construction of the Disaster Management Centre. (Refer to Proposal for reinstatement of Tshikamotha Trading Report -)

20.4. Has council gave approval for the project to be finalised

The reinstatement report was only signed by the 13th April 2021. Therefore Council will be notified of and informed of the administrative decision taken to reinstate the terminated Contractor in the 3rd quarter SDBIP report. (Attached).

21. THE ILLEGAL SETTLEMENT IN MOOIBANK- HUMAN SETTLEMENTS

21.1. What actions are you going to take on councillors involved?

Various meetings were held with the implicated Councillors but they deny the matter. DA instituted Criminal Proceedings against the said Councillors and then the Speaker halted all internal processes as the matter was now deemed now to be sub-judice.

Correspondence by the speaker regarding this matter is annexed hereto. (ANNEXURE R).

21.2. Why did the municipality not obtain court order obtain terms and act timeously when the land grab took place?

The municipality has followed the necessary legal processes and obtained court order with regarding to the Mooibank illegal land invasion. The court order was issued in the High Court of South Africa, North West Division- Mafikeng under Case No. UM04/2021. The Municipality is restricted by the national disaster management regulation on covid-19, which prohibits the eviction.

21.3. What is the reason why the Promosa serviced stands not to be made available to illegal settlers in Mooibank?

The Mooibank illegal occupiers could not be settled in Promosa Ext 4. The area was invaded before municipality could properly and orderly allocate erwen in the area. During the Mooibank illegal land grab the erwen in Promosa Ext 4 were not available.

21.4. Why vehicles are not fixed or replaced

The Municipal service delivery vehicles are repaired as and when they are brought for repairs at the Municipal Workshop. Due to capacity constraints within the Municipal workshop some of the repairs are outsourced to private workshops. The general challenge with Municipal service delivery vehicles is that most of them have way passed their useful life. Council will have to consider replacing most these vehicles. This process is delayed due to budgetary constraints.

During the 2020/2021 financial the municipality procured 7 light delivery vehicles, 7 sedans and 7 tipper trucks, 5 drop-site trucks, 2 refuse removal compactor trucks, 1 TLB, 1 Water tanker and 1 skip-loader truck. A total of 31 service delivery vehicles. The municipality for the new financial year (2021/2022) has planned to procure.

22. SUSPENSIONS – STATUS OF SUSPENSION AND PROGRESS

22.1. Are the suspensions of the Municipal Manager in 2019 and the Chief Financial Officer in 2018 still fair and lawful, as these are very long suspension periods?

The Office of the Administrator had suspended the Accounting Officer (Municipal Manager) and the Chief Financial Officer on Thursday, 18th February 2021 after providing the incumbents with an opportunity to submit reasons why they (Municipal Manager and Chief Financial Officer) should not be suspended.

The Thursday, 18th February 2021 suspension was informed by the Special Investigation Unit (SIU) report on PPE. The first disciplinary process meeting took place on Monday, 18th May 2021. The continuation of the process is schedule for the 26 July 2021.



ALDERLADY. MAPULE MATABOGE
EXECUTIVE MAYOR

LIST ANNEXURES	
A.	Letter of resignation of the executive mayor
B.	Council resolution for the appointment of the new executive mayor
C.	Speaker : medical certificate
D.	Appointment letter: Acting speaker.
E.	Budget allocated for service delivery vehicles
F.	Pictures of foreign objects in the sewerage network
G.	Response: MPAC Chairperson
H..	Drinking Water quality status- IRIS
I.	Municipality financial reserve statement
J.	Additional budget committed
K.	UIF&W Erstwhile Ventersdorp Local Municipality
L.	Terms of reference : administrator (TZ Mokhatla)
M	Letter: invocation of section (5august 2020)
N.	Terms of reference : administrator(DI Mongwaketse)
O.	Outstanding questions posed by councillors to the speaker.
P.	Minutes of council on tabling of the SIU report.
Q.	Reinstatement of contractor- construction disaster management centre
R.	Speaker- email regarding allegation levelled against councillors- Mooibank settlement.

ANNEXURE A

Mr K.M Khumalo
Ikageng
Polchefsroom
2531
Cell: 072 307 7007

12/05/2021

The Speaker
JB Marks Local Municipality
Old Library Building
Waller Sisulu Street
Polchefsroom
2531

ATT: Cllr. KGM Mogoemang

Sub: Step -Aside as Executive Mayor of JB Marks Municipality

In line with the African National Congress National Executive Committee decision that a member, office bearer, or public representative who has been indicated to appear in a court of Law on a charge of corruption or other serious crime must immediately step aside pending the finalisation of her or his case.

In accordance to the above decision of *my* political party of which I am a public representative in the JB Marks Municipality hereby step- Aside as Executive Mayor with effect from the 12 May 2021 .

Sincerely Yours

Ltv
Mr Kgotso Moses Khumalo
Cell:072 307 7007

ANNEXURE B

DR DAVID SIFISO MASUKU

BSc, MBChB, MMed(UCT), FCP(SA), Specialist Physician
Practice No.: 99901800000830143

Internal Medicine

Mediclinic Potchefstroom, Suite 202, 66 Meyer Street, Potchefstroom, 2531
PO Box 19901, Noordbrug, 2522
Tel: +27 18 293 7000 Cell: +27 68 184 6398
Email: drdmasukupractice@gmail.com

54590 Date:2021/05/21 Bed:5022 Age:61y04m



MOGOEEMANG, MR KE (KGOSIMANG)
DR MASUKU DS Prac#:0180000830143

DOB.:1960/01/10 ID#:8001105743084

MR KE MOGOEEMANG (H) 0730603559
3531 LEKHELE STREET (W) 0182995105
IKABENG, POTCHEFSTROOM, 2539
LA HEALTH (372952760)

**MEDICAL
CERTIFICATE**

Patient: _____

Date and time of examination: 21/05/2021

This certificate is issued as a result of personal observations by the practitioner during an examination and/or information received from the patient, which is based on acceptable medical grounds.

Note that a diagnosis and further details may only be provided with the patients's informed consent.

S/he will be unable/partially unable to fulfil his/her duties for the period starting on

21/05/2021 and ending on 16/06/2021

S/he will require amended duties/changed work place in accordance with the above incapacity until

16/06/2021

S/he will be required to visit me for follow-up(s) on the following dates:

Covid - 19 pneumonia /...../20.....

...../...../20.....

Doctor's name: (sign) [Signature] Date: 21/05/2021

DR. M. BISMILLAH

LLM RCS, LLM RCP MB BCH
PR 1451789



P.O.Box 1503, Patchefstroom 2520

Rooms:
6684 Sepotokela St.
Ikageng
☎ (018) 295-0259

Rooms:
6 John Nobel St.
Promosa
☎ (018) 296-0099

Rooms:
35 Relief St.
Potchefstroom
☎ (018) 297-8585

Date: 17-06-21 Age if minor: _____
Name: K.E. Magoemang
Address: _____

Dear Sir / Madam

The above needs sick leave from
17-06-21 to 30-07-21

He / She has:
1) Covid Pneumonia

2) _____

Thank You

Yours sincerely

M. Bismillah
M. Bismillah



P.O Box 113, Potchefstroom, 2520
www.jbmarks.co.za
Tel: +27(0)18 299 5101
Fax: +27(0)18 299 0477
Email: SpeakerAdmin@jbmarks.gov.za
OFFICE OF THE SPEAKER

Date: 25th May 2021

To: Cllr Lazarus Makoe
JB Marks Local Municipality

Email: Makoe.ML@jbmarks.gov.za

Per: Email Delivery

Refer: APPOINTMENT AS ACTING SPEAKER OF JB MARKS LOCAL MUNICIPAL COUNCIL

With the above matter as reference:

This correspondence serves to inform your good self that you are herewith appointed as the Acting Speaker for JB Marks Local Municipal Council with effect from Tuesday, 25 May 2021 until Friday, 11 June 2021. This directive to act is made by the Speaker of JB Marks Local Municipality, Cllr K.E.G Mogoemang as empowered by Council should the need arise (Refer to delegation SP.1).

It is expected of you while acting in this position, to discharge all functions, delegated or legislated for the post of Speaker, uphold Councillor's Code of Conduct as entrenched in Schedule 1 of the Municipal Systems Act and perform your functions with due diligence and commitment.

I hope you find this to be in order and thank you in advance for your cooperation and diligence in this regard.

Yours Respectfully;

Cllr. K.E.G Mogoemang
SPEAKER
J. B. Marks Local Municipality
Date: 25th May 2021

Vision: A transformed leading, competitive and preferred world class city.



P.O Box 113, Potchefstroom, 2520
www.jbmarks.co.za
Tel: +27(0)18 299 5105
Fax: +27(0)18 299 0477
Email: SpeakerAdmin@jbmarks.gov.za
OFFICE OF THE SPEAKER

Date: 25 June 2021

To: Cllr Lazarus Makoe
JB Marks Local Municipality

Email: MakoeML@jbmarks.gov.za

Per: Email Delivery

Refer: Appointment as Acting Speaker for the JB
Marks Local Municipality

With the above matter as reference:

This correspondence serves to inform your good self that you are herewith appointed as the Acting Speaker for the JB Marks Local Municipality; from 12 June 2021 until 31 July 2021.

This directive to act is made by the Speaker of the JB Marks Local Municipality Cllr KEG Mogoemang as empowered by Council should the need arise Refer to delegation SP1).

It is expected of you, while acting in this position, to discharge all functions delegated or legislated for post of Speaker, uphold Councilor's Code of Conduct as entrenched in Schedule 1 of the Municipal Systems Act and perform your functions with due diligence and commitment.

I hope you find this to be in order and thank you in advance for your cooperation and diligence in this regard.

Yours Respectfully

Cllr KEG Mogoemang

JB Marks Local Municipality

Date: 31 July 2021

Vision: A transformed leading, competitive and preferred world class city.

Capital Budget 2021/22

213,117,118

OFFICE OF THE SPEAKER

Cost Centre: '0015' Office of the Speaker

Office Furniture	070015000012	43,478
4X4 Bakkie	070015000016	565,217
Councillors Laptops	070015000099	1,304,348

MUNCIPAL MANAGER

Cost Centre: '0550' Municipal Manager

Furniture	070550230000	6,169
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BUDGET & TREASURY OFFICE

Cost Centre: '0560' Finance

Scanner	070560000002	100,000
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Cost Centre: '0564' Revenue

Office Chairs	070564000001	300,000
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PUBLIC SAFETY

Cost Centre: '0090' Fire Brigade

Fire Vehicle (MAJOR BUMPER)	070090220010	1,304,348
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Cost Centre: '0110' Disaster Management

Disaster Management Center	070110000001	8,695,652
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Radio Links	070110230011	1,739,130
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Cost Centre: '0610' Traffic Department

Traffic Patrol Vehicles	070610220027	2,608,696
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Cost Centre: '0615' Traffic Engineering

Vehicle LDV Pick Up	070615220004	304,348
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CORPORATE SERVICES

Cost Centre: '0565' Computer Services

Desktop Computers	070565000003	1,304,348
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Laptops	070565000004	521,739
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INFRASTRUCTURE

Cost Centre: '0340' Civil:Road & Street Works

Construction of Roads Stormwater in Toevlug Phase	070340000003	4,347,826
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Construction of Sewerage Ext 9	070340000004	3,913,043
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Development of Cell 4 at the Phelphepa land Fill Sit	070340000030	13,043,478
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Roads and StormWater JB Marks	070340020139	13,043,478
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Cost Centre: '0500' Sewer Reticulation Network

Deslugging of Sledge Lagoon and Upgrade	070500000004	3,043,478
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Construction of Ikageng Ext 13 Sewer Reticulation	070500060002	8,240,217
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Construction of Promosa Pump Station	070500060058	8,695,652
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Cost Centre: '0670' Electricity: Distribution

Installation of High Mast Ikageng	070670000001	2,608,696
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Installation of High Mast Matlwang	070670000004	173,913
Rehabilitation of Rural Overheads Lines	070670050119	5,217,391
Cost Centre: '0680' Electricity: Management		
Energy Efficiency Street Lighting NW 405	070680000002	3,478,261
Cost Centre: '0736' Water Reticulation: Ventersdorp		
Bulk Water Supply Boikhutso	070736030000	1,464,946
Bulk Water Supply Goedgevonden	070736030001	8,513,314
Cost Centre: '0740' Civil: Water Internal Reticulation		
New Ikageng Reservoir(25ml)	070740000004	38,689,565
Upgrade of the Waste Water Treatment Works	070740000009	13,043,478
Water Reticulation in Greenfield	070740000010	5,217,391
Upgrading of Sewer Line Mohadin Poortjie Dam	070740030008	3,478,261
Bridge Ext 7	070740030185	8,695,652

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Cost Centre; '0030' Cemetery

Development of new Street Cemetery	070030000001	11,304,348
Grave Digging Machine	070030000002	1,739,130

Cost Centre: '0440' Street Trees

Front End Loader	070440220018	1,478,261
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Cost Centre: '0450' Parks Administration

3 Ton Truck with Canopy	070450000001	5,217,391
Crew Trucks	070450000005	6,086,957

Cost Centre: '0480' Refuse Removal

Compactor Trucks	070480000001	5,217,391
Skipper Loader	070480220018	2,086,957

SPORTS, ART & CULTURE

Cost Centre: '0080' Library

Purchasing of Books and References for Libraries	070080150001	695,692
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Cost Centre: '0089' Library Museum- Ventersdorp

Paliside Fencing	070089000002	2,542,000
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ECONOMIC DEVELOPMENT

Cost Centre: '0465' Economic Development

U of Ikageng Light Industrial Park	070465000008	13,043,478
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ANNEXURE F

FOREIGN OBJECTS FOUND IN SEWERAGE WEEK

STONES AND BRICKS FOUND IN SEWERAGE NETWORK



VEHICLE PARTS FOUND IN THE SEWERAGE



MPAC RESPONSES TO PARLIAMENT

THE PURPOSE

The purpose of the report is to report back on questions raised to the Municipal Public Accounts Committee /MPAC by the Parliament Portfolio Committee.

QUESTIONS AND ANSWERS

1. Who are the Councillors who are not attending MPAC meetings, (Attached annexure A)

Answer

The following members are the once not attending three MPAC meetings without notice of apologies.

1. Cllr Gontse Molotsi
2. Cllr Bosigo Monaisa
3. Cllr Thato Moncho
4. Cllr Pule Leshomo
5. Eff in member (not appointed during this period)
6. Chris Hattingh

2. Why don't Mpac approach Chapter 9 institution or Law enforcement for non-implementation of resolutions?

Answer

A meeting was called by the chair recently on 24th of June 2021 which did not sit. The purpose of the meeting was to deal with unimplemented MPAC Resolutions with a view to approach law enforcement agencies of any Chapter 9 institution. (Annexure B)

3. How do the Audit Committee and Internal Audit assist in preventing UIF&W.?

Answer

The section is under staff and it is so difficult to implement the internal control. The late appointment of External Audit Committee also did not assist the situation. The root causes for UIF & W as indicated by the Office of the Auditor General remains the same each year and it is an indication that there are a lack of proper internal controls and the Audit and Internal Audit Committees don't assist in preventing this root causes from happening.

Answer

4. Honorable Mkhali wants to know the participation of the EFF in the committee?

After a party dismiss its member (Cllr Moeletsi last year) the committee was notified only last month in (June) that a new member from the party (EFF) will be deployed officially. Currently, the EFF is fully represented in the committee

5. Honorable Brink raised an issue about Irregular expenditure?

Answer

Irregular expenditure keep on going up as a result of the Accounting Officer is not attempting to investigate or prevent UIF & WE it in accordance with MFMA section 32(4) and then refer a report to MPAC to further probe so the committee can make recommendations to council.

Below is the Irregular expenditure of the year 2019/2020, for the past three year the Auditor General identified the same root causes for this expenditure. However the Accounting Office failed to investigate these matters and refer it to Mpac to make recommendation to Council. The continuations of this root causes is the lack proper internal controls and the absence of consequence management.

A. Irregular Expenditure (43) 2019/2020 = R302 064 224 Accumulative = R2 518 186 152

- No 7days advertisement = R13 231 530
- Comp bidding process not followed = R75 541 418
- Declaration of interest not attached = R13 152 437
- Three quotations not attached = R 3 748 994
- Bid Adjudication not Constituted = R18 755 108
- Non Tax compliance = R 1 276 949
- Regulation 32 appointments – non-compliance = R20 185 745
- Deviations in contraventions with regulation 36 = R53 949 718
- Other SCM contraventions = R9 800 666
- Non submission of Municipal rates for directors and mandatory bid documents = R79 224 214

Deviations not reported to council

Mechanical = R516 837

Covid-19 = R1 707 522

Others = R1 445 887 Total = R3 670 246

6. Also attached are our terms of reference (Annexure C) and what is the role SALGA playing in capacitating MPAC.

Answer

SALGA has been providing hand on support to our district/municipality through trainings and workshops.

7. Do the Municipality apply consequence management?

Answer

No consequence management has been implemented for transgressors. Three previous audit outcomes point out the same mistakes that were identified especially on unauthorised, irregular expenditure, fruitless and Wasteful Expenditure yet no intention to correct it.

8. Council resolutions and letter to Speakers office and all Whips of different Political Parties regarding non-attendance (Annexure D).

- ✓ C97/2021-03-30 (Terms of reference and Annual Work plan)
- ✓ C97/2020-12-02 (Terms of reference and Annual Work plan)
- ✓ C96/2020-12-02 (Report to National Treasury to conduct forensic investigation)
- ✓ MPAC2/2020-11-12 (Item on non-attendance of MPAC members)


Cllr Rufane Alistair Makousa
MPAC Chairperson

2021/07/23

Annexure A: Attendance of Cllrs



**JB MARKS LOCAL
MUNICIPALITY**

**MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE**

(Council Resolution C80/2018-07-03)

ATTENDANCE REGISTER

12 OCTOBER 2020

I, hereby declare with my signature and attendance:

- That all information, documentation and decisions regarding any matter before this Committee are **CONFIDENTIAL** and undertake not to make known anything in this regard.
- That I have declared the pecuniary interests of myself and my spouses in terms of Section 5 of the Code of Conduct for Councillors.

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE i. Written apology ii. Verbal apology iii. Absent without apology
<u>PRESENT: MEMBERS</u>			
RA MAKUSA (MPAC Chairperson)	8:50		
IJ DE VILLIERS			
JJ ESTERHUYSEN	08:55		
D GWILI	08:40		
XD KHAM			
ALD JC LANDSBERG			NO LONGER MPAC MEMBER
PZ LESOMO			
CL MOELETSI			NO LONGER MPAC MEMBER

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE i. <u>Written apology</u> ii. <u>Verbal apology</u> iii. <u>Absent without apology</u>
I MOILWA	09:05	<i>[Signature]</i>	
KS MONCHO	09:15	<i>[Signature]</i>	
<u>PRESENT: OFFICIALS</u>			
MJJ LEGOETE Assistant Director: MPAC	09:00	<i>[Signature]</i>	
Thabang Thoko	09:00	<i>[Signature]</i>	
Betsie Mncube	09:00	<i>[Signature]</i>	
<u>PRESENT: SECRETARIAT</u>			
HH Naudé Chief Committee Clerk: Secretariat			
PD Mogoje Chief Committee Clerk: Secretariat	08:45	<i>[Signature]</i>	
SU Bronkhorst Chief Committee Clerk: Secretariat			



**JB MARKS LOCAL
MUNICIPALITY**

**MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE**

(Council Resolution C80/2018-07-03)

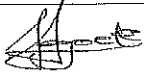
ATTENDANCE REGISTER

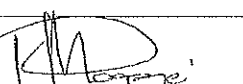
17 NOVEMBER 2020

I, hereby declare with my signature and attendance:

- That all information, documentation and decisions regarding any matter before this Committee are **CONFIDENTIAL** and undertake not to make known anything in this regard.
- That I have declared the pecuniary interests of myself and my spouses in terms of Section 5 of the Code of Conduct for Councillors.

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE i. Written apology ii. Verbal apology iii. Absent without apology
<u>PRESENT: MEMBERS</u>			
RA MAKOUSA (MPAC Chairperson)	08:55		
IJ DE VILLIERS			ABSENT
JJ ESTERHUYSEN	09:00		
D GWILI			ABSENT
C HATTINGH	09:00		
XD KHAM	09:00		
PZ LESOMO			ABSENT
I MOILWA			ABSENT

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE: i) Written apology ii) Verbal apology iii) Absent without apology
GN MOLOTSI			ABSENT
BJ MONAISA			ABSENT
KS MONCHO			ABSENT
PRESENT: MUNICIPAL MANAGER AND DIRECTORS			
L RALEKGETHO Municipal Manager			ABSENT
CP HENRY Director Municipal Services and Local Economic Development			ABSENT
OS MASIBI Director Community Safety			ABSENT
TE MOEKETSANE Chief Financial Officer			ABSENT
JK MONNAKGOTHU Director Technical Services			ABSENT
BMB MOSEPELE Acting Director Corporate Services			ABSENT
PRESENT: OFFICIALS			
MJJ LEGOETE Assistant Director: MPAC	09:00		
GHO VAN DEN BERG Assistant Director: Internal Audit			ABSENT

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE: i. Written apology ii. Verbal apology iii. Absent without apology
Assistant Director: Risk Management			
OTHER: PER INVITATION			
*Representative from the office of the Auditor-General			
*Representative from National and Provincial Government			
*Representative from Local Government			
PRESENT: SECRETARIAT			
HH Naudé Chief Committee Clerk: Secretariat			
PD Mogoje Chief Committee Clerk: Secretariat	08:50		
SU Bronkhorst Chief Committee Clerk: Secretariat			



JB MARKS LOCAL MUNICIPALITY

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

(Council Resolution C80/2018-07-03)


ATTENDANCE REGISTER

10 11 MAY 2021

I, hereby declare with my signature and attendance:

- That all information, documentation and decisions regarding any matter before this Committee are CONFIDENTIAL and undertake not to make known anything in this regard.
- That I have declared the pecuniary interests of myself and my spouses in terms of Section 5 of the Code of Conduct for Councillors.

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE i. Written apology ii. Verbal apology iii. Absent without apology
<u>PRESENT: MEMBERS</u>			
RA MAKOUSA (MPAC Chairperson)	8:45		
JD DEVILLIERS Thys Rossouw	9:00		
JJ ESTERHUYSEN			
D GWILI			
ALD JC LANDSBERG			
PZ LESOMO	9:00		
I MOILWA			
KS MONCHO			

NAME	TIME ARRIVED	SIGNATURE	IN CASE OF NON-ATTENDANCE, INDICATE i. Written apology ii. Verbal apology iii. Absent without apology
PRESENT: OFFICIALS			
MJJ LEGOETE Assistant Director: MPAC	08:50		
PRESENT: SECRETARIAT			
HH Naudé Chief Committee Clerk: Secretariat			
PD Mogoje Chief Committee Clerk: Secretariat			
SU Bronkhorst Chief Committee Clerk: Secretariat			


Annexure B: Item of Mpac non-implementation of resolutions



**JB MARKS LOCAL
MUNICIPALITY**

OFFICIAL RESOLUTION

ORDINARY COUNCIL

FOR ATTENTION	FOR COGNISANCE
<p>DCORPS MMC: CORPS AD: MPAC MPAC CHAIRPERSON</p>	

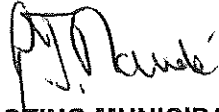
C96/2021-03-30

DIRECTORATE CORPORATE SERVICES: MPAC REPORT: MPAC LETTER TO REQUEST TO NATIONAL TREASURY TO CONDUCT FORENSIC INVESTIGATION AS PER PARAGRAPHS 3 AND 4 OF COUNCIL RESOLUTION C95/2018-07-31 OF THE JB MARKS MUNICIPALITY (J Legoete01-10-2020 (RMS 26157) (Ordinary Council Agenda 2021-03-30, p.C2760 – C2763)

1. That cognisance be taken of the report.
2. That the letter addressed to the National Treasury pertaining to paragraphs 3 and 4 of Council Resolution C95/2018-07-31 which reads as follows:
 - “3. That Council appoint an independent forensic investigating company to investigate all issues raised, in the 2016/2017 Management Letter with specific reference to the following projects:
 - 3.1 Appel-draai Access Road;
 - 3.2 Sarafina Stadium;
 - 3.3 Internal Road Tshing Extension 3; and
 - 3.4 Internal Roads and Storm water in Extension 7.

4. That, after the forensic investigation report disciplinary or/when appropriate, criminal proceedings be instituted against any official of the JB Marks Local Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003)."

be attached to the report to be submitted to the **next Ordinary Council Meeting.**



for **ACTING MUNICIPAL MANAGER**

2021-06-27
/sm


**Annexure C : Terms of reference
(C97/2021-03-30) & (C97/2020-12-02)**



**JB MARKS LOCAL
MUNICIPALITY**

OFFICIAL RESOLUTION

ORDINARY COUNCIL

FOR ATTENTION	FOR COGNISANCE
<p>DCORPS MMC: CORPS AD: MPAC MPAC CHAIRPERSON</p>	

C97/2021-03-30

DIRECTORATE CORPORATE SERVICES: MPAC REPORT: TERMS OF REFERENCE, 2020/2021 ANNUAL WORK PLAN AND ROLLOUT SCHEDULE OF 2019/2020 ON THE OVERSIGHT REPORT FOR MUNICIPAL PUBLIC ACCOUNT COMMITTEE IN THE JB MARKS LOCAL MUNICIPALITY (RMS 26185) (Ordinary Council Agenda 2021-03-30, p.C2764 – C2815)

1. That cognisance be taken of the Terms of Reference, the 2020/2021 Annual Work Plan and 2019/2020 Rollout Schedule of the Oversight Report.
2. That cognisance be taken that the documents indicated in Paragraph 1 above serve as the guidelines that govern the Roles and Responsibilities of the Municipal Public Accounts Committee in the Municipality.
3. That cognisance be taken that the documents indicated in paragraph 1 above be tabled before Council for approval and within seven day be submitted to the Department of Local Government, Standing Committee on Public Accounts or any other organs of the State.

TERMS OF REFERENCE/...


for ACTING MUNICIPAL MANAGER

2021-06-27
/srm

TERMS OF REFERENCE



MUNICIPAL PUBLIC ACCOUNTS COMMITTEE

DOCUMENT

JB MARKS MUNICIPALITY TERMS OF REFERENCE

1. INTRODUCTION

King IV builds on King III. It has been revised to bring it up to date with international governance codes and best practice; to align it to shifts in the approach to capitalism (towards inclusive, integrated thinking across the six capitals) and to take account of specific corporate governance developments in relation to effective governing bodies, increased compliance requirements, new governance structures (e.g. Social and Ethics Committee), emerging risks and opportunities from new technologies, new reporting and disclosure requirements e.g. Integrated Reporting

The most significant difference between the two codes is that King IV is outcomes oriented. It places accountability on the governing body (e.g. the board in companies) to attain the governance outcomes of an ethical culture, good performance and effective control within the organisation and legitimacy with stakeholders. King IV aims to reduce the 'tick box' or compliance approach to applying governance practices. King IV is more succinct than King III. It contains 16 principles applicable to all organisations.

Good governance is beneficial for stakeholders. A well governed organisation inspires the confidence of its stakeholders and lowers the cost of its capitals. Inclusive and integrated governance that aspires to sustainability is good for society, the economy and South Africa. Whilst King IV is not law, the governance outcomes achieved and the practices adopted and implemented will likely become the criteria by which the required standard of care and appropriate standards of conduct of the governing body and its members are measured

The role of the Municipal Public Accounts Committee is to lead the organisation through the discharge of its responsibilities in relation to strategic direction, policy approval, oversight and accountability such that the good governance outcomes of an ethical culture, good performance, effective control and legitimacy with stakeholders are achieved by the organisation. In aspiring to fulfill this role and discharge these responsibilities.

The Municipal Public Accounts Committee supports good governance as the benefits of ethical leadership and well-run organisations accrues to everyone. Good governance increases stakeholder confidence. The role of the Councillors is to lead the organization through the discharge of its responsibilities in relation to strategic direction, policy approval, oversight and accountability such that the good governance outcomes of an ethical culture, good performance, effective control and legitimacy with stakeholders are achieved by the organization. The Municipality's aspiration is to fulfil this role and discharge these responsibilities, the King IV Code. Provides the 16 principles recommended practices that should assist the governors and the organization in attaining its 'good corporate citizen' status and governance outcomes.

BACKGROUND

The Municipal Public Accounts Committee was further established for monitoring the service delivery and the levels of performance of the municipality. The committee also assess effectiveness, efficiency, service quality and municipal productivity and provide reports on service delivery and budget implementation plan. The municipal oversight committee as the most important new mechanism designed to increase government accountability.

The oversight committees have yet to become an effective check on municipal governments or a space for dialogue between society and the state. Financial reporting involves reporting on a range of financial matters affecting public finances and making those reports publicly available. Financial reporting is also an essential requisite in a democracy because only when information about public finances is made available to the public may citizens hold their elected representatives accountable

Within the context of this guide, it refers to oversight of the 'executive' of the municipality by council structures. The MPAC is a committee of the municipal council, appointed in accordance with section 79 of the Structures Act. It is also important to note that in metros and large category B municipalities it is, due to the number of councillors, easier to appoint section 79 oversight committees to provide oversight over the functions of the section 80 committees. Many of the smaller municipalities do not have enough councillors to appoint such section 79 committees and can only appoint one oversight committee tasked with the complete oversight role, but focusing mainly on compliance with the provisions of the Local Government: Municipal Finance Management Act 2003

Nevertheless, municipalities are encouraged to establish MPACs as far as is possible and practical. As a section 79 committee, the following principles will apply

The municipal council must resolve to establish a MPAC by way of a council resolution;

- ✓ the municipal council must determine the functions of the committee and agree on the terms of reference for the committee
- ✓ The municipal council must delegate functions to the MPAC in accordance with the terms of reference of the committee
- ✓ the municipal council may determine the procedure of the committee or allow it to determine its own procedure
- ✓ the municipal council appoints the members of the MPAC from amongst the councillors
- ✓ section 160(8) of the Constitution applies to the committee and therefore its composition must be such that it allows parties and interests reflected within the Council to be fairly represented in the MPAC
- ✓ the municipal council appoints the chairperson of the MPAC
- ✓ the municipal council may dissolve the MPAC at any time
- ✓ the municipal council may remove any member of the committee at any time
- ✓ the municipal council may allow the MPAC to co-opt advisory members who are not members of the council, within the limits determined by the council
- ✓ the meetings of the MPAC should, as far as is possible and practical, be open to the public in accordance with section 160(7) of the Constitution

- ✓ the municipal administration must ensure that adequate financial and human resources are made available to support the functions of the MPAC
- ✓ meetings of the MPAC should be provided for and included in the annual calendar of the council and
- ✓ the MPAC reports directly to the municipal council and the chairperson of the MPAC liaise directly with the Speaker on the inclusion of reports of the MPAC in the council agenda

Functions committee: The MPAC Committee does not report directly in the Speaker (who might be regarded as part of the executive although the powers and functions granted to the Speaker often try to avoid this overlap) but council in its entirety. However, in terms of Section 37 of the Municipal Structures Act, the Speaker is responsible for all council processes including rules of order code of conduct and the performance and integrity of the council. This authority extends to the Section 79 committees (and therefore MPAC) however Speakers generally understand that their authority should never be exercised in a manner that inhibits the oversight responsibility of the MPAC.

It has been a difficult year once again for the committee to exercise oversight over the executive functionaries of council and to ensure good governance in the municipality. In order for the MPAC to fulfil this oversight role it needs to be provided with the necessary information and documentation by the administration/ management to interrogate the actions of the executive unfortunately even today nothing has been done.

MEMBERSHIP

The MPAC is a multiparty committee elected by council from different political parties in council and it must be provided with permanent support staff who shall contribute towards improving municipal non-financial and financial management.

The Municipal Manager, Chief Financial Officer and all Senior Managers will attend per invite/or need basis. So shall all be the Troika and chairpersons of other Sec 79 & 80 committees and Performance Audit Committee. SALGA, PT, AG, Hawks, Public Protector and PPAC are strategic partners to Municipal Public Account Committee. Technical support staff such as, Internal Audit, PMS and IT shall also attend per invite as and when need arise. The attendance of members of the public shall also be per invite and all the MPAC members must officially affiliate with APAC/ National Association of Municipal Public Accounts Committee (NAMPAAC).

MANAGEMENT

Department of Local Government and Human Settlements shall be the convener, secretariat of both forums in consultation with the district/provincial chairpersons and vice-versa. Must convene DMPAC and Provincial MPAC forum meetings seven working days before the date of the meeting (based on the schedule) DLG&HS must send out packages of the meeting and agenda seven (7) working days before the actual sitting.

- ✚ Research and benchmark best practices with other municipalities within and outside the province
- ✚ Must compile a provincial brochure for best practices.

- ✚ The PPAC chairperson shall Chair the provincial forum.
- ✚ The District MPAC chairpersons shall be the chair of the District Forum.
- ✚ In the event where the District Chairperson is absent the meeting will elect the chairperson for the day.
- ✚ In the event where the PPAC chairperson is unable to attend, the meeting will elect a chairperson from the District chairperson.
- ✚ There must be a common reporting template for MPACs.

Delegation of functions to the MPAC: Functions must be formally delegated to the MPAC in accordance with the provisions of section 59 of the Local Government: Municipal Systems Act, 2000 (hereinafter referred to as the Systems Act). The delegations must be included as part of the System of Delegations of the Municipality. It should be noted that with regard to the delegations to the MPAC, the municipality should not allow for a review of the decisions of the MPAC by the Executive Mayor in accordance with section 59(3)(b) of the Systems Act, as the purpose of the MPAC is to do oversight over the executive. The delegations to the MPAC specifically exclude the said powers to the executive of the municipality. The requirement to report on the delegated authorities by the MPAC can be included as part of the quarterly report submitted to the council by the MPAC.

The procedures and rules of order of the committee: Due to the nature of the committee, it is anticipated that the municipal council determines the procedures of the committee with its establishment provided that the committee may make recommendations to the council on possible amendments to be approved by the council once the activities of the MPAC commences. Such an arrangement will allow the MPAC to operate efficiently from its appointment and not having to spend time on the development of procedures.

Appoint of the members of the MPAC: There is no prescription on the number of members elected to serve on the MPAC committee unless the rules of order/ terms of reference of the municipality dictate so. The municipality must determine the number of members that will be appointed taking into account the number of councillors in the municipality and the fact that no office bearers/ executive councillors in the municipality may serve on the committee. It is ideal that the members be appointed for the term of the council ensure continuity across financial years. However, this is subject to the right of the council to remove committee members by way of council resolution.

Once the number of MPAC members are agreed upon, the actual appointment can take place. The number of members as well as the names of the councillors appointed as members must be specified in the council resolution. The councillors appointed to the committee should have a wide range of experience and expertise in order to enable the committee to exercise its oversight function optimally.

Appointment of the chairperson of the MPAC: The chairperson of the MPAC is appointed in terms of a council resolution. The chairperson may not be an office bearer/ executive councillor in the municipality. The chairperson of the MPAC must be knowledgeable and experienced councillor due to the nature and important role to be played by the MPAC in the council. The chairperson can be from the ruling or an opposition party, at the choice of the municipal council.

Co-opt of advisory members to serve in their committee: The Council can indicate whether it will allow the MPAC to co-opt advisory members which are not councillors, but based on their expertise. This will be informed by the experience and capacity of members appointed to the MPAC. In the event where such co-option is allowed the council has to prescribe the number of members that may be co-opted the expertise required the manner of co-option as well as the payment of a stipend to such co-opted members.

Meetings are opened to the Public: Section 160(7) of the Constitution provides that a municipal council must conduct its business in an open manner and may close its sittings, or those of its committees, only when it is reasonable to do so having regard to the nature of the business being transacted. As a principle, the meetings of the MPAC must be open to the public and the rules and procedures of the committee should specify in which instances the meeting can be closed to the public.

The MPAC might meets at least 8 times per annum, each such meeting to be held prior to the quarterly meeting of the municipal council (where applicable) or before the council meeting schedules for the month in which the MPAC meets to allow ample time to include the report of the MPAC in the agenda for each council meeting. Meeting dates are planned in form of the annual calendar at the beginning of each financial year and submitted to council for approval

Frequency of the Meetings: The District MPAC Forum meetings shall be held every second month, The Provincial MPAC Forum meetings shall be held once a quarter, MPAC meetings must be held Quarterly, due to workload, meetings will be held monthly, Special meetings must be considered in cases of emergencies.

Meeting schedule must take into account the municipal planning cycle.

- ✓ The quorum of the meeting must be formed by fifty plus one (50+1) e.g. in the case of JB Marks Municipality the total number of the Councillors are (67) therefore MPAC members in a Municipality must constitute with thirteen (13) the quorum shall be 6+1. OR
- ✓ If there are only six (6) members present in the meeting of the committee and non-attendance of almost members/or more leave of absence the meeting does not quorate, but if the same is repeated in the next meeting, the meeting will continue.
- ✓ In case where members of the committee are unable to attend a meeting, the committee members must submit a written apology to be presented during the item of apologies.
- ✓ Meeting schedules must be developed and distributed in time to all committee members to secure optimal attendance.

Availability of Resources to MPAC: The municipal administration must ensure that adequate financial and human resources are made available to support the functions of the MPAC. As the MPAC is a formal committee of the council, dedicated administrative as well as committee staff members must be made available to assist it in its functions. Formal agendas and minutes of meetings need to be prepared by committee staff under the guidance of the chairperson. Administrative staff should also assist committee members and the necessary infrastructure must to be provided to the MPAC as well as all the finances required fulfilling its obligations.

Minutes and Agendas: Agendas of MPAC meetings The Municipal Public Accounts Committee must be delivered within (5) working days to the members in advance in order for them ample time to prepare for the meeting. Documents produced in the municipality that need to be submitted to the MPAC in terms of its terms of rules of order of Council, thereafter, they are submitted to the committee staff as soon as it is finalised in order to include it in the MPAC agenda for the next meeting.

Reporting: The MPAC reports directly to the municipal council and the chairperson of the MPAC must liaise directly with the speaker on the inclusion of reports of the MPAC in the council agenda but the MPAC is not consulted in formulation of the agenda items. As the MAPC is a committee of the council, its reports are submitted directly to the council without being submitted to the EXCO or Mayoral Committee. The chairperson of the MPAC liaises directly with the speaker on the inclusion of its report in the council agenda, and the committee staffs ensure that the documentation is physically included in the agenda Council meeting.

The MUNICIPAL PUBLIC ACCOUNTS COMMITTEE MUST:

The MPAC must interrogate the following financial aspects addressed in the Municipal Finance Management Act:

Unforeseen and unavoidable expenditure (Section 29)

any unforeseen and unavoidable expenditure incurred must be reported to the MPAC; proof of the necessary appropriation in an adjustment budget; the MPAC must consider the expenditure and make recommendations to the council; and where the necessary adjustment budget has not been prepared, the MPAC must report same to the council.

Unauthorized, irregular or fruitless and wasteful expenditure (Section 32)

Unauthorized, irregular or fruitless and wasteful expenditure by the council, the executive mayor / mayor, executive committee or any political office bearer of the municipality must also be reported to the MPAC. The municipal manager must report to the MPAC on all steps taken to either authorize or certify the payment or to recover or write off the expenditure the municipal manager must report on whether any criminal action was instituted in this regard; and the MPAC must report to the council on the appropriateness of the any criminal or civil steps taken and report where no further action was taken and why

The quarterly report of the mayor on the implementation of the budget and the state of affairs of the municipality / SDBIP (Section 52(d))

A copy of the quarterly report of the mayor on the implementation of the budget and the state of affairs of the municipality must be submitted to the MPAC, where the report is not submitted to the MPAC within 30 days after the end of the quarter, the MPAC must report this to the council, where the report is submitted, it must be interrogated and recommendations must be made to the council;

The MPAC must ensure that the mayor attend to the necessary amendments to the SDBIP and submit the necessary report to the council with proposals for the adjustment budget, and where this is not done by the mayor, report it to the council, the MPAC must report any matter of concern regarding the report of the mayor to the council

Monthly budget statements (Section 71)

The monthly budget statement submitted to the mayor must be submitted to the MPAC; the MPAC must interrogate the statement and report any matter of concern on the statement to the council

Mid-year budget and performance assessment (Section 72)

The mid-year budget and performance assessment report submitted to the mayor must be submitted to the MPAC and MPAC must interrogate the assessment and submit its comments on the assessment to the council

Mid-year budget and performance assessment of municipal entities (Section 88)

The mid-year budget and performance assessment report submitted by the municipal entity needs to be submitted to the MPAC, the MPAC needs to interrogate the report and report matters of concern to the council and where the report has not been received or not published, it must be reported to the council

Disclosures concerning councillors, directors and officials (Section 124)

As part of its interrogation of the annual financial statements, the MPAC must ensure that the necessary disclosures were made in the financial statements, including:

- ✓ salaries, allowances and benefits of political office bearers and councillors of the municipality, arrears owed by individual councillors by the municipality for more than 90 days
- ✓ salaries, allowances and benefits of the municipal manager, CFO and senior managers
- ✓ salaries, allowances and benefits of the board of directors of municipal entities
- ✓ the salaries, allowances and benefits of the chief executive officer and senior managers of municipal entities
- ✓

Submission and auditing of annual financial statements (Section 126)

Copies of the financial statements submitted to the A-G must be submitted to the MPAC as well as the financial statements of any municipal entity under the control of the municipality as well as proof of submission thereof to the A-G, where the MPAC has not been provided with the financial statements or with proof that it has been submitted to the A-G it must be reported to the council.

Submission of the annual report (Section 127)

the annual report must be submitted to the MPAC no later than two weeks after the date required for submission to the council; where the annual report is not submitted to the council as required, the MPAC must be provided with a copy of the written explanations of the mayor as submitted to the council; where neither the annual report nor the explanation has been submitted, the MPAC must report same to the council; the MPAC must monitor that the annual report has been submitted to the A-G, as well as the provincial government departments required and has been published for comment; and the MPAC must also monitor that all municipal entities have complied with the said requirements.

Oversight report on the annual report (Section 129)

The MPAC must consider the annual report and prepare a draft oversight report to be submitted to the council for purposes of adopting the oversight report; in preparing the draft oversight report, the MPAC must consider all representations in connection with the annual report received from the local community; the meeting of the MPAC considering the annual report must be open to the public and members of the local community must be allowed to make representations in connection with the annual report at the meeting; *National Treasury Circular 32 provides guidance on the preparation of the oversight report and a copy is attached as Annexure "A" hereto. Reference to the oversight committee must be read as the MPAC*

Issues raised by the Auditor-General in audit reports (Section 131)

The MPAC must be provided with the report prepared to address issues raised by the A-G,
Where the report is submitted, MPAC should interrogate same and make recommendations to the council; and where the report has not been submitted, MPAC should report this to the council

Audit Committee (Section 166)

the MPAC must ensure that the municipality at all times have an operational audit committee; all reports received from the audit committee need to be submitted to the MPAC to assist it in its functions and to capacitate the MPAC; where no audit committee has been appointed or where the audit committee is not operative, the MPAC must report this to the council

Disciplinary action instituted in terms of the MFMA

All disciplinary processes instituted for the contravention of the MFMA must be reported to the MPAC;MPAC must monitor that all matters are brought to conclusion; MPAC must report to council where matters are not dealt with effectively and timeously.

The MPAC must interrogate the following aspects addressed in the Municipal Systems Act.

Review of the IDP post elections (Section 25)

MPAC must monitor whether the Executive mayor / EXCO initiate the review of the IDP posts elections, where the review is not done, the MPAC must report same to the council.

Annual review of the IDP (Section 34)

MPAC must monitor whether the Executive mayor / EXCO initiate the annual review of the IDP, where the review is not done, the MPAC must report same to the council

Performance management plan (Section 39)

MPAC must monitor whether the annual performance plan is being prepared; Where the plan is not prepared, the MPAC must report same to the council.

Monitoring that the annual budget is informed by the IDP (Regulation 6 of the Local Government: Municipal Planning and Performance Management Regulations)

MPAC must review the draft annual budget and ensure that it is informed by the IDP adopted by the municipal council; but where the draft annual budget is not aligned with the IDP, the MPAC must report same to the municipal council

Monitoring that all declaration of interest forms are completed by councillors on an annual basis (Section 54 read with Item 7 of Schedule 1)

MPAC must monitor whether all councillors have completed their declaration of interest forms and update it annually; Where declaration of interest forms have not be completed or updated same must be reported to the municipal council.

The MPAC must prepare an annual work plan for approval by the municipal council prior to start of the financial year.

DELEGATIONS TO THE MPAC

The following responsibilities are to be delegated to the MPAC in terms of the provisions of section 59 of the Systems Act:

The authority to interrogate the following documents and to make recommendations to the municipal council in accordance with the terms of reference of the committee

- 1.1 Unforeseen and unavoidable expenditure;
- 1.2 Unauthorised, irregular or fruitless and wasteful expenditure;
- 1.3 SDBIP;
- 1.4 Monthly budget statements;
- 1.5 Mid-year budget and performance assessment;
- 1.6 Mid-year budget and performance assessment of municipal entities;
- 1.7 Disclosures concerning councillors, directors and officials;
- 1.8 Annual financial statements;
- 1.9 Annual report;
- 1.10 Issues raised by the A-G in the audit reports;
- 1.11 The appointment of the audit committee;
- 1.12 Disciplinary steps instituted in terms of the MFMA;
- 1.13 The review of the IDP post elections;

- 1.14 The annual review of the IDP;
- 1.15 Performance management plan;
- 1.16 The draft annual budget with reference to the approved IDP; and
- 1.17 Declaration of interest forms submitted by councillors.

The authority to consider all presentations made by the community on the annual report and the authority to have interviews with members of the community to obtain input on the annual report, as well as the authority to prepare the draft oversight report over the annual report.

The authority to instruct any member of the executive or the municipal manager to attend the meeting of the MPAC to address matters specified by the MPAC and to provide the MPAC with copies of documents to be dealt with by the committee in terms of its terms of reference

MPAC must have access to all municipal documents and in investigate any matter that is suspicious, mistrustful, doubtful, uncertain or had element of fraud and corruption activities in JB Marks Municipality

The Committee may obtain legal, technical and other specialised assistance required to exercise its functions and duties within the budget approved for the committee and subject to the supply chain management policy where applicable. Life cover insurance for committee members and support staff in the case of trauma, intimidations and nervousness etc. must be compulsory based on the nature of the work done by the committee under SASRIA cover applicable to Municipality.

Conclusion

The functionality of the internal governance arrangements in a municipality is to a large extent determined by the effectiveness of its committee system and oversight in the municipality. Accountability and oversight can be most effective if recognised by those in power as promoting accountability and good governance, which in turn are there to enhance performance, effectiveness and efficiency of service delivery. Seen in this light the oversight function complements rather than hampers the effective delivery of services, which is the ultimate aim.

The establishment and effectiveness of MPACs is thus critical for this purpose. Municipalities must ensure that members of oversight committees are continually empowered with the necessary skills, knowledge and information needed to execute the oversight function effectively so as to enhance good governance and ultimately the performance of the municipality, in accordance with the constitutional vision of local government being a developmentally orientated sphere. SALGA will undertake continuous training and coordinate information-sharing sessions periodically for the benefit of our members.

MUNICIPAL PUBLIC ACCOUNTS ANNUAL PLAN



2020/2021 ANNUAL WORKPLAN

MPAC ACTIVITY 2020/2021	INTENDED OBJECTIVE	DATE	VENUE	TIME
MONTH JULY 2020				
Meeting of Municipal Public Accounts Committee (Monthly)	Review of section 71, matters referred to MPAC by Council/ (addressing MPAC outstanding matter)	09 July 2020	Caucus Room 2	09H30
Audit Committee Meeting	External Audit Committee and Performance Audit Committee Meeting	Dates will be Confirmed	Council Chamber	09H30
Attend MPAC District forum meetings	Assess the functionality of the MPAC's in the District and compliance issues	Dates will be Confirmed	District Chamber	N/A
Council Meeting	Submission of MPAC Reports to a Council meeting or Special Council Meeting (last week of July)	Monthly	Council Chamber	09H30
Tabling of MPAC Terms of Reference to Council	Approved table of reference by Council	July 2020	Council Chamber	09H30
Table 2020/2021 Annual Plan Work Plan	Approved Annual Work Plan by Council	July 2020		
MPAC inspections	Site inspection and assessment of the projects	End July 2020	External visits	09H30
MONTH AUGUST 2020				
Meeting of Municipal Public Accounts Committee (Monthly)	Interrogate on the 2019/2020 draft Annual Report and Annual Financial Statements of the financial year 1	13 August 2020	Caucus Room 2	09H30
Audit Committee Meeting	External Audit Committee and Performance Audit Committee Meeting	Dates will be Confirmed	Venue will be confirmed	Time will be confirmed
Special Meeting of Municipal Public Accounts	Assessment of irregular, unauthorised, fruitless and wasteful expenditure	August	Council Chambers	09H30
Council Meeting	Ordinary Council Meeting (2018/2019) Draft Annual Report and Annual Financial Statements and submission of the AFS/Performance Information to the Office of the Auditor-General	Last week of each month August 2020	Council Chambers	09H30
MPAC inspections	Site inspection and assessment of the projects	End August 2020	External visits	09H30
MONTH SEPTEMBER 2020				
Meeting of Municipal Public Accounts Committee (Monthly)	Review of section 71, matters referred to MPAC by Council	17 September 2020	Caucus 2	09H30
Auditor-General Steering Committee Meetings	Deliberate on Audit Findings of Performance information and AFS and responses	Weekly Meetings	Caucus 1	Mondays 10H00

MPAC ACTIVITY 2020/2021	INTENDED OBJECTIVE	DATE	VENUE	TIME
Council Meeting	Ordinary Council Meeting (Special Council Meeting on last week of each month)	Last week of each month 2020	Council Chamber	09H30
MPAC inspections	Site inspection and assessment of the projects	September 2020	External visits	09H30
MONTH OCTOBER 2020				
Meeting of Municipal Public Accounts Committee (Monthly)	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matter	13 October 2020	Caucus 2	09H30
Audit Committee Meeting	External Audit Committee and Performance Audit Committee Meeting	Dates will be Confirmed	Council Chambers	09H30
Auditor-General Steering Committee Meeting	Deliberate on Audit Findings of Performance information and AFS and responses	Weekly Meetings	Caucus 1	Mondays 10H00
MPAC inspections	Site inspection and assessment of the projects	End October 2020	External visits	09H30
MONTH NOVEMBER 2020				
MPAC meeting	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matter	17 November 2020	Council chamber	09H00
Auditor-General Deliberate on Draft Management Letter	Management to deliberate on the first management letter	November 2020	Caucus 1	Mondays 10H00
Audit Committee Meeting	External Audit Committee and Performance Audit Committee Meeting	Dates will be Confirmed	Council Chambers	09H00
MPAC inspections	Site inspection and assessment of the projects	End November 2020	Outdoor visits	09H30
MONTH DECEMBER 2020				
Auditor-General Deliberate on the Final Audit Report	Final Audit Report of the 2019/2020	First week December 2020	Chamber	10H00
Council Meeting	Ordinary Council Meeting (Special Council Meeting on last week of each month)	December 2020	Council Chamber	09H00
MPAC meeting	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matter	05 December 2020	Caucus 1	09H00

MPAC ACTIVITY 2020/2021	INTENDED OBJECTIVE	DATE	VENUE	TIME
MONTH JANUARY 2021				
MPAC meeting	Review of section 71, performance information of the Third Quarter Report / Mid-Year Performance Assessment	14 January 2021	Caucus 1	09H30
Audit Committee Meeting	External Audit Committee Meeting Deliberate on the Mid-Year Performance Assessment	Dates will be Confirmed	Council Chamber	09H30
Council Meeting	Tabling of the 2020/2021 Mid-Year Performance Assessment	25 January 2021	Council Chambers	09H30
Council Meeting	Tabling of the Annual Report in terms of section 121 of MFMA	31 January 2021	Council Chamber	09H30
MPAC inspections	Site inspection and assessment of the projects	End January 2021	Outdoor visits	09H30
MONTH FEBRUARY 2021				
MPAC meeting	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matter	11 February 2021	Council chamber	09H30
Council Meeting	Tabling of the Annual Report			
Council Meeting	Tabling of the Adjustment Budget for 2019/2020	Last week of each month (February 2021)	Council Chambers	09H30
MPAC inspections	Site inspection and assessment of the projects	End February 2021	Outdoor visits	09H30
MONTH MARCH 2021				
MPAC Public Participation Meetings: on the 2019/2020 Annual Report	Community Consultative meetings on the Contents of the 2019/2020 Annual Report (Public Hearing meetings)	24 February 2021 03 March 2021	Ventersdorp Potchefstroom	17H00
MPAC meeting	Consolidation of the 2019/2020 Oversight Report and Recommendations	11 March 2021	Caucus 2	09H00
Audit Committee Meeting	External Audit Committee and Performance Audit Committee	March 2021	Dates will be Confirmed	09H30
Council Meeting	Adoption of the 2018/219 Oversight Report with Recommendations	Last week of each Month March 2021	Council Chambers	09H30

MPAC ACTIVITY 2020/2021	INTENDED OBJECTIVE	DATE	VENUE	TIME
MPAC inspections	Site inspection and assessment of the projects	05 March 2021	Outdoor visits	09H30
MONTH APRIL 2021				
MPAC Meeting	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matter performance information of the fourth Quarter	06 April 2021	Caucus 2	10H00
Audit Committee Meeting	External Audit Committee and Performance Audit Committee Meeting	Dates will be Confirmed	Council Chambers	10H00
MPAC inspections	Site inspection and assessment of the projects	End of 2021	Outdoor visits	09H30
MONTH MAY 2021				
Budget Steering Committee	Budget meeting of the 2021	Dates will be Confirmed	Council Chambers	09H00
MPAC Meeting	Review of section 71, performance information of the fourth Quarter and discuss any items referred to the committee by Council	04 May 2021	Caucus 2	10H00
Council Meeting	Adoption of the 2021/2022 Budget and IDP	31 May 2021	Council Chambers	10H00
MPAC inspections	Site inspection and assessment of the projects	May 2021	Outdoor visits	09H30
MONTH JUNE 2021				
MPAC meeting	Review of section 71, matters referred to MPAC by Council/ addressing MPAC outstanding matters	15 June 2021	Caucus 1	09H00
Audit Committee Meeting	External Audit Committee Meeting	June 2021	Council Chamber	09H00
Finalized SDBIP	Executive Mayor Approve the SDBIP	28 June 2021	Council Chambers	09H00
MPAC inspections	Site inspection and assessment of the projects	15 June 2021	Outdoor visits	09H30
Month end 2021				

MUNICIPAL PUBLIC ACCOUNTS COMMITTEE



ROLLOUT PLAN ON THE READINESS OF THE

2021 OVERSIGHT REPORT

MPAC ACTIVITY 2020-2021	INTENDED OBJECTIVE	LEADING ROLE PLAYERS	DATE	VENUE	TIME	Status
ROLLOUT PLAN ON THE READINESS OF THE 2020/2021 OVERSIGHT PROCESS						
Advert of the 2019/20 Annual Report	Invites the Public/all stakeholders to make comments/representations on the 2019/20 Annual Reports	Municipal Manager	Immediately after tabling (seven days after Tabling) (February 2021)	Council Chamber	N/A	planned
MPAC briefing session on outcome of Auditor-General of the 2019/2020 Audit Report	Briefing on the outcome of the Audit Report	MPAC Chairperson/ MPAC Committee	A-G to confirm the dates for this sessions (06 February 2021)	Caucus 2	09H30	Planned
Submission MPAC Questions to Administration	Forward questions to Administration	MPAC Committee/Administration	10 February 2021	Council Chamber	09H30	Planned
To discussion of Adjustment Budget for 2020/2021	Tabling of the Adjustment Budget for 2020/2021	MPAC Committee/Senior Managers	16 February 2021	Council Chambers	09H30	Planned
Interrogation sessions to Administration	Answers and clarity on the 2019/2020 on the Annual Report	MPAC Committee/Administration	18 February 2021	Council Chamber	N/A	Planned
Planning Committee meeting on public participation.	Logistics around the public participation	MPAC Office/Office of the Speaker	15 February 2021	Speakers boardroom	09H30	Planned
Public Participation meetings (Oversight Report) Tlokwe/Ventersdorp	Oversight process on the 2019/2020 on the Annual Report	MPAC Chairperson/ MPAC Committee/Municipal Manager	24 February 2021	Tshing Hall Ext 2 (Ventersdorp)	17H00	Planned
MPAC Site visits on the 2017/2018 Capital Project	Inspection on logo/site visits of the projects	MPAC Committee	03 March 2021	Potchefstroom		
Printing of the 2017/2018 Oversight Report	Printing of the final Document of the Oversight Report	Manager MPAC	10 March 2021	Ventersdorp	09H00	Planned
Advertised and submit the report the relevant stakeholders(MEC) etc.,	Submit within seven days after adoption to National, Provincial Treasury, MEC LG&HS	Municipal Manager	09 March 2021	Potchefstroom	09H00	Planned
			16 March 2021	In-house	N/A	Planned
			Immediately after tabling (Seven Days after tabling)	N/A	N/A	Planned

ANNEXURE

Annexure D: Letter to Speaker and Whips



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SECTION: OFFICE OF THE MUNICIPAL PUBLIC ACCOUNT COMMITTEE

18 February 2021

The Whips of Political Parties
JB Marks Municipality
P.O. Box 113
POTCHEFSTROOM
2531

Attention: JB Marks Whip's
The Speaker of Council

SUBJECT: NON-ATTENDANCE OF MPAC MEETINGS

The above mentioned bear's reference:

I hereby wish to inform you that the aforesaid committee's functionality is hampered by non-attendance. Some its members are not abide by scheduled meetings as dictated by the MPAC calendar. I think it is prudent to inform your office that this committee is not sitting as supposed to. Members of the committee failed to attend three successive meetings without submitting the leave of absence. In essence, the committee members are supposed to submit a motivation of their absence but regrettably such explanation is not reaching our office at all or on time.

In terms of the roles of order, a majority of the councillors must be present in the meeting before any matter may be considered. Subsequently, the committee doesn't reach a minimum number (quorum) to proceed with business of that day and ultimately the meeting adjourn's. The names of the councillors who are not adhering to the MPAC meetings are as follows:

- 1) Cllr: Gontse Molotsi (ANC)
- 2) Cllr: Bosigo Monaisa (ANC)
- 3) Cllr: Thato Moncho (ANC)
- 4) Cllr: Pule Leshomo (ANC)
- 5) Unknown Councillor (EFF)
- 6) Cllr: Dathini Gwili (attend on ad-hoc basis)

We therefore, make an appeal to the Party Whips to substitute or redeploy energetic and enthusiastic Councillors who had the interest of the Council at heart to serve in this Committee:

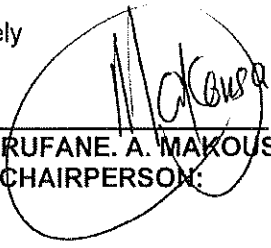


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SECTION: OFFICE OF THE MUNICIPAL PUBLIC ACCOUNT COMMITTEE

Your kind consideration will be highly appreciated

Sincerely



CLLR: RUFANE. A. MAKOUSA
MPAC CHAIRPERSON:



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 30 JUN 2021
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ACCOUNT STATEMENT
 Tax invoice number
 investec VAT number

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 4620124729

Statement date 30 Jun 2021
 Statement period 01 Jun - 30 Jun 2021
 Currency South African Rand

Account number 1400190158500
 Account type Call Deposit
 Branch code 580105
 Electronic account number 30000526467

Date	Description	Amount	Capital		Rate%	Days	Interest	
			Balance				Amount	Balance
1JUN2021	OPENING BALANCE		210,195.07CR					
1JUN2021	INTEREST ADVISED				3.30CR	30	570.12CR	570.12CR
30JUN2021	CLOSING BALANCE		210,195.07CR				ACCRUED	570.12CR
30JUN2021	INTEREST ACCRUED	570.12CR						
	CLOSING BALANCE INCLUDING INTEREST		210,765.19CR					

Should you disagree with the information disclosed above, please contact Cecilia Mphela of KPMG our external auditors at Cecilia.Mphela@kpmg.co.za

Corporate & Institutional Banking, a division of Investec Bank Limited, Reg. No. 1969/004763/06. An authorised financial services provider. A registered credit provider registration number NCRCP9. A member of the Investec Group

Australia Botswana Canada Guernsey Hong Kong Ireland Jersey Mauritius Namibia South Africa Switzerland Taiwan United Kingdom United States

To Esmarie Hall
Company Tlokwe City Council
From Nonhlanhla Ngcobo
Date 2021/06/30
No of pages 1
Re Promissory Notes TR40064

We confirm that INVESTEC BANK LIMITED issued the following Promissory Note to
Tlokwe City Council:

TR40064 issued on 2012/05/30 to mature on 2022/05/30.
Interest rate: 9.3484%
Maturity Value: R 74,716,395.00
Book Value as at 30 June 2021: R 68,662,734.69

We trust that you will find the above in order.

For and on behalf of
INVESTEC BANK LIMITED



Soraya Theron (011) 286 -9034

Authorized signatory



Clyde O'Reilly (011) 291 -3100

Authorized signatory.



Presentation Enquiry

JB MARKS LOCAL MUNICIPALITY
PO BOX 113
POTCHEFSTROOM
2520

ABSA
MOOI RIVER
Account Number : 4055583287
Account Name : POTCHEFSTROOM
STADSRAAD FONDSE

Current Balance : R 14,154,787.65
Available Balance : R 14,154,787.65 As At 2021/07/01
Uncleared Cheques Amount : R 0.00

Statement For Period : 2021/06/01 - 2021/06/30

<u>Date</u>	<u>Transaction Description</u>	<u>Reference</u>	<u>Charges</u>	<u>Transaction Amount</u>	<u>Balance</u>
010621	BALANCE B/FORWARD				14149050,48
010621	CREDIT INTEREST	HEADOFFIC		3004,25	14152054,73
010621	MIN SERVICE FEE	HEADOFFIC		92,00-	14151962,73
010621	ADMIN CHARGE	HEADOFFIC		83,00-	14151879,73



PRESENTATION ENQUIRY

JB MARKS LOCAL MUNICIPALITY
PO BOX 113
POTCHEFSTROOM
2520

ABSA BANK	P SECTOR NW
CALL ACCOUNT	
Account Number	9324900933
Account Status	OPEN
Balance	846101.33
Available Balance	845101.33
Uncleared Amount	0.00
Available Uncleared Amount	0.00
Sub Account Balance	0.00

STATEMENT FOR PERIOD 01/06/2021 TO 30/06/2021

Date	Transaction Description	Transaction Branch	Amount	Balance
29/06/2021	CREDIT INTEREST	P SECTOR NW	1649.57	846101.33

POST DATED ITEMS

Date	Transaction Description	Transaction Branch	Amount	Balance
------	-------------------------	--------------------	--------	---------

NO POSTDATED ITEMS DUE TODAY FOR THIS ACCOUNT

ACCRUED INTEREST AS AT	01/07/2021 : 106.63
ACCRUED BONUS AS AT	01/07/2021 : 0.00

End Of Enquiry

01/07/2021 15:58:15

Page 1 of 1

STATEMENT



00300100600000378810045173006212



THE INVESTMENT MANAGER
 J B MARKS LOCAL MUNICIPALITY
 P O BOX 113
 POTCHEFSTROOM
 2520

Branch	Domestic Treasury
Account Number	0377881004517/000083
Date	30 June 2021
Statement Period	01 June 2021 to 01 July 2021
Type of Investment	Call Deposit
Statement Frequency	Month End

NEDBANK CONTACT DETAILS	
Business Banking	Nedbank Head Office, 135 Rivonia Road, Sandown, Sandton, 2196, South Africa 0860 115 060 business@nedbank.co.za

Based on the interest rates agreed between you and Nedbank, as well as the calculated balances, the applicable rate will be applied daily rounded to two decimals, based on the third digit after the decimal.

Transaction Date	Description and additional information	Movement	Rate	Days	Accrued Interest	Amount
2021-06-01	Opening Balance				0.01	168 247 420.12
2021-06-30	Int Accrued On R168 247 420.12 From 2021-06-01 To 2021-06-30		3,3000	30	456 342.30	168 247 420.12
2021-07-01	Int Capitalised Effective 2021-07-01	456 342.30			-456 342.30	168 703 762.42
2021-07-01	Closing Balance				0.01	168 703 762.42

Yours sincerely
NEDBANK LIMITED

This statement is electronically generated and requires no signature by Nedbank Limited. Please examine this statement soonest. If no error is reported within 30 days after receipt, the statement will be considered as being correct. Please note that month-end statements include transactions up to and including the last day of the month as well as interest transactions for the first day of the next month.

The investment is subject to the terms and conditions for investment accounts, available at <https://www.nedbank.co.za/content/nedbank/desktop/g/en/corporates/investing/corporate-and-institutional-investments.html>
 This communication is produced and transmitted electronically. While we have taken all reasonable steps to ensure the accuracy, integrity and confidentiality of the information, Nedbank Limited will not be liable if the information contained in this communication is corrupted, inaccurate or fails to reach its intended destination. The information in this communication is confidential and intended solely for the addressee and may also be privileged or exempt from disclosure under applicable law. If you are not the addressee, or have received this email in error, please notify the sender immediately, delete it from your system and do not copy, disclose or otherwise act on any part of this communication. You should also treat any pages attached to this communication in line with the disclaimer.

Nedbank Limited Reg No 1951/000009/06, VAT Reg No 4320116074, Nedbank 135 Rivonia Campus, 135 Rivonia Road, Sandown, Sandton, 2196, South Africa.

Directors: V Naidoo (Chairman) MWT Brown (Chief Executive) HR Brody BA Dames NP Dongwana EM Kruger RAG Leith PM Makwana Prof T Marwala L Makalima
 Dr MA Malooane MH Davis (Chief Financial Officer) MC Nkuhlu (Chief Operating Officer) S Subramoney
 Company Secretary: J Katzin 26.05.2021



Standard Bank

Product

RETAILWHOLESALE CALL DEPOSIT

30 days statement

Address

30 WOLMARANS ST
POTCHEFSTROOM
POTCHEFSTROOM
2531

Account identification

Name of account POTCHEFSTROOM CITY COUNCIL

Account number 438460944 045

Transaction details

Statement period 2021-06-01 to 2021-07-01

Account preferred centre POTCHEFSTROOM

Customer contact centre 0860 123 000

Internet www.standardbank.co.za

Page 1 of 1

Date 01 July 2021

Time 14:42



Post date (YYYY-MM-DD)	Transaction description	Payments	Deposits	Balance
	Opening Balance			R 38,836,350.44
2021-06-30	INTEREST CAPITALISED		R 64,588.76	R 38,920,939.20
2021-06-30	Balance brought forward			R 38,920,939.20

These fees include VAT at the applicable prevailing rate in accordance with the VAT Act.

Your account information

Statement summary

Payments	R 0.00
Deposits	R 84,588.76

Your full transaction record is available on your account statement. The balance could change if there are transactions that still need to be processed.

Please consider the clause that follows carefully as it limits the bank's liability and constitutes an assumption of risk by you.

Please check that all transactions on this statement are correct and tell the bank if there are any mistakes within 60 days of the date of this statement, after which, we will consider this statement to be correct.



Standard Bank

Product

RETAILWHOLESALE CALL DEPOSIT

30 days statement

Address

30 WOLMARANS ST
POTCHEFSTROOM
POTCHEFSTROOM
2531

Account identification

Name of account POTCHEFSTROOM CITY COUNCIL

Account number 438460944 038

Transaction details

Statement period 2021-06-01 to 2021-07-01

Account preferred centre POTCHEFSTROOM

Customer contact centre 0860 123 000

Internet www.standardbank.co.za

Page 1 of 1

Date 01 July 2021

Time 14:41



Post date (YYYY-MM-DD)	Transaction description	Payments	Deposits	Balance
	Opening Balance			R 51,220.42
2021-06-30	INTEREST CAPITALISED		R 79.99	R 51,300.41
2021-06-30	Balance brought forward			R 51,300.41

These fees include VAT at the applicable prevailing rate in accordance with the VAT Act

Your account information

Statement summary

Payments	R 0.00
Deposits	R 79.99

Your full transaction record is available on your account statement. The balance could change if there are transactions that still need to be processed.

Please consider the clause that follows carefully as it limits the bank's liability and constitutes an assumption of risk by you.

Please check that all transactions on this statement are correct and tell the bank if there are any mistakes within 60 days of the date of this statement, after which, we will consider this statement to be correct.

Description	OPERATIONAL							Total Budget
	Roads & Storm Water	Water & Sanitation	Water	Electricity	Solid Waste	Workshop	PMU	
Repairs and Maintenance								
Infrastructure Assets	15 170 000	24 410 000	6 070 000	13 560 000	3 200 000			63 410 000
Vehicle Cost	610 000	1 840 000	870 000	1 500 000	2 065 000	30 000	40 000	7 215 000
Equipment	200 000	2 150 000	3 530 000	10 265 000	100 000	20 000	5 000	18 280 000
Buildings		210 000	80 000	30 000			30 000	350 000
Contracted Services								
Reading of Meters			1 800 000	2 960 000				4 760 000
Purification			50 000					50 000
Retreatment								
Consultants							5 400 000	5 400 000
Agency Fees		1 000 000						1 000 000
Membership Fees				15 000				15 000
Police Removal Contract					1 000 000			1 000 000
Police Removal Sub-Contract					12 000 000			12 000 000
TOTAL		29 590 000	19 400 000	34 365 000	18 365 000	50 000	5 475 000	103 275 000

Description	CAPITAL							Total Budget
	Roads & Storm Water	Water & Sanitation	Water	Electricity	Solid Waste	Workshop	PMU	
Installation of High Mast Lighting				2 628 656				2 628 656
Installation of High Mast Lighting				173 513				173 513
Rehabilitation of Rural Overhead Lines				5 217 351				5 217 351
Energy Efficient Street Lighting 10W 425				3 478 251				3 478 251
Development of Cell 4 at the Phosphopla land 78 5m	13 043 478							13 043 478
Roads and Storm Water 80 Meters	4 347 826							4 347 826
Construction of Road Stormwater in Tolelag Phase 2								
Construction of Sewerage Ext 8		3 913 043						3 913 043
Designing of Sewage Lagoon and Upgrade		3 043 478						3 043 478
Construction of Sagging Ext 13 Sewer Retreatment		8 240 217						8 240 217
Replacement of Asbestos Pipes in Ventilation		45 446 783						45 446 783
Construction of Protected Pump Station		6 695 652						6 695 652
Bulk Water Supply Bokhuto			1 454 344					1 454 344
Bulk Water Supply Gasegwehwa			8 513 314					8 513 314
New Sagging Reservoir (25m)			38 689 565					38 689 565
Upgrade of the Waste Water Treatment Works			13 043 478					13 043 478
Water Retreatment in Greenfield			5 217 351					5 217 351
Upgrading of Sewer Line Mchabane Plooye Dam			3 478 251					3 478 251
Bridge Ext 7			8 695 652					8 695 652
Compactors Trucks					5 217 351			5 217 351
Skipper Loader					2 086 567			2 086 567
TOTAL	30 434 782	69 339 173	79 102 607	11 478 251	7 304 348			197 659 171

2021/2022 NEW VEHICLES

Vehicle Speakers Office	565 217	EXECUTIVE & COUNCIL, MAYOR AND COUNCIL
Gravel Digging Machine	1 739 150	COMMUNITY & SOCIAL SERVICES, CEMETERIES & CREMATORIALS
FIRE VEHICLE (RANGER BUMPER)	1 324 348	PUBLIC SAFETY, FIRE
FRONT END LOADER	1 478 251	SPORT & RECREATION, SPORT & RECREATION
3 Ton Truck with Canopy	5 217 351	SPORT & RECREATION, SPORT & RECREATION
Over Trucks	4 086 567	SPORT & RECREATION, SPORT & RECREATION
Compactors Trucks	5 217 351	WASTE WATER MANAGEMENT, SOLID WASTE
Skipper Loader	2 086 567	WASTE WATER MANAGEMENT, SOLID WASTE
Traffic Patrol Vehicles	2 628 656	PUBLIC SAFETY, POLICE
Vehicle LEDV Pick Up	304 348	PUBLIC SAFETY, POLICE
TOTAL	21 628 656	

JB Marks Local Municipality

Annual Financial Statements for the year ended June 30, 2020

Notes to the Annual Financial Statements

Figures in Rand	2020	2019
42. Risk management (continued)		
Financial instruments	2020	2019
Receivables from non-exchange transactions	21,423,176	19,522,272
Consumer debtors	262,083,884	240,698,834
Cash and Cash equivalents	202,780,304	239,794,548
Payables from exchange transactions	419,340,597	(379,486,514)
Payables from non-exchange transactions	(14,830)	(14,830)
Consumer deposits	(24,464,962)	(23,471,205)
43. Irregular expenditure		
Opening balance	2,216,121,928	1,990,590,175
Prior period errors	-	42,716,792
Add: Irregular Expenditure - current year	302,064,224	182,814,961
Add: Deviations in contravention with regulation 36	-	-
	2,518,186,152	2,216,121,928
Details of irregular expenditure – current year		
No 7 days advertisement	13,321,530	1,503,342
Competitive bidding process were not followed	72,541,418	132,907,965
Declaration of interest not attached	13,152,437	2,179,825
Three quotation not attached	3,748,994	4,637,627
Bid adjudication not constituted	18,755,108	-
Non Tax Compliant	1,276,949	317,523
Expired contracts	16,077,445	-
Invoice and quotation amount not the same	-	122,841
SCM procurement processes not followed	-	2,305,962
Regulation 32 appointment - non compliances	20,185,745	-
Deviations in contravention with regulation 36	53,979,718	38,839,876
Other SCM contraventions	9,800,666	-
Non submission of municipal rates for directors and other mandatory bid documents	79,224,214	-
	302,064,224	182,814,961
Deviations not yet reported to council		
Mechanical	516,837	
COVID 19	1,707,522	
Other	1,445,887	
	3,670,246	
44. Fruitless and wasteful expenditure		
Opening balance	77,520,785	74,599,872
Add: Fruitless and wasteful expenditure - current year	746,049	2,920,913
	-	-
	-	-
	-	-
	78,266,834	77,520,785

The following are particulars of any criminal or disciplinary steps to be taken as a consequence of above expenditure.

Interest on late payments - various creditors -(2020: R 1 763 848), (2019: R 1 317 364) - To be submitted to Council.

Penalties on late payments - various creditors -(2020: R 2 669 417), (2019: R 1 603 549) - To be submitted to Council.

JB Marks Local Municipality

Annual Financial Statements for the year ended June 30, 2020

Notes to the Annual Financial Statements

Figures in Rand	2020	2019
45. Unauthorised expenditure		
Opening balance (Restated)	837,154,362	824,686,591
Office of the Executive Mayor	-	302,932
Office of the Speaker	-	4,767,954
Municipal Manager	42,892	4,254,182
Budget and Treasury Office	-	-
Public Safety	-	3,142,703
Corporate Services	-	-
Infrastructure	-	-
Department of Environmental Management	-	-
Sports, Arts and Culture	-	-
Human Settlement and Planning	-	-
Economic Development	3,513,240	-
less: Unauthorised expenditure condoned by Council	-	-
less: Unauthorised expenditure transferred to receivables	-	-
	840,710,494	837,154,362

The following are particulars of any criminal or disciplinary steps to be taken as a consequence of above expenditure.

- Office of the Executive Mayor - (2019: R302 932) - To be submitted to Council.
- Office of the Speaker - (2019: R4 767 954) - To be submitted to Council.
- Office of the Municipal Manager - R42 892 (2019: R4 254 182) - To be submitted to Council.
- Budget and Treasury - within budget.
- Public Safety - within budget.
- Corporate Services - within budget.
- Infrastructure - within budget.
- Department of Environmental Management - within budget.
- Sports, Arts and Culture - within budget.
- Human Settlement and Planning - within budget.
- Economic Development - R3 513 240 - To be submitted to Council.

JB Marks Local Municipality

Annual Financial Statements for the year ended June 30, 2020

Notes to the Annual Financial Statements

Figures in Rand	2020	2019
42. Risk management (continued)		
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	-	-
	-	-
	-	-
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JB Marks Local Municipality

Annual Financial Statements for the year ended June 30, 2020

Notes to the Annual Financial Statements

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Budget and Treasury Office	-	-
Public Safety	-	3,142,703
Corporate Services	-	-
Infrastructure	-	-
Department of Environmental Management	-	-
Sports, Arts and Culture	-	-
Human Settlement and Planning	-	-
Economic Development	3,513,240	-
less: Unauthorised expenditure condoned by Council	-	-
less: Unauthorised expenditure transferred to receivables	-	-
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- Human Settlement and Planning - within budget.
- Economic Development - R3 513 240 - To be submitted to Council.



coghsta

Cooperative Governance, Human
Settlements and Traditional Affairs
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



OFFICE OF THE MEC

2nd Floor West Wing
University Drive
Garona Building
Tel: +27 (0) 18 388 2892

Private Bag X 2145
Mmabatho
2735

**MR. THUPI MOKHATLA
WESTRAND
RANDFONTEIN
GAUTENG**

Dear Mr. Mokhatla,

APPOINTMENT AS AN ADMINISTRATOR IN JB MARKS LOCAL MUNICIPALITY

The Provincial EXCO has during its sitting held on the **3rd of August 2020**, resolved to invoke Section 139 (1)(b) intervention in **JB Marks Local Municipality** with effect from the **17th August 2020** to the **31st January 2021**. The intervention will be for a minimum period of six (6) months and a maximum period of twelve (12) months.

You are therefore further mandated on behalf of the Provincial EXCO to manage following matters:

- a) Facilitate the improvement of governance within the Municipal Council (Council oversight role, relations between Council and administration);
- b) Manage the overall administration of the municipality;
- c) Stabilise and improve governance and administration within the municipality (Council and administration);
- d) Facilitate recruitment of senior managers including Municipal Managers where applicable;
- e) Improving the financial controls in the municipality, expenditure management, procurement processes, revenue enhancement and debt collection as well as addressing Auditor General's reports (MFMA compliance);

APPOINTMENT AS AN ADMINISTRATOR IN JB MARKS LOCAL MUNICIPALITY

- f) Take corrective action on irregular expenditure incurred;
- g) Improve service delivery through facilitation of new projects, unblocking of old projects, maintenance of infrastructure, cleansing etc;
- h) Attend to labour and legal matters, including to investigate and take corrective action on irregular appointment of staff and restore labour stability; outstanding disciplinary cases, if any; labour disputes; functionality of Local Labour Forum; instil culture of work and discipline of workers;
- i) Investigate all awarded contracts to establish validity and legitimacy thereof, and terminate those that are not legitimate in terms of applicable regulations;
- j) Improve service delivery prioritisation on water and sanitation services;
- k) Improving the financial controls, expenditure management, procurement processes and AGSA reports in these municipalities;
- l) Analyse and implement past and current investigations, commissions of enquiry and forensic audits;
- m) Implement the support packages per municipality;
- n) Chair all the Work streams created in the municipality, or delegate such to any other person working on the intervention;
- o) The Administrator shall report to the Provincial Executive Council through the MEC responsible for Cooperative Governance, Human Settlements and Traditional Affairs

You will be required to implement the action plan (developed by your predecessor) to effect the intervention on a short, medium, to long term basis to ensure turnaround and sustainability post the intervention. The Provincial EXCO will expect monthly reports through the Department of Cooperative Governance, Human Settlements and Traditional Affairs regarding progress made on the intervention in general and the above-mentioned priorities.

APPOINTMENT AS AN ADMINISTRATOR IN JB MARKS LOCAL MUNICIPALITY

Your remuneration will be ~~XXXXXXXXXX~~ per month, excluding travel, accommodation, cellphone and data allowance ~~XXXXXXXXXX~~ per month), which will be based on monthly claims for costs incurred and should not exceed ~~XXXXXXXXXX~~ per month.

You shall be expected to conclude a contract with the Department within 7 days from the date of your appointment.

The department will provide you with all the necessary support in carrying out your functions.

Regards,



HON. BOITUMELO MOILOA
MEC FOR COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS

DATE: 17/08/2020

I hereby accept/~~not accept~~ my appointment.



MR. THUPI MOKHATLA
ADMINISTRATOR: JB MARKS LOCAL MUNICIPALITY

DATE: 04/09/2020



coghsta

Cooperative Governance, Human
Settlements and Traditional Affairs
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



OFFICE OF THE MEC

2nd Floor West Wing
University Drive
Garona Building
Tel: +27 (0) 18 388 2892

Private Bag X 2145
Mmabatho
2735

5 August 2020

EXECUTIVE MAYOR JB MARKS LOCAL MUNICIPALITY POTCHEFSTROOM

INVOCATION OF SECTION 139 (1) (B) OF CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA IN JB MARKS LOCAL MUNICIPALITY

1. The Provincial EXCO has during its sitting held on 3rd of August 2020, resolved to invoke Section 139 (1) (b) intervention in JB Marks Local Municipality with immediate effect. The intervention will be for a minimum period of six (6) months and a maximum period of twelve (12) months.
2. The invocation follows a report of systematic failures by the Council to carry out its executive and other legislative mandates as articulated in Sections 152 (1), 152 (2) and 153 of the Constitution of the Republic of South Africa, including the supporting legislative mandates.
3. In this regard, all executive powers of Council are now vested with the Provincial Executive Council, and cannot be performed by yourself and council except for the adoption of the budget, IDP and passing of bylaws and policies. →
4. As the MEC for Cooperative Governance, Human Settlements and Traditional Affairs, I have been authorized and mandated to implement the aforesaid EXCO resolution. In this regard, an Administrator will be appointed to lead the intervention team and implement the terms of reference and act to implement any other applicable provisions of the relevant laws.
5. I will further interact with the municipality to table the terms of reference for such an Administrator, and his or her team (if any).
6. The Executive Mayor and the Council should therefore desist from convening meetings and taking any resolutions/decisions without expressed consent from the

MEC of Cooperative Governance, Human Settlements and Traditional Affairs until the Administrator is appointed.

7. Your Council is requested and advised to cooperate with the Administrator who will be appointed and introduced soon.
8. Lastly, the Speaker will at an appropriate time be required to convene a special council sitting where I will communicate the intervention, its terms of reference and introduce the Administrator. By copy hereof I bring the content of this letter for the attention of speaker of council.

I thank you.



Hon B.T Moiloa

MEC FOR COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS

CC: The Speaker



coghsta

Cooperative Governance, Human
Settlements and Traditional Affairs
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



OFFICE OF THE MEC

2nd Floor West Wing
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Garona Building
Tel: +27 (0) 18 388 2892

Private Bag X 2145
Mmabatho
2735

**ADV. DINEO MONGWAKETSE
490 CUL 16 UNIT 2
MMABATHO
2735**

Dear Adv. D. Mongwaketse,

EXTENSION OF YOUR APPOINTMENT AS AN ADMINISTRATOR IN JB MARKS LOCAL MUNICIPALITY

This communiqué serves to inform you that your contract as an Administrator has been extended with effect from the **01st June 2021** to **31st July 2021**.

I have noted progress and some outstanding issues that require attention to realise the objective of the Intervention. As a result, I have decided to extend your contract.

Your remuneration will be **R 99 000.00** per month, excluding travel, accommodation, cell phone and data allowance (**limit R1 500 per month**), which will be based on monthly claims for costs incurred and should not exceed **R 50 000** per month.

You will still be required to implement the action plan and address all outstanding issues to effect the intervention on a short, medium, to long term basis to ensure sustainability post the intervention. The Provincial EXCO will expect monthly reports through the Department of Corporate Governance and Traditional Affairs regarding progress made on the intervention in general and the above-mentioned priorities.

APPOINTMENT AS AN ADMINISTRATOR IN JB MARKS LOCAL MUNICIPALITY

The department will provide you with all the necessary support in carrying out your functions.

Regards,



HON. MMOLOKI CWAILE
MEC FOR COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS

DATE: 02/06/2021

I hereby accept/not accept my appointment.

ADV. DINEO MONGWAKETSI
ADMINISTRATOR: JB MARKS LOCAL MUNICIPALITY

DATE: 02/06/2021

ANNEXURE O

----- Forwarded message -----

From: **Chris Hattingh** <chrishatt@lantic.net>

Date: Thu, 04 Mar 2021, 20:30

Subject: Question on Bargaining Council in terms of Rule 10.1.2

To: <motsekomphasa@gmail.com>, Speaker Admin <SpeakerAdmin@jbmmarks.gov.za>

Cc: <mogoekeg@gmail.com>

The Speaker

JB Marks Local Municipality

Question in terms of Rule 10.1.2

JB Marks :- Bargaining Council Awards.

Kindly provide the following :

1. List all Bargaining Council awards issued

1.1 in favor of

1.2 against

2. the JB Marks Local Municipality for each of the following financial years:

2.1 2019-2020

2.2 2020- to date.

3. For each of these awards provide full details about the number of workers that had to

3.1 be employed,

3.2. receive additional remuneration.

4. For each of the financial years provide the full financial implications of these awards including costs incurred and remuneration.

Chris Hattingh Cllr



**JB MARKS LOCAL
MUNICIPALITY**

OFFICIAL RESOLUTION

SPECIAL COUNCIL

FOR ATTENTION	FOR COGNISANCE
<p style="text-align: center;">SPEAKER CAO (A&S)</p>	

**SPC5/2021-03-09 OFFICE OF THE MUNICIPAL MANAGER: PRESENTATION:
SPECIAL INVESTIGATION UNIT REPORT (Special Council Meeting
Agenda 2021-03-09, additional item – no report)**

1. That cognisance be taken of the electronic presentation made by TZ Mokhatla, Administrator, on the Special Investigation Unit Report and the outcome thereof.
2. That the Administrator submit a comprehensive report on the Special Investigation Unit Report and the outcome thereof, to the ***next Ordinary Council Meeting scheduled for 30 March 2021.***

for MUNICIPAL MANAGER

2021-05-19
/srm



JB MARKS LOCAL MUNICIPALITY

SPECIAL COUNCIL MEETING CLOSED SESSION

MINUTES in terms of Section 8.3 of the Rules of Order of items which were considered **IN CLOSED SESSION** from 12:00 in terms of Section 42 of the Rules of Order during the **SPECIAL COUNCIL MEETING** of the **JB MARKS LOCAL MUNICIPALITY**, held in the Council Chamber, Dan Tloome Complex, Wolmarans Street, **POTCHEFSTROOM**, on **TUESDAY, 9 MARCH 2021**.

PRESENT: COUNCILLORS – COUNCIL CHAMBER (53)

LEGISLATURE

KEG Mogoemang Speaker (Chairperson)

EXECUTIVE

KM Khumalo Executive Mayor

MEMBERS OF THE MAYORAL COMMITTEE (MMCs)

XG Chaka	MMC Economic Development
KA Johnson	MMC Financial Management Services
MP Kgasane	MMC Technical Services
Ald MM Mataboge	MMC Rural, Environment and Agricultural Development
LG Molapisi	MMC Sports, Arts and Culture
P Molete	MMC Transversal Issues
MS Mothopeng	MMC Corporate Services

SINGLE WHIP OF THE COUNCIL

DM Matsapola

ANC Whip

OTHER COUNCILLORS

JM Adriaanse

S Britz

Democratic Alliance Whip

Prof AL Combrink

IJ de Villiers

JJ Esterhuysen

GML Fransman

JH Greyling

D Gwili

C Hattingh

MM Katees

Ald TG Krüger

EJJ Laing

Ald JC Landsbeg

Ald Dr AA le Roux

PZ Lesomo

PT Letshabo

JG Makhunga

ML Makoe

Chairperson of MPAC

RA Makousa

AJ Malinga

I Moilwa

Ald RH Mokgethi

GN Molotsi

BJ Monaisa

KS Moncho

KL Montsho

HJ Moolman

G Mosenogi

(until 12:30)

MC Mosiane

MP Mosounyana

AS Motladiile

KJ Ngomezulu

IM Phantsi

MP Rampou

MWC Rossouw

P Steyn

M Steyn-du Toit

SM Thulo

SP Valipathwa

A van Onselen

WN van Onselen

MJ van Tonder

LJ Zerwick

PRESENT: MUNICIPAL MANAGER AND SECTION 56 MANAGERS

OS Masibi Director Community Safety and Acting Municipal Manager

PRESENT: ADMINISTRATOR

TZ Mokhatla Administrator

PRESENT: MANAGERS/OFFICIALS

MS Mphasa Chief of Staff: Speaker's Office
PJ Naudé Chief Administration Officer: Administration

PRESENT: SECRETARIAT

HH Naudé Chief Committee Clerk: Secretariat
PD Mogoje Chief Committee Clerk: Secretariat
SU Bronkhorst Chief Committee Clerk: Secretariat

1. OPENING AND WELCOME

1.1 The Speaker welcomed everyone present in the Council Chamber and at home whereafter he read the notice of the meeting. The meeting was regarded properly constituted.

1.2 A moment of silence was observed for those who lost their lives to Covid-19 and other illnesses.

2. LEAVE OF ABSENCE (3/3/19)**RESOLVED:**

1. That leave of absence from the meeting in closed session be granted to the following Councillor who submitted a **written apology**:

Cllr PJ Pienaar, who was out of town.

2. That leave of absence from the meeting in closed session be granted to the following Councillors who submitted **verbal apologies**:

BC Kaister
KR Kegontse
BJ Mokwena
MJ Ncumalo
MP Raphulu
JS Xaba.

2. That cognisance be taken that the following Councillors were not present during the closed session:

KM Maneli
WM Manzini
LM Mkhabela
GAM Modise
CN Mogwata

LD Mokoena
DM Morokeng.

ACTION: CAO(A&S)

5. ADDITIONAL ITEMS ARISING FROM THE DISCUSSION OF MATTERS ON THE AGENDA

SPC5/2021-03-09 OFFICE OF THE MUNICIPAL MANAGER: PRESENTATION: SPECIAL INVESTIGATION UNIT REPORT (Special Council Meeting Agenda 2021-03-09, additional item – no report)

RESOLVED:

1. That cognisance be taken of the electronic presentation made by TZ Mokhatla, Administrator, on the Special Investigation Unit Report and the outcome thereof.
2. That the Administrator submit a comprehensive report on the Special Investigation Unit Report and the outcome thereof, to the *next Ordinary Council Meeting scheduled for 30 March 2021.*

**ACTION: SPEAKER
CAO (A&S)**

THE MEETING ENDED AT 12:23.

**CLLR KEG MOGOEEMANG
SPEAKER:
CHAIRPERSON:** _____

DATE: _____

Drafted by HH
Compiled by HH/PDM
Checked by PJN
Special Meeting in Closed Session 2021-03-09
RMS 26503
Recording 2715
Finalised on 2021-05-17



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Tel: +27(0)18 299 5003
Fax: +27(0)18 299 5089
Email: mmsecretary@jbmarks.gov.za

OFFICE OF THE ACTING MUNICIPAL MANAGER

Ref: Mrs. K. Batlhaodi
Tel: 018 – 299 5427

23rd March 2021

THE MANAGING DIRECTOR
MESSERS TSHIKAMOTHA TRADING AND TRAINING
51A SECOND AVENUE
LICHTENBURG
2740

Tel. : 018 318 0550
Mobile No. : 072 035 0420

Dear: Sir / Madam

TENDER NO.: 49/2017: CONSTRUCTION OF TLOKWE AND VENTERSDORP (NW405) DISASTER MANAGEMENT CENTRE – REINSTATEMENT LETTER.

The above matter refers.

With reference to the meeting held on the **15th December 2020** and your Attorney's letter dated **18th December 2020** followed by the meeting held on the **21st January 2021**, **J.B. MARKS LOCAL MUNICIPALITY** wishes to inform your firm of the reinstatement to complete **TENDER NO.: 49/2017: CONSTRUCTION OF TLOKWE AND VENTERSDORP (NW405) DISASTER MANAGEMENT CENTRE.**

The reinstatement comes after the financial assessment report as conducted by the sub-consultants (Quantity Surveyor) of (MHIDUVE PTY) LTD, the Engineers appointed for planning, designs and supervision towards the aforementioned project. Based on the assessment report, the Municipality has noted the following:

- ✓ That, it will be too costly for the Municipality to procure the new Contractor considering the current market related cost and part of reproducing documentations as outlined on the Professional Fees guidelines.

Vision: A transformed leading, competitive and preferred world class city.

TENDER NO.: 49/2017: CONSTRUCTION OF TLOKWE AND VENTERSDORP (NW405) DISASTER MANAGEMENT CENTRE – REINSTATEMENT LETTER.

- ✓ That, your firm has agreed (*in writing*) to utilise the original tendered rates towards the completion TENDER NO.: 49/2017: CONSTRUCTION OF TLOKWE AND VENTERSDORP (NW405) DISASTER MANAGEMENT CENTRE and,
- ✓ That, your firm will further shoulder the structural defects as contained within the Engineer's assessment report.

Considering your initial appointment amount of R 18, 955, 639.20 (VAT. Inclusive) and the amount paid towards work done to date, as contained within your Tender Document, kindly note of the following:

- ✓ The reinstatement is subject to the acceptance of your tendered rates as contained within your Schedule of Quantities (SoQ) in the Tender Document.
- ✓ Payments will be done strictly according to the Council's Expenditure Management Policy. Therefore, you are required if not registered to register your company in the municipality's database should you accept the contract.
- ✓ That, the contract that governs this contract will be in accordance with the PRINCIPLE BUILDING AGREEMENT, JULY 2007 (5TH EDITION).
- ✓ That, the project duration will be six (06) months from the commencement date, which will be informed by the handover date as specified within PRINCIPLE BUILDING AGREEMENT, JULY 2007 (5TH EDITION).

Furthermore, should you accept the reinstatement, you will be requested to commence with the abovementioned services within fourteen (14) calendar days, upon approval of the following contractual documentation by the Engineer:

- ✓ Valid project 10% Performance Guarantee
- ✓ Valid All Risk and Insurance
- ✓ Revised Programme of Works and Cash Flow-Projections
- ✓ Qualified and Experienced personal to execute the works
- ✓ Turnaround Strategy, Method of Statement and Meaningful Action Plan
- ✓ Health and Safety Plan
- ✓ Valid COIDA
- ✓ Proof of Settlement towards the Depart of Labour Default.

IS




DSM

TENDER NO.: 49/2017: CONSTRUCTION OF TLOKWE AND VENTERSDORP (NW405) DISASTER MANAGEMENT CENTRE – REINSTATEMENT LETTER.

You are requested to confirm in writing that you will accept the appointment with the conditions stipulated in this correspondence, which will constitute an agreement.

For any further, information regarding this approval, please do not hesitate to contact the Project Management Unit (PMU) on 018-299 5425 or email: kedumetseb@ibmarks.gov.za

VERIFICATION OF SIGNATURES

DIRECTOR TECHNICAL SERVICES	TECHNICAL SERVICES ADMINSTRATOR	ACTING CHIEF FINANCIAL OFFICER
MR. J.K. MONNAKGO THU	MR. I SEITSANG (Pr Tech Eng.)	MR. K. KGOSIEMANG
Recommended Signature: 	Recommended Signature: 	Recommended Signature: 
Date: 13/4/2021	Date: 13/04/2021	Date: 13/4/2021

APPROVED / ~~NOT APPROVED~~


MR. OFENTSE MASIBI
ACTING MUNICIPAL MANAGER
 DATE: 13/04/2021.

AND


MR. THUPI MOKGATLA
MUNICIPAL ADMINISTRATION
 DATE: 13/04/2021.

ANNEXURE R

From: Speaker Admin
Sent: Monday, July 26, 2021 7:35 PM
To: victor.boqo@gmail.com; 'motsekomphasa@gmail.com' <motsekomphasa@gmail.com>; Ofentse Masibi <ofentsem@jbmmarks.gov.za>
Subject: FW: ILLEGAL OCCUPATION OF PORTIONS 307 & 525 OF FARMS 435
Importance: High

- Speaker's response to the letter was that the Office will give the matter urgent attention and intervene where necessary. The Speaker then referred the matter to the substantive MM Mr Ralekgetho who applied for an interdict.
- Various meetings were held with the implicated Councillors but they deny the matter. DA instituted Criminal Proceedings against the said Councillors and then the Speaker halted all internal processes as the matter was now deemed now to be sub-judice.

From: Everhard Laing [<mailto:everhardl@vfplus.org.za>]
Sent: 12 January 2021 05:52 PM
To: Speaker Admin; mmsecretary
Subject: ILLEGAL OCCUPATION OF PORTIONS 307 & 525 OF FARMS 435
Importance: High

Dear Speaker

Please find attached for your urgent attention.

Regards

Everhard Laing
VF PLUS-RAADSLID IN NOORD-WES
FF PLUS-COUNCILLOR IN NORTH WEST


010 549 1910
083 291 5199
everhardl@vfplus.org.za

Nasionale Hoofkantoor
National Head Office
012 665 0564
info@vf.co.za

Noord-Wes Provinsiale Kantoor
North West Provincial Office
010 549 1910
vfnnw@mwebbiz.co.za

 www.facebook.com/VFplus

 www.twitter.com/VFplus

 www.youtube.com/VRYHEIDFRONTplus

Die boodskap bevat privaat en vertrouelike inligting wat sonder benadelling van regte versend word. Indien u nie die bestemde ontvanger is nie, mag u nie die boodskap of aanhangsel(s) lees, gebruik, kopieer of versprei nie. Stel asb die versender in kennis en vee die boodskap uit.
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