

**MINISTRY FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN REPLY**

**QUESTION NUMBER 20187/513**

**DATE OF PUBLICATION: 08 FEBRUARY 2018**

**513. Ms E R Wilson (DA) to ask the Minister of Cooperative Governance and Traditional Affairs**

What (a) number of (i) councillors and (ii) municipal officials of the (aa) Ba-Phalaborwa, (bb) Maruleng, (cc) Tzaneen and (dd) Greater Letaba Local Municipalities in Limpopo are in arrears with their municipal accounts, (b) is the total amount in outstanding debt in each case, (c) is the name of each councillor and municipal official who is in arrears for more than two months and (d) action, if any, has been taken to recover the amounts in each case?

**REPLY**

According to the information provided by the municipalities through the Limpopo Provincial CoGHSTA, Ba-Phalaborwa, Tzaneen, Maruleng and Greater Letaba local municipalities have a number of municipal councillors and officials on arrears for municipal rates and services for a period of more than two months. Breakdown in terms of each municipality is specified on the tables below.

**(aa) BA-PHALABORWA LOCAL MUNICIPALITY**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of councillors and municipal officials in arrears on municipal accounts** | **Total outstanding debt** | **Name of councillor/s and officials in arrears for (2) months or more** | **Any action, if any, has been taken to recover the amounts in each case?** |
| A total of 124 which consists of 113 municipal officials and 11 councillors | R2, 879 735.76 | List attached as an Annexure A to the reply | Deductions are effected every month for the outstanding debt |

**(bb) MARULENG LOCAL MUNICIPALITY**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of councillors and municipal officials in arrears on municipal accounts** | **Total outstanding debt** | **Name of councillor/s and officials in arrears for (2) months or more** | **Any action, if any, has been taken to recover the amounts in each case?** |
| Six (6) officials | R27,490.68 | Sithole K.V, Maponya B, Mohlasedi A, Mphela S.K,  Mokonyane M.L Thompson S. | Issuing of a monthly statement and no arrangement has been made to date |

**(cc) GREATER TZANEEN LOCAL MUNICIPALITY**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of councillors and municipal officials in arrears on municipal accounts** | **Total outstanding debt** | **Name of councillor/s and officials in arrears for (2) months or more** | **Any action, if any, has been taken to recover the amounts in each case?** |
| Four (4) which consists of 3 municipal officials and one councillor | R131, 830.10 | Ramatseba JM owing R3 041.91 | Payment agreement have been signed with officials and honoured on monthly basis |
|  |  | Maholovela TC owing R41 638.84 | Payment agreement have been signed with officials and honoured on monthly basis |
|  |  | Ledwaba SA and NP owing R13 842.50 | Payment agreement have been signed with officials and honoured on monthly basis |
|  |  | Councillor Makhubela MJ owing R73 306.85 | Payment agreement have been signed with officials and honoured on monthly basis |

**(dd) GREATER LETABA LOCAL MUNICIPALITY**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of councillors and municipal officials in arrears on municipal accounts** | **Total outstanding debt** | **Name of councillor/s and officials in arrears for (2) months or more** | **Any action, if any, has been taken to recover the amounts in each case?** |
| Two officials and one councillor | R41 666. 85 | Moshobane TMP  owing R 7 994.50 | Entered into a payment arrangement of R2000.00 per month |
|  |  | Malatji SS  owing R 27 813.45 | The councillor did not make any payment arrangements. The municipality will inform the councillor about deductions to be made from her salary. |
|  |  | Malatji Mathaba wing R5, 858.90 | Entered into payment arrangement of R3,800 per month |

Section 96(a) of the MSA, states that municipalities must collect all monies due and payable to it, while Section 96(b) empowers a municipality to undertake this debt collection in terms of adopting a credit control and debt collection policy. Even though that legislative provision is very clear, municipalities are in general still encountering challenges on collection of outstanding debt and amongst its debtors are the municipal councillors and municipal officials who are in arrears for municipal rates and services. It is evident that non- payment of municipal debtors is mostly due to the weaknesses on the municipal systems in implementing relevant sections of the legislations and the implementation of their credit control and debt collection policies.

In respect of debt owed by municipal officials, it has been evident that municipalities in most instances does not make an effort to uphold Section 103 of the Municipal Systems Act, No. 32 of 2000 that makes a provision for employers to have agreements. This further gives a permission that a municipality may with consent of a person liable for payment of rates and services enter into agreements with that person’s employer to deduct from the salaries or wages of other persons-

* any outstanding amounts due by the person to the municipality; or
* regular monthly amounts as may be agreed;
* and provide special incentive for employer’s to enter into such agreements and for employees to consent such agreements

Furthermore, Schedule 2 of the MSA also specifies a Code of Conduct for Municipal Staff Members that makes provision for the municipality to deduct amounts outstanding for more than three months from employees’ salaries.

Councillllors are also not immune in terms of having arrear debt even though, the MSA’s Schedule 1: Code of Conduct for Councillors, Section 12A, states that a Councillor should not be in arrears with the municipality for a period longer than three months.