

DELEGATION OF ADMINISTRATIVE AND OPERATIONAL POWERS AND DUTIES BY THE CAPE AGULHAS MUNICIPAL COUNCIL

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY										LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR.S						
Municipal Structures Act, 117 of 1998																	
Municipal Councils																	
1.	MSTA 18(2) + 37(c)	Ensure the Council meets at least quarterly															M2
2.	MSTA 18(4)	Designate full-time Councillors determined by the MEC for local government												Determination must be in accordance with a policy framework as determined by the Minister after consulting the MECs			E5
Municipal Objectives																	
3.	MSTA 19(1)	Strive to achieve objectives set out in section 152 of the Constitution															E5
4.	MSTA 19(2)	Review annually- a) needs of the community; b) priorities to meet those needs; c) processes for involving the community; d) organisational and delivery mechanisms for meeting the needs of the community; and e) overall performance in achieving objectives set out in section 152 of the Constitution.															M5
5.	MSTA 19(3)	Develop mechanisms to consult the community and community organisations in performing functions and exercising powers														Division: Communication and Client Services	E2
By-elections																	

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6.	MSTA 25(3)	Call and set a date for by-election by notice in a local newspaper after consulting with Electoral Commission											Must be held within 90 days of the date – a) of the voting day of the previous election; b) on which the election was set aside by the court; c) on which the council was dissolved; or d) on which the vacancy occurred.		Division: Political Liaison	M5
Meetings of municipal Councils																
7.	MSTA 29(1)	Decide when and where the Council meets											If majority of councillors requests the Speaker in writing to convene a council meeting, the speaker must convene a meeting at a time set out in the request			L2
8.	MSTA 29(2)	Call the first meeting of the Council											Within 14 days after Council has been declared elected or, if a district council, after all members have been appointed		MM not Speaker calls the first council meeting.	M2
Quorums and decisions																
9.	MSTA 30(4)	Exercise a casting vote if on any question there is an equality of votes														M5
10.	MSTA 30(5)(a), (b) & (c)	Submit a report and recommendation before taking a decision on any of the following matters – a) matter mentioned in section 160(2) of the Constitution; b) approval of an integrated development plan for the Municipality, and any amendment to that plan; and c) appointment and conditions of service of the MM of the Municipality.														M5
Criteria for establishment of Committees																

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11.	MSTA 33	Establish a Committee													<p><i>If – a) the Municipality is of a type that is empowered to establish a committee of the desired kind;</i></p> <p><i>b) the establishment of the committee is necessary, taking into account</i></p> <p><i>i) the extent of the functions and powers of the Municipality;</i></p> <p><i>ii) the need for the delegation of those functions and powers in order to ensure efficiency and effectiveness in their performance; and</i></p> <p><i>iii) the financial and administrative resources of the Municipality available to support the proposed committee; and</i></p> <p><i>c) in the case of the establishment of an executive committee, the Municipality has more than nine councillors.</i></p>		Secretariat support from Division: Admin Support in the Office of the MM	M2
Dissolution of municipal Councils																		
12.	MSTA 34	Adopt a resolution dissolving the Council													In consultation with MEC of Local Government		E9	
Election of Speakers																		
13.	MSTA 36(2)	Elect Speaker from among Councillors															M2	
Functions of Speakers																		
14.	MSTA 37(a)	Preside at meetings of the Council															M2	
15.	MSTA 37(b)	Perform duties and exercise powers delegated in terms of section 59 of MSA															M2	
16.	MSTA 37(d)	Maintain order during meetings															M2	

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17.	MSTA 37(e)	Ensure compliance in Council and Council Committees with Code of Conduct set out in Schedule 1 of MSA																M2
18.	MSTA 37(f)	Ensure that Council meetings are conducted in accordance with the rules and orders of the Council																M2
Removal from office																		
19.	MSTA 40	Remove speaker from office by resolution													Give prior notice of an intention to move a motion for the removal of the speaker			E5
Acting speakers																		
20.	MSTA 41	Elect another Councillor to act as speaker													If speaker is absent, not available, or during a vacancy			M5
Composition of Executive Committees																		
Election of Mayors																		
21.	MSTA 48(1)	Elect a member of EC as Mayor and another member as deputy Mayor of the Municipality													If MEC for local government in the province so approves. When EC is elected or when necessary to fill a vacancy.			E5
Election of Executive Mayors																		
22.	MSTA 55(1)	Elect an EM and an Executive Deputy Mayor from among members if MC chooses to have an EM													If MEC for local government in the province so approves. At a meeting that must be held –			E5
23.	MSTA 55(2)	Fill a vacancy in the office of the EM or Executive Deputy Mayor													a) within 14 days after Council's election; c) within 14 days after the date with effect from which the type of the Municipality has been changed.			E5
Functions and powers of Mayors																		

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24.	MSTA 49(1)(a)	Preside at meetings of the EC														Refer to Mayoral Duties	M2
25.	MSTA 49(1)(b)	Perform the duties, including any ceremonial functions, and exercise the powers delegated by MC or EC														Refer to Mayoral Duties	M5
Functions and powers of Executive Mayors																	
26.	MSTA 56(1)	Receive reports from Committees and forward together with recommendation to Council												When matter cannot be disposed of by EM in terms of EM's delegated powers		Refer to EM Planning and Strategies	M5
27.	MSTA 56(2)(a)	Identify needs of the Municipality														Refer to EM Planning and Strategies	M5
28.	MSTA 56(2)(b)	Review and evaluate needs in order of priority														Refer to EM Planning and Strategies	M5
29.	MSTA 56(2)(c)	Recommend to MC strategies, programmes and services to address priority needs through the IDP and estimates of revenue and expenditure														Refer to EM Planning and Strategies	M5
30.	MSTA 56(2)(d)	Recommend or determine the best methods (including partnership and other approaches) to deliver strategies, programmes and services to maximum benefit of the community														Refer to EM Planning and Strategies	M5
31.	MSTA 56(3)(a)	Identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated														Refer to EM Planning and Strategies	M5
32.	MSTA 56(3)(b)	Evaluate progress against key performance indicators														Refer to EM Planning and Strategies	M5
33.	MSTA 56(3)(c)(i)	Review performance of Municipality to improve the economy, efficiency and effectiveness of the Municipality														Refer to EM Planning and Strategies	M5
34.	MSTA 56(3)(c)(ii)	Review performance of the Municipality to improve the efficiency of credit control and revenue and debt collection services														Refer to EM Planning and Strategies	M5
35.	MSTA 56(3)(c)(iii)	Review performance of the Municipality to improve the implementation of the Municipality's by-laws														Refer to EM Planning and Strategies	M5
36.	MSTA 56(3)(d)	Monitor the management of the Municipality's administration in accordance with the policy directions of the MC														Refer to EM Planning and Strategies	M5

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37.	MSTA 56(3)(e)	Oversee the provision of services to communities in the Municipality in a sustainable manner													Refer to EM Municipal Management	M5
38.	MSTA 56(3)(f)	Perform such duties and exercise such powers as the Council may delegate													Refer to EM Municipal Management	M5
39.	MSTA 56(3)(g)	Report annually on the involvement of communities and community organisations in the affairs of the Municipality													Refer to EM Municipal Management	M5
40.	MSTA 56(3)(h)	Ensure regard is given to public views and report on the effect of consultation on the decisions of Council													Refer to EM Municipal Management	M5
41.	MSTA 56(4)	Perform a ceremonial role as MC may determine													Refer to EM Municipal Management	M5
42.	MSTA 56(5)	Report to MC on all decisions taken by EM													Refer to EM Municipal Management	M5
43.	MSTA 56(7)	Designate a Councillor to act as EM											If EM is absent or not available and Municipality does not have a Deputy Executive Mayor, or Deputy Executive Mayor is also absent or not available			M5
Removal from office																
44.	MSTA 58	Remove the EM or Deputy Executive Mayor from office by resolution											Give prior notice of intention to move a motion for the removal of the EM or Deputy Executive Mayor			E5
Mayoral Committees																
45.	MSTA 60(1)(a)	Appoint a Mayoral Committee from among Councillors to assist EM											No more than 20% of councillors or 10 members which ever is the least.		As per mandate of relevant Municipal Council Committees	M2
46.	MSTA 60(1)(d)	Dismiss a member of the Mayoral Committee													As per mandate of relevant Municipal Council Committees	M2
Ward Committees																
47.	MSTA 72	Establish Ward Committee											Subject to sections 73 - 78		As per mandate of relevant Ward Committees	M2
Functions and powers of Ward Committees																
48.	MSTA 74(a)(i)	Make recommendations on any matter affecting ward to the ward councillor														M5

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49.	MSTA 74(a)(ii)	Make recommendations on any matter affecting ward through the ward Councillor, to the metro or local Council, the Executive Committee, the Executive Mayor or the relevant metropolitan sub-council																M5
50.	MSTA 74(b)	Perform such duties and powers as the metro or local Council may delegate																M5
Dissolution of Ward Committees																		
51.	MSTA 78	Dissolve a Ward Committee if the Committee fails to fulfil object																E5
Establishment																		
52.	MSTA 79(1)(a)	Establish one or more Committees necessary for the effective and efficient performance of any functions or the exercise of any powers															As per mandate of relevant Municipal Council Committees	M2
53.	MSTA 79(1)(b)	Appoint members of Committee from among members															As per mandate of relevant Municipal Council Committees	M2
54.	MSTA 79(1)(c)	Dissolve a Committee															As per mandate of relevant Municipal Council Committees	M2
55.	MSTA 79(2)(a)	Determine the functions of a Committee															As per mandate of relevant Municipal Council Committees	M2
56.	MSTA 79(2)(c)	Appoint Chairperson															As per mandate of relevant Municipal Council Committees	M2
57.	MSTA 79(2)(d)	Authorise a Committee to co-opt advisory members who are not members of the Council												Within the limits determined by the Council			As per mandate of relevant Municipal Council Committees	M2
58.	MSTA 79(2)(e)	Remove a member of a Committee															As per mandate of relevant Municipal Council Committees	M2
59.	MSTA 79(2)(f)	Determine a Committee's procedure															As per mandate of relevant Municipal Council Committees	M2
Committees to assist Executive Committee or Executive Mayor																		
60.	MSTA 80(1)-(2)	Appoint Committees of Councillors to assist Executive Committee or Executive Mayor												May not in number exceed the number of members of the Executive Committee or Mayoral Committee			As per mandate of relevant Municipal Council Committees	M2
61.	MSTA 80(3)(a)	Appoint a chairperson for each Committee from the Executive Committee or Mayoral Committee															As per mandate of relevant Municipal Council Committees	M2

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62.	MSTA 80(3)(d)	Vary or revoke any decision taken by a Committee										Subject to any vested rights		As per mandate of relevant Municipal Council Committees	M5
63.	MSTA 80(4)	Report to Executive Committee or Executive Mayor in accordance with directions of the Executive Committee or Executive Mayor												As per mandate of relevant Municipal Council Committees	M2
Appointment															
64.	MSTA 82(1)(a)	Appoint a MM who is the head of administration and also the AO for the Municipality													E5
65.	MSTA 82(1)(b)	Appoint an acting MM										When necessary			M5
Co-operation between district and local Municipalities															
66.	MSTA 88(2)(b)	Provide financial, technical and administrative support services to district Municipality to the extent of capacity to provide support services										A local Municipality on request by a district Municipality			M5
67.	MSTA 88(2)(c)	Provide financial, technical and administrative support services to local Municipality within the area of the same district Municipality to the extent of capacity to provide support services										A local Municipality on request by another local Municipality or district Municipality			M5
Election of Municipal Office-Bearers, Schedule 3															
Application															
68.	MSTA Sch 3(1)	Apply procedure set out in Schedule 3 whenever MC meets to elect a speaker, an Executive Mayor, a Deputy Executive Mayor, a Mayor or a Deputy Mayor													M2
Announcement of names of Candidates															
69.	MSTA Sch 3(4)	Announce names of persons who have been nominated as Candidates										No debate permitted. If it is the first meeting of Council MM will announce.			M2
Single Candidate															
70.	MSTA Sch 3(5)	Declare Candidate elected										If only one Candidate is nominated. If it is the first meeting of Council MM will announce.			M2
Further meetings															

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71.	MSTA Sch 3(8)(3)	Determine by lot who of the two Candidates will hold the office for which the election has taken place													If only two Candidates are nominated, or if only two Candidates remain after an elimination procedure has been applied, and those two Candidates receive the same number of votes		M5
MUNICIPAL SYSTEMS ACT, 32 OF 2000 – [MSA]																	
Rights and duties of Municipal Councils																	
72.	MSA 4(1)(a)	Govern local government affairs of the local community														As per mandate of relevant Municipal Council Committees	M2
73.	MSA 4(1)(b)	Exercise the Municipality's executive and legislative authority without improper interference														As per mandate of relevant Municipal Council Committees	M2
74.	MSA 4(1)(c)(i)	Finance the affairs of the Municipality by charging fees for services														As per mandate of relevant Municipal Council Committees	M2
75.	MSA 4(1)(c)(ii)	Finance the affairs of the Municipality by imposing surcharge on fees, rates on property and, to the extent authorised by national legislation, other taxes, levies and duties														As per mandate of relevant Municipal Council Committees	M2
76.	MSA 4(2)(a)	Exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the local community														As per mandate of relevant Municipal Council Committees	M2
77.	MSA 4(2)(b)	Provide, without favour or prejudice, democratic and accountable government														As per mandate of relevant Municipal Council Committees	M2
78.	MSA 4(2)(c)	Encourage the involvement of the local community												The Directorate Corp S, Division: Communications and Client Services to support the MC		As per mandate of relevant Municipal Council Committees	M2
79.	MSA 4(2)(d)	Strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner												In consultation with MM and CFO		As per mandate of relevant Municipal Council Committees	M2
80.	MSA 4(2)(e)	Consult the local community about the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider and the available options for service delivery												The Directorate Corp S, Division: Communications and Client Services to support the MC		As per mandate of relevant Municipal Council Committees	M2

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81.	MSA 4(2)(f)	Give members of the local community equitable access to the municipal services to which they are entitled											The Directorate Corp S, Division: Communications and Client Services to support the MC		As per mandate of relevant Municipal Council Committees	M2
82.	MSA 4(2)(g)	Promote and undertake development in the municipality													As per mandate of relevant Municipal Council Committees	M2
83.	MSA 4(2)(h)	Promote gender equity in the exercise of the municipality's executive and legislative authority													As per mandate of relevant Municipal Council Committees	M2
84.	MSA 4(2)(i)	Promote a safe and healthy environment in the municipality													As per mandate of relevant Municipal Council Committees	M2
85.	MSA 4(2)(j)	Contribute, together with other organs of state, to the progressive realisation of the fundamental rights													As per mandate of relevant Municipal Council Committees	M2
86.	MSA 4(3)	Respect the rights of citizens and those of other persons protected by the Bill of Rights in the exercise of executive and legislative authority													As per mandate of relevant Municipal Council Committees	M2
Executive and Legislative Authority																
87.	MSA 11(3)(a)	Develop and adopt policies, plans, strategies and programmes, including setting targets for delivery											Subject to prior approval from MC Committees or full MC as prescribed		As per mandate of relevant Municipal Council Committees	M2
88.	MSA 11(3)(b)	Promote and undertake development											Subject to prior approval from MC Committees or full MC as prescribed		As per mandate of relevant Municipal Council Committees	M2
89.	MSA 11(3)(c)	Establish and maintain an administration											Subject to prior approval from MC Committees or full MC as prescribed		As per mandate of relevant Municipal Council Committees	M2
90.	MSA 11(3)(d)	Administer and regulate internal affairs and the local government affairs of the local community											Subject to prior approval from MC Committees or full MC as prescribed		As per mandate of relevant Municipal Council Committees	M2
91.	MSA 11(3)(e)	Implement applicable national and provincial legislation and by-laws											Subject to prior approval from MC Committees or full MC as prescribed		As per mandate of relevant Municipal Council Committees	M2
92.	MSA 11(3)(f)	Provide municipal services to the local community or appoint appropriate service providers in accordance with the criteria and process set out in section 78											Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	E5

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93.	MSA 11(3)(g)	Monitor and, where appropriate, regulate municipal services where those services are provided by service providers other than the municipality										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	E5
94.	MSA 11(3)(h)	Prepare, approve and implement budgets										Subject to prior approval from MC Committees or full MC as prescribed as well as in consultation with MM		As per relevant Finance Delegations issued per MFMA	E5
95.	MSA 11(3)(i)	Impose and recover rates, taxes, levies, duties, service fees and surcharges on fees, including setting and implementing tariff rates and tax and debt collection policies										Subject to prior approval from MC Committees or full MC as prescribed as well as in consultation with MM		As per relevant Finance Delegations issued per MFMA and Finance Policies	E5
96.	MSA 11(3)(j)	Monitor the impact and effectiveness of any services, policies, programmes or plans										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	M5
97.	MSA 11(3)(k)	Establish and implement performance management systems										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	M5
98.	MSA 11(3)(l)	Promote a safe and healthy environment										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	M5
99.	MSA 11(3)(m)	Pass by-laws and take decisions on any of the above-mentioned matters										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	M5
100.	MSA 11(3)(n)	Do anything else within legislative and executive competence										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		As per mandate of relevant Municipal Council Committees	M5

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101.	MSA 11(4)	Record in writing a decision taken by a municipal council or any other political structure of the municipality										Subject to prior approval from MC Committees or full MC as prescribed as well as relevant SCM prescripts and delegations		Division: Strategic Services	M5
Legislative Procedures															
102.	MSA 12(1)	Introduce a draft by-law to the Council										Relevant Municipal Council Committee Chair		As per mandate of relevant Municipal Council Committees	E5
Publication of By-laws															
103.	MSA 13	Publish by-law passed promptly in Provincial Gazette and, when feasible, in a local newspaper or in any other practical way to bring the contents to the attention of the local community												Division: Strategic Services	M5
Municipal Code															
104.	MSA 15(1)	Compile and maintain in bound or loose-leaf form, and when feasible also in electronic format, a compilation of all by-laws and any provisions incorporated by reference as by-laws of the Municipality												Division: Strategic Services	M5
105.	MSA 15(2)	Constantly update and annotate and keep Municipal code at Municipality's head office as the Municipality's official record of all applicable by-laws												Division: Strategic Services	M5
106.	MSA 15(3)	Provide person requesting with a copy of or an extract from Municipal code against payment of a reasonable fee determined by Municipal Council												Division: Strategic Services	M5
Development of Culture of Community Participation															
107.	MSA 16(1)	Develop a culture of municipal governance that compliments formal representative government within a system of participatory governance												Division: Strategic Services	M5
108.	MSA 16(1)(a)	Encourage and create conditions for local community to participate in affairs of Municipality												Division: Strategic Services	M5
109.	MSA 16(1)(b)	Contribute to building capacity of local community and Councillors and staff												Division: Strategic Services	M5
110.	MSA 16(1)(c)	Use resources and annually allocate funds in budget for the purpose of implementing abovementioned												Division: Strategic Services	M5
Mechanisms, Processes and Procedures for Community Participation															
111.	MSA 17(1)	Allow participation by the local community in the affairs of the municipality										Subject to section 17(1)(a) – (e)		Division: Communication and Client Services	M5

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112.	MSA 17(2)(a)	Provide for the receipt, processing and consideration of petitions and complaints lodged by members of the local community										Subject to 17(3)		Division: Communication and Client Services	M5
113.	MSA 17(2)(b)	Provide for notification and public comment procedures										Subject to 17(3)		Division: Communication and Client Services	M5
114.	MSA 17(2)(c)	Provide for public meetings and hearings by the municipal council and other political structures and political office bearers of the municipality										Subject to 17(3)		Division: Communication and Client Services	M5
115.	MSA 17(2)(d)	Provide for consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities										Subject to 17(3)		Division: Communication and Client Services	M5
116.	MSA 17(2)(e)	Report back to local community										Subject to 17(3)		Division: Communication and Client Services	M5
117.	MSA 17(4)	Establish one or more advisory committees consisting of persons who are not councillors to advise the council on any matter within the council's competence										Take gender representivity into account		Division: Committee System	M5
Communication of Information Concerning Community Participation															
118.	MSA 18(1)(a)	Communicate to community information concerning the available mechanisms, processes and procedures to encourage and facilitate community participation												Division: Strategic Services	M5
119.	MSA 18(1)(b)	Communicate to community information concerning the matters with regard to which community participation is encouraged												Division: Strategic Services	M5
120.	MSA 18(1)(c)	Communicate to community information concerning the rights and duties of members of the local community												Division: Strategic Services	M5
121.	MSA 18(1)(d)	Communicate to community information concerning municipal governance, management and development												Division: Strategic Services	M5
Public Notice of Meetings of Municipal Councils															
122.	MSA 19	Give notice to the public of the time, date and venue of every ordinary meeting of the council and special or urgent meeting of the council, except when time constraints make this impossible										In a manner determined by the Municipal Council		Division: Strategic Services	M5

Admission of Public to Meetings

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ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY									LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR.S					
123.	MSA 20(4)	Provide space for the public in the chambers and places where the Council and its Committees meet												Take reasonable steps to regulate public access to, and public conduct at, meetings of the Council and its Committees	Division: Strategic Services	M5
Communications to Local Community																
124.	MSA 21(1)	Notify local community through media in the local newspaper or newspapers of its area, in a newspaper or newspapers circulating in its area and determined by the council as a newspaper of record or by means of radio broadcasts covering the area of the municipality													Division: Strategic Services	M5
125.	MSA 21(2)	Make notification in official language determined by Council													Division: Strategic Services	M5
126.	MSA 21(3)	Display a copy of every notice that must be published in the Provincial Gazette or the media in terms of MSA or any other applicable legislation at Municipal offices													Division: Strategic Services	M5
127.	MSA 21(4)	State in the invitation that any person who cannot write may come during office hours to a place where a staff member of the municipality named in the invitation will assist that person to transcribe that person's comments or representations													Division: Strategic Services	M5
128.	MSA 21(5)	Give reasonable assistance to persons who cannot read or write, to enable such persons to understand and complete the form													Division: Strategic Services	M5
Documents to be Made Public																
129.	MSA 21A(1)	Convey documents to the local community by displaying the documents at the Municipality's head and satellite offices and libraries, on the website and by notifying the local community of the place and website address where detailed particulars concerning documents can be obtained													Division: Strategic Services	M5
130.	MSA 21A(2)	Invite local community to submit written comments or representations to the Municipality in respect of relevant documents													Division: Strategic Services	M5
Official Website																
131.	MSA 21B(1)(a)	Establish official website													ICT Division in consultation with Corporate Services	M5
132.	MSA 21B(1)(b)	Place on official website information required to be made public in terms of MSA and MFMA													ICT Division in consultation with Corporate Services	M5

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133.	MSA 21B(2)	Provide information for display on an organised local government website sponsored or facilitated by NT												ICT Division in consultation with Corporate Services	M5
134.	MSA 21B(3)	Maintain and regularly update Municipality's official website or provide relevant information as required												ICT Division in consultation with Corporate Services	M5
Municipal Planning to be Developmentally Oriented															
135.	MSA 23	Undertake developmentally-oriented planning to ensure that Municipality- a) strives to achieve the objects of local government set out in section 152 of the Constitution; b) gives effect to its developmental duties as required by section 153 of the Constitution; and c) together with other organs of state contribute to the progressive realisation of the fundamental rights										Read with Chapter I of Development Facilitation Act, 1995		LED/IDP Division Division: Strategic Services Division: Socio-Economic Development	M5
Municipal Planning in Co-operative Government															
136.	MSA 24(1)	Align planning with, and compliment, the development plans and strategies of other affected Municipalities and other organs of state to give effect to principles of co-operative government												LED/IDP Division to support MM	M8
137.	MSA 24(2)	Participate in national and provincial development programmes												LED/IDP Division to support MM	M8
Adoption of Integrated Development Plans															
138.	MSA 25(1)	Adopt a single, inclusive and strategic plan for the development of the Municipality										Must reflect MSA section 25(1)(a) – (e) and section 26		LED/IDP Division	M5
139.	MSA 25(4)(a)	Give notice to public within 14 days of adoption of integrated development plan of the adoption of the plan and that copies of or extracts from the plan are available for public inspection at specified places												Division: Strategic Services	M5
140.	MSA 25(4)(b)	Publicise a summary of the plan within 14 days of adoption of the plan												Division: Strategic Services	M5
Adoption of Process															
141.	MSA 28(1)	Adopt a process set out in writing to guide the planning, drafting, adoption and review of its integrated development plan										Follow process in MSA section 29 and 30		Via ECM and administrative support from Office of MM	M5
142.	MSA 28(2)	Consult the local community through appropriate mechanisms before adopting the process												Division: Strategic Services	M5
143.	MSA 28(3)	Give notice to local community of particulars of process intended to follow												Division: Strategic Services	M5

IDP

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144.	MSA 29	Determine a programme that reflects time scales for the various steps of the process														
Copy of Integrated Development Plan to be Submitted to MEC for Local Government																
145.	MSA 32(1)	Submit a copy of the integrated development plan as adopted by Council and any subsequent amendment to the plan to the MEC for local government in the province within 10 days of the adoption or amendment of the plan											Be accompanied by items listed in section 32(1)(b)		Division: Strategic Services	M8
146.	MSA 32(3)(a)	Consider MEC's proposals and within 30 days adjust integrated development plan or amend in accordance with request											If Municipality agrees with proposals		Division: Strategic Services	M8
147.	MSA 32(3)(b)	Object to MEC's request and furnish MEC with reasons in writing											If Municipality disagrees with proposals			M8
Annual Review and Amendment of Integrated Development Plan																
148.	MSA 34(a)	Review integrated development plan annually in accordance with an assessment of performance measurements and to the extent that changing circumstances so demand													Division: Strategic Services	M5
149.	MSA 34(b)	Amend integrated development plan											In accordance with prescribed process and subject to prior approval from MC		Strategic Services	M5
Municipality to Give Effect to Integrated Development Plan																
150.	MSA 36	Give effect to integrated development plan and conduct affairs in a manner consistent with integrated development plan													LED/IDP Division	M5
Development of Performance Management System																
151.	MSA 38(b)	Ensure the establishment of a conducive, positive and receptive environment for the implementation, operation and maintenance of the Municipal Council OPMS													Division: HR	
152.	MSA 38(1)	Conduct ongoing research into, and to make recommendations in respect of and submit progress reports on international best practice regarding systems and legislation for purposes of developing, establishing and improving an organisational performance management system (OPMS)													Division: HR	

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153.	MSA 39(a)	Manage the development of the Municipality's performance management system											Components listed in MSA section 41		HR	M2
154.	MSA 39(b)	Assign responsibilities in this regard to MM													HR	M2
155.	MSA 39(c)	Submit proposed system to Municipal Council for adoption													HR	M2
Monitoring and Review of Performance Management System																
156.	MSA 40	Establish mechanisms to monitor and review performance management system											In consultation with MM and CFO		HR	M2
Performance Management																
157.	MSA 41	Exercise all of the powers relating to Core Components													HR	
Community Involvement																
158.	MSA 42	Involve the local community in the development, implementation and review of the Municipality's performance management system and allow the community to participate in the setting of appropriate key performance indicators and performance targets for the Municipality													HR Strategic Services	M5
Notification of Key Performance Indicators and Performance Targets																
159.	MSA 44	Make known both internally and to the general public the key performance indicators and performance targets set for purposes of performance management system													HR Strategic Services	M5
Audit of Performance Measurements																
160.	MSA 45	Audit performance measurements as part of Municipality's internal auditing process and annually by the Auditor-General											In consultation with MM and CFO			M2
Annual Performance Reports																
161.	MSA 46	Prepare each financial year a performance report											Reflect items listed in MSA section 46(1)(a) – (c) Form part of Municipality's annual report		Strategic Services	M8
Organisation of Administration																
162.	MSA 51	Establish and organise administration											Enabling items listed in MSA section 51(a) – (m)		With administrative support from CFO and Corporate Services	M5

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Roles and Responsibilities															
163.	MSA 53(1)	Define the specific role and area of responsibility of each political structure and political office bearer of the municipality and of the municipal manager										According to section 53(2)		Supp of ECM & MM	M8
164.	MSA 53(5)(a)	Determine the relationships among those political structures and political office bearers and the municipal manager, and the manner in which they must interact										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
165.	MSA 53(5)(b)	Determine appropriate lines of accountability and reporting for those political structures and political office bearers and the municipal manager										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
166.	MSA 53(5)(c)	Determine mechanisms, processes and procedures for minimising cross-referrals and unnecessary overlapping of responsibilities between those political structures and political office bearers and the municipal manager										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
167.	MSA 53(5)(d)	Determine mechanisms, processes and procedures for resolving disputes between those political structures and political office bearers and the municipal manager										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
168.	MSA 53(5)(e)	Determine mechanisms, processes and procedures for interaction, between those political structures and political office bearers and the municipal manager and other staff members of the municipality and councillors and the municipal manager and other staff members of the municipality										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
169.	MSA 53(6)(a)	Determine mechanisms, processes and procedures for interaction between the regional management of the municipality and the ward councillor or other councillor responsible for that part of the municipality's area										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
170.	MSA 53(6)(b)	Determine mechanisms, processes and procedures for interaction between the regional management of the municipality and any sub-council or ward committee, where applicable, in that part of the municipality's area										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
171.	MSA 53(6)(c)	Determine mechanisms, processes and procedures for interaction between the regional management of the municipality and the local community in that part of the municipality's area										In continuous consultation with EM, MM and CFO		As per mandate of relevant Municipal Council Committees	M5
Municipal Managers															
172.	MSA 55(1)(a)	Form and develop an economical, effective, efficient and accountable administration										In continuous consultation with MM and CFO, where relevant		Also address MFMA finance and SCM delegations	M5

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173.	MSA 55(1)(b)	Manage the municipality's administration in accordance with MSA and other legislation applicable to the Municipality										In continuous consultation with relevant Council Committee and Director			M5
174.	MSA 55(1)(c)	Implement the Municipality's integrated development plan and monitor progress with implementation of the plan												Strategic Services	M5
175.	MSA 55(1)(d)	Manage the provision of services to the local community in a sustainable and equitable manner										In continuous consultation with relevant Council Committee and Director			M5
176.	MSA 55(1)(e)	Appoint staff												HRM Division	M2
177.	MSA 55(1)(f)	Manage, effectively utilise and train staff												HRM Division	M2
178.	MSA 55(1)(g)	Maintain discipline of staff												HRM Division	M2
179.	MSA 55(1)(h)	Promote sound labour relations and compliance by the Municipality with applicable labour legislation												HRM Division	M2
180.	MSA 55(1)(i)	Advise the political structures and political office bearers of the Municipality										In continuous consultation with EM and Director			M2
181.	MSA 55(1)(j)	Manage communications between the Municipality's administration and its political structures and political office bearers										In continuous consultation with EM and Director			M2
182.	MSA 55(1)(k)	Carry out the decisions of political structures and political office bearers of the Municipality										In continuous consultation with EM and Director			M2
183.	MSA 55(1)(l)	Administrate and implement the Municipality's by-laws and other legislation										In continuous consultation with EM and Director			M2
184.	MSA 55(1)(m)	Exercise any powers and perform any duties delegated by the Municipal Council, or sub-delegated by other delegating authorities of the Municipality										In continuous consultation with EM and Director			M2
185.	MSA 55(1)(n)	Facilitate participation by the local community in the affairs of the Municipality												Division: Communication and Client Services	M5
186.	MSA 55(1)(o)	Develop and maintain a system whereby community satisfaction with Municipal services is assessed												Division: Communication and Client Services	M5
187.	MSA 55(1)(p)	Implement national and provincial legislation applicable to the Municipality										In continuous consultation with EM and Director			M2
188.	MSA 55(2)(a)	Take responsibility and accountability for all income and expenditure of the Municipality												As per MFMA delegations	M2

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189.	MSA 55(2)(b)	Take responsibility and accountability for all assets and the discharge of all liabilities of the Municipality												As per MFMA delegations	M2
190.	MSA 55(2)(c)	Take responsibility and accountability for proper and diligent compliance with applicable Municipal finance management legislation												As per MFMA delegations	M2
Appointment of Managers Directly Accountable to Municipal Managers															
191.	MSA 56	Appoint manager directly accountable to MM, after consultation with MM											Subject to approved appointment policy		M2
Employment Contracts for Municipal Managers and Managers Directly Accountable to Municipal Managers															
192.	MSA 57(1)(a)	Appoint MM and person as manager directly accountable to MM in terms of written employment contract											Subject to prior approval of Council and approved appointment policy	HRM Division	M2
193.	MSA 57(1)(b)	Appoint MM and person as manager directly accountable to MM subject to a separate performance agreement concluded annually											Subject to 57(2) Include items listed in section 57(4)(a) – (c)	HRM Division	M2
194.	MSA 57(3)	Include in employment contract details of duties, remuneration, benefits and other terms and conditions of employment											Subject to prior approval of Council and approved appointment policy	HRM Division	M2
195.	MSA 57(4B)	Award bonus based on performance to MM or manager directly accountable to MM after end of financial year											After an evaluation of performance and approval of such evaluation by Municipal Council	HRM Division to provide administrative support	M2
Appeals															
196.	MSA 62(1)	Receive an appeal against decision by giving written notice of appeal and reasons to MM within 21 days of date of notification of decision												HRM Division	M2
197.	MSA 62(2)	Submit appeal to appropriate appeal authority												HRM Division to provide administrative support	M2
198.	MSA 62(3)	Consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision											Commence with an appeal within six weeks and decide the appeal within a reasonable period (MSA 62(5))	HRM Division to provide administrative support	M2
Review of Delegations															

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199.	MSA 65(1)	Submit to Council report on the existing delegations issued by the Council and other delegating authorities of the Municipality and recommendations on tiny changes to the existing delegations which the Municipal Manager may consider necessary														HRM Division to provide administrative support	M2
200.	MSA 65(2)	Submit the report and any recommendations to the Municipal Council through the executive committee or executive mayor														HRM Division to provide administrative support	M2
Staff Establishments																	
201.	MSA 66(1)(a)	Approve a staff establishment for the Municipality														On advice from HRM Division & MM	M2
202.	MSA 66(1)(b)	Provide a job description for each post on the staff establishment												Subject to prior approval from MM, CFO and relevant Council Committee	HRM Division	M2	
203.	MSA 66(1)(c)	Attach to those posts the remuneration and other conditions of service as may be determined in accordance with any applicable labour legislation												Subject to prior approval from MM, CFO and relevant Council Committee	HRM Division	M2	
204.	MSA 66(1)(d)	Establish a process or mechanism to regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service												Subject to prior approval from MM, CFO and relevant Council Committee	HRM Division	M2	
Human Resource Development																	
205.	MSA 67(1)	Develop and adopt appropriate systems and procedures to ensure fair, efficient, effective and transparent personnel administration												Including section 67(1)(a) – (k) and section 67(2) and 67(3)	HRM Division	M2	
206.	MSA 67(4)(a)	Ensure that every staff member and every relevant representative trade union has easy access to a copy of these staff systems and procedures, including any amendments													HRM Division	M2	
207.	MSA 67(4)(b)	Make a copy of or extract from these staff systems and procedures, including any amendments, available to staff members who request it													HRM Division	M2	
208.	MSA 67(4)(c)	Ensure that the purpose, contents and consequences of these staff systems and procedures are explained to staff members who cannot read													HRM Division	M2	
Capacity Building																	
209.	MSA 68(1)	Develop human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way												In consultation with MM, CFO and relevant Council Committee	HRM Division	M2	

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210.	MSA 68(2)	Make provision in budget for the development and implementation of training programmes												HRM Division	M2
211.	MSA 68(3)	Apply to the Sector Education and Training Authority for local government for training programme funds												HRM Division	L7
Code of Conduct for Municipal Staff Members															
212.	MSA 69	Adhere to every staff member of the Municipality the Code of Conduct in Schedule 2													M2
Code of Conduct to be Provided to Staff Members and Communicated to Local Community															
213.	MSA 70(1)	Provide a copy of the Code of Conduct to every member of the staff of the Municipality and provide every staff member with any amendment of the Code of Conduct												HRM Division	M2
214.	MSA 70(2)	Ensure that the purpose, contents and consequences of the Code of Conduct are explained to staff members who cannot read and communicate sections of the Code of Conduct that affect the public to the local community												HRM Division	M2
Bargaining Council Agreements															
215.	MSA 71	Comply with any collective agreements concluded by organised local government within its mandate on behalf of local government in the bargaining Council established for Municipalities												HRM Division	M2
216.	MSA 72	Co-ordinate the compilation of the Municipal Council mid-year service delivery performance assessment report (part of the mid-year budget and performance assessment report)										In consultation with an other directorate	Strategic Services		
General Duty															
217.	MSA 73(1)(a)	Give priority to the basic needs of the local community													M5
218.	MSA 73(1)(b)	Promote the development of the local community													M5

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219.	MSA 73(1)(c)	Ensure that all members of the local community have access to at least the minimum level of basic municipal services											Municipal services must- a) be equitable and accessible; b) be provided in a manner that is conducive to- i) the prudent, economic, efficient and effective use of available resources; and ii) the improvement of standards of quality over time; c) be financially sustainable; d) be environmentally sustainable; and e) be regularly reviewed with a view to upgrading, extension and improvement			M5
Tariff Policy																
220.	MSA 74	Adopt and implement tariff policy on levying of fees for Municipal services provided by Municipality itself or by way of service delivery agreements compliant with MSA and MFMA and any other applicable legislation											Reflect MSA section 74(2) and adhere to MFMA finance delegations and Municipal Finance policies. Subject to prior approval from Council		May differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination	E5
By-laws to Give Effect to Policy																
221.	MSA 75	Adopt by-laws to give effect to the implementation and enforcement of tariff policy											Adhere to MFMA finance delegations and Municipal Finance policies. Subject to prior approval from Council.		May differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination	E5
General Power to Levy and Recover Fees, Charges and Tariffs																

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222.	MSA 75A(3)(a)	Display a copy of the resolution for a period of at least 30 days at the main administrative office of the Municipality and at such other places within the Municipality to which the public has access															M5
223.	MSA 75A(3)(b)	Publish a notice in a newspaper of general circulation in the Municipality															M5
224.	MSA 75A(3)(c)	Seek to convey the information to the local community by means of radio broadcasts covering the area of the Municipality															M5
225.	MSA 75A(4)	Send a copy of notice to MEC for local government concerned															
Mechanisms for Provision of Services																	
226.	MSA 76(a)	Provide a Municipal service through an internal mechanism														Within area of responsibility	M5
227.	MSA 76(b)	Provide a Municipal service through an external mechanism by entering into a service delivery agreement											In consultation with relevant Council Committee, Director and CFO				E5
Occasions when Municipalities must Review and Decide on Mechanisms to Provide Municipal Services																	
228.	MSA 77(a)(i)	Provide Municipal service through an internal mechanism when an existing Municipal service is to be significantly upgraded, extended or improved														Within area of responsibility	M5
229.	MSA 77(a)(ii)	Provide Municipal service through an internal mechanism when a performance evaluation requires a review of the mechanism														Within area of responsibility	M5
230.	MSA 77(a)(iii)	Provide Municipal service through an internal mechanism when the Municipality is restructured or re-organised in terms of the MSTA														Within area of responsibility	M5
231.	MSA 77(b)(i)	Provide Municipal service through an external mechanism when a performance evaluation requires a review of the service delivery agreement															E5
232.	MSA 77(b)(ii)	Provide Municipal service through an external mechanism when the service delivery agreement is anticipated to expire or be terminated within the next 12 months															E5
233.	MSA 77(b)(iii)	Provide Municipal service through an external mechanism when an existing Municipal service or part of that Municipal service is to be significantly upgraded, extended or improved and such upgrade, extension or improvement is not addressed in the service delivery agreement											Subject to a decision of council				E5
234.	MSA 77(c)	Review and decide on the appropriate mechanism to provide a Municipal service when a review is required by an intervention in terms of section 139 of the Constitution															E5

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S					
235.	MSA 77(d)	Review and decide on the appropriate mechanism to provide a Municipal service when a new Municipal service is to be provided														E5
236.	MSA 77(e)	Review and decide on the appropriate mechanism to provide a Municipal service when requested by the local community through mechanisms, processes and procedures														E5
237.	MSA 77(f)	Review and decide on the appropriate mechanism to provide a Municipal service when a review of its integrated development plan requires a review of the delivery mechanism														E5
Criteria and Process for Deciding on Mechanisms to Provide Municipal Services																
238.	MSA 78(1)(a)	Assess the direct and indirect costs and benefits associated with the project if the service is provided by the Municipality through an internal mechanism, including the expected effect on the environment and on human health, well-being and safety														E5
239.	MSA 78(2)(a)	Decide on an appropriate internal mechanism to provide the service														E5
240.	MSA 78(2)(b)	Explore the possibility of providing the service through an external mechanism														E5
241.	MSA 78(3)(a)	Give notice to the local community of its intention to explore the provision of the service through an external mechanism													Communication and Client Services	M5
242.	MSA 78(3)(b)	Assess the different service delivery options														M5
243.	MSA 78(3)(c)	Conduct or commission a feasibility study to take into account											Include items listed in section 78(3)(c)(i) – (viii)			M5
244.	MSA 78(4)	Decide on an appropriate internal or external mechanism											Take into account requirements of section 73(2)			E5
245.	MSA 78(6)	Assist Municipality in carrying out feasibility study or in preparing service delivery agreements											In consultation with relevant Council Committee, Director and CFO			E5
Provision of Services by Municipality through Internal Mechanisms																
246.	MSA 79(a)	Allocate sufficient human, financial and other resources necessary for the proper provision of the service													HRM	E5

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ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY									LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S				
247.	MSA 79(b)	Transform the provision of that service in accordance with the requirements of MSA												HRM	E5
Provision of Services through Service Delivery Agreements with External Mechanisms															
248.	MSA 80(1)(a)	Negotiate and enter into such an agreement with the relevant municipal entity or municipality without applying Part 3 of this Chapter													E5
249.	MSA 80(1)(aA)	Enter into agreement with national or provincial organ of state without applying Part 3 of this Chapter													E5
250.	MSA 80(1)(b)	Apply Part 3 of this Chapter before entering into an agreement with any institution or entity, or any person, juristic or natural													E5
251.	MSA 80(2)	Establish a programme for community consultation and information dissemination regarding the appointment of the external service provider and the contents of the service delivery agreement, the contents of a service delivery agreement must be communicated to the local community through the media												Communication and Client Services	E5
252.	MSA 80(3)	Conduct or commission a feasibility study to take into account before entering into the service delivery agreement											Include section 80(3)(b)(i) – (iv) in feasibility study In consultation with relevant Council Committee, Director and CFO		E5
Responsibilities of Municipalities when Providing Services through Service Delivery Agreements with External Mechanisms															
253.	MSA 81(1)(a)	Regulate the provision of the service											In consultation with MM and CFO. Subject to MFMA and SCM prescripts		E5
254.	MSA 81(1)(b)	Monitor and assess the implementation of the agreement, including the performance of the service provider											In consultation with MM and CFO. Subject to MFMA and SCM prescripts		E5
255.	MSA 81(1)(c)	Perform functions and exercise powers in terms of Chapters 5 and 6 if the Municipal service in question falls within a development priority or objective in terms of the Municipality's integrated development plan													E5

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S					
256.	MSA 81(1)(d)	Control the setting and adjustment of tariffs by the service provider for the Municipal service in question														E5
257.	MSA 81(1)(e)	Exercise service authority so as to ensure uninterrupted delivery of the service in the best interest of the local community														E5
258.	MSA 81(2)(a)	Assign to a service provider responsibility for items listed in section 81(2)(a)(i) – (vi)											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
259.	MSA 81(2)(b)	Pass onto the service provider, through a transparent system subject to performance monitoring and audit, funds for the subsidisation of services to the poor											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
260.	MSA 81(2)(bA)	Ensure that the agreement provides for a dispute-resolution mechanism to settle disputes between the Municipality and the service provider											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
261.	MSA 81(2)(c)	Transfer or second any of staff members to the service provider, with the concurrence of the staff member concerned											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
262.	MSA 81(2)(d)	Ensure continuity of the service if the service provider is placed under judicial management, becomes insolvent, is liquidated or is for any reason unable to continue performing its functions in terms of the service delivery agreement											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5

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263.	MSA 81(2)(e)	Take over the municipal service, including all assets, when the service delivery agreement expires or is terminated											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
264.	MSA 81(3)	Set, review or adjust the tariffs within tariff policy and provide for the adjustment of tariffs by the service provider within the limitations set by the Municipal council											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
265.	MSA 81(4)	Amend service delivery agreement by agreement between parties											Except where an agreement has been concluded following a competitive bidding process, in which case an amendment can only be made after the local community has been given reasonable notice of the intention to amend the agreement and the reasons for the proposed amendment and sufficient opportunity to make representations to the Municipality In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
Competitive Bidding																
266.	MSA 83(1)	Select service provider through selection process compliant with section 83(1)(a) – (e)											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5

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ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY									LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR.S					
Negotiation and Agreement with Prospective Service Provider																
267.	MSA 84(1)	Negotiate the final terms and conditions of the service delivery agreement with the preferred service provider and, if successful, enter into such an agreement with the selected service provider											On the terms and conditions specified in the bidding documents, as modified or supplemented in the negotiations, if such modifications do not materially affect the bid in a manner which compromises the integrity of the bidding process			E5
268.	MSA 84(2)	Negotiate with the next-ranked prospective service provider											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
269.	MSA 84(3)(a)	Make copies of the agreement available at offices for public inspection during office hours											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts	Communication and Client Services		E5
270.	MSA 84(3)(b)	Give notice in the media of particulars of the service that will be provided under the agreement and the name of the selected service provider and the place where and the period for which copies of the agreement are available for public inspection											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts	Communication and Client Services		E5
Establishment of Internal Municipal Service Districts																
271.	MSA 85(1)	Establish a part of the municipality as an internal municipal service district to facilitate the provision of a Municipal service in that part of the Municipality											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
272.	MSA 85(2)(a)	Consult the local community												Communication and Client Services		E5
273.	MSA 85(2)(b)	Obtain the consent of the majority of the members of the local community in the proposed service district that will be required to contribute to the provision of the municipal service												Communication and Client Services		E5

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S				
274.	MSA 85(3)(a)	Determine the boundaries of the district											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
275.	MSA 85(3)(b)	Determine the mechanism that will provide the service in the district											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
276.	MSA 85(3)(c)	Set a tariff or levy for the service in the district or impose a special surcharge in the district on the tariff for the service or increase the tariff in the district for that service											In consultation with relevant Council Committee, Director and MM. Subject to MFMA and SCM prescripts		E5
277.	MSA 85(3)(d)	Establish separate accounting and other record-keeping systems with respect to the provision of the service in the district											In consultation with relevant Council Committee, Director and MM. Subject to MFMA and SCM prescripts		E5
278.	MSA 85(3)(e)	Establish committee composed of persons representing the community in the district to act as a consultative and advisory forum regarding the management of and other matters relating to the service in the district											Take gender representivity into account		E5
Policy Framework for Internal Municipal Service District															
279.	MSA 86	Develop and adopt a policy framework for the establishment, regulation and management of an internal Municipal service district											Reflect at least the items listed in MSA section 86(2)		E5
Regulations and Guidelines Regarding Municipal Services															
280.	MSA 86A	Comply with regulations or guidelines issued by the Minister													E5
Kinds of Municipal Entities															

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S						
281.	MSA 86B(2)	Establish or participate in the establishment of, or acquire or hold an interest in, a corporate body, including a trust where such corporate body is a private company, service utility or multi-jurisdictional service utility or a fund for the benefit of its employees												In consultation with MM and CFO. Subject to MFMA prescripts.			E5
282.	MSA 86B(3)	Acquire securities in a company listed on JSE												In consultation with MM and CFO Subject to MFMA prescripts			E5
Establishment and Acquisition of Private Companies																	
283.	MSA 86C(1)(a)	Establish or participate in the establishment of a private company												Subject to MSA 86E In consultation with MM and CFO Subject to MFMA prescripts			M10
284.	MSA 86C(1)(b)	Acquire or hold an interest in a private company												In consultation with MM and CFO Subject to MFMA prescripts			M10
285.	MSA 86C(2)	Acquire or hold full ownership of a private company or acquire or hold a lesser interest in a private company												Subject to MSA 86E In consultation with MM and CFO Subject to MFMA prescripts			M10
286.	MSA 86C(3)	Comply with Companies Act, 1973 and any other law regulating companies												Subject to MSA 86E In consultation with MM and CFO Subject to MFMA prescripts			M10
Disposal of Companies and Equity Interests in Companies																	
287.	MSA 86G	Transfer ownership or dispose of a wholly owned private company or an interest in a private company												Subject to MSA 86J In consultation with MM and CFO Subject to MFMA prescripts			M7
Establishment																	
288.	MSA 86H(1)	Pass a by-law establishing a service utility												In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
289.	MSA 86H(2)(a)	State the purpose for which the service utility is established												In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5

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290.	MSA 86H(2)(b)	Confer the powers and impose the duties on the service utility which are necessary for the attainment of such purpose										In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
291.	MSA 86H(2)(c)	Provide for MSA section 86H(2)(c)(i) – (xiii) when establishing a service utility										In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
292.	MSA 86H(2)(d)	Determine budgetary and funding arrangements for implementation of by-law										In consultation with relevant Council Committee, Director and MM. Subject to MFMA and SCM prescripts			E5
Disestablishment of Service Utilities															
293.	MSA 86K(2)(a)	Vest all assets, liabilities, rights and obligations of service utility										In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
294.	MSA 86K(2)(b)	Deal with staff of service utility in accordance with applicable labour legislation										In consultation with relevant Council Committee, Director and CFO.			M5
Establishment of Multi-jurisdictional Service Utilities															

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S					
295.	MSA 87	Establish by written agreement a multi-jurisdictional service utility to perform any function or power in Municipal area or in any designated parts of Municipal area											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
Minister Requesting the Establishment of Multi-jurisdictional Service Utilities																
296.	MSA 88(2)	Decide whether to accede to request and convey decision to the Minister within two months of receiving request											In consultation with relevant Council Committee, Director and CFO.			E5
Contents of Agreements Establishing Multi-jurisdictional Service Utilities																
297.	MSA 89(a)	Determine the boundaries of the area for which the service utility is established											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
298.	MSA 89(b)	Identify the Municipal service or other function to be provided in terms of the agreement											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
299.	MSA 89(c)	Determine the mechanism that will provide the service in the district											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
300.	MSA 89(d)	Determine budgetary and funding arrangements for implementation of the agreement											In consultation with MM and relevant Director. Subject to MFMA and SCM prescripts			E5
301.	MSA 89(e)	Provide for items listed in section 89(e)(i) – (viii)											In consultation with relevant	Communication and Client Services		E5
302.	MSA 89(f)	Provide for items listed in section 89(f)(i) – (iii)											Director, MM and CFO.			E5

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303.	MSA 89(g)	Determine the conditions for, and consequences of, the withdrawal from the agreement of a parent Municipality											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
304.	MSA 89(h)	Determine the conditions for, and consequences of, the termination of the agreement											Including items listed in section 89(h)(i) – (iii) In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
305.	MSA 89(i)	Provide for items listed in section 89(i)(i) – (v)											In consultation with relevant Director, MM and CFO.		Communication and Client Services	E5
Control of Multi-jurisdictional Service Utilities																
306.	MSA 92(2)(b)	Request multi-jurisdictional service utility to furnish information regarding activities													Relevant Directorate	M5
307.	MSA 92(2)(c)	Appoint a nominee to inspect the books, records, operations and facilities of the multi-jurisdictional service utility, and those of its contractors relating to the performance of the function or power for which the multi-jurisdictional service utility is established													Relevant Directorate	M5
Termination of Multi-jurisdictional Service Utilities																
308.	MSA 93(b)	Agree in writing with all parent Municipalities to terminate a multi-jurisdictional service utility											In consultation with relevant Council Committee, Director and CFO.			E5
Duties of Parent Municipalities with Respect to Municipal Entities																
309.	MSA 93A	Exercise any shareholder, statutory, contractual or other rights and powers in respect of the Municipal entity to ensure compliance with MSA, MFMA and any other applicable legislation and that the entity is managed responsibly and transparently, and meets statutory, contractual and other obligations											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
Parent Municipalities Having Sole Control																
310.	MSA 93B(a)	Ensure that annual performance objectives and indicators are established by agreement with the Municipal entity											Include in entity's multi-year business plan		Relevant Directorate	M5

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311.	MSA 93B(b)	Monitor and annually review the performance of the Municipal entity against the agreed performance objectives and indicators												Relevant Directorate	M5
312.	MSA 93B(c)(i)	Liquidate or disestablish Municipal entity following an annual performance review if the performance is unsatisfactory											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
313.	MSA 93B(c)(ii)	Liquidate or disestablish Municipal entity if Municipality does not impose a financial recovery plan in terms of MFMA and the Municipal entity continues to experience serious or persistent financial problems											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
314.	MSA 93B(c)(iii)	Liquidate or disestablish Municipal entity if Municipality has terminated the service delivery agreement or other agreement it had with Municipal entity											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
Parent Municipalities Having Shared Control															
315.	MSA 93C(a)	Enter into mutual agreement											In consultation with MM, relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
316.	MSA 93C(a)(i)	Determine and regulate mutual relationships in relation to Municipal entity											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5
317.	MSA 93C(a)(ii)	Determine and regulate the exercise of any shareholder, contractual or other rights and powers in respect of Municipal entity											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts		E5

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318.	MSA 93C(a)(iii)	Determine and regulate the exercise of powers and functions in terms of MSA and MFMA with respect to Municipal entity										In consultation with relevant Council Committee, Director and CFO.			E5
319.	MSA 93C(a)(iv)	Determine and regulate measures to ensure that annual performance objectives and indicators are established by agreement with Municipal entity and included in Municipal entity's multi-year business plan												Relevant Directorate	M5
320.	MSA 93C(a)(v)	Determine and regulate the monitoring and annual review, as part of Municipal entity's annual budget process of the performance of the Municipal entity against the established performance objectives and indicators												Relevant Directorate	M5
321.	MSA 93C(a)(vi)	Determine and regulate the payment of any monies by the Municipalities to the Municipal entity or by the Municipal entity to the Municipalities										In consultation with relevant Council Committee, Director and MM. Subject to MFMA and SCM prescripts			E5
322.	MSA 93C(a)(vii)	Determine and regulate procedures for the resolution of disputes between those Municipalities												Legal Services Division	L5
323.	MSA 93C(a)(viii)	Determine and regulate procedures governing conditions for and consequences of withdrawal from the Municipal entity by a Municipality										In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5
324.	MSA 93C(a)(ix)	Determine and regulate procedures for terminating the appointment and utilisation of the Municipal entity as a mechanism for the performance of a Municipal function												Legal Services Division	E5
325.	MSA 93C(a)(x)	Determine and regulate the disestablishment of the Municipal entity, the division, transfer or liquidation of its assets and the determination of the responsibility for its liabilities										In consultation with relevant Council Committee and MM. Subject to MFMA and SCM prescripts			E5
326.	MSA 93C(b)	Liquidate and disestablish the Municipal entity										In consultation with MM, relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5

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327.	MSA 93C(b)(i)	Liquidate and disestablish the Municipal entity if the performance of the Municipal entity is unsatisfactory											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5	
328.	MSA 93C(b)(ii)	Liquidate and disestablish the Municipal entity if the Municipality does not impose a financial recovery plan and the Municipal entity continues to experience serious or persistent financial problems											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5	
329.	MSA 93C(b)(iii)	Liquidate and disestablish the Municipal entity if the Municipality has terminated the service delivery agreement or other agreement it had with the Municipal entity											In consultation with relevant Council Committee, Director and CFO. Subject to MFMA and SCM prescripts			E5	
Municipal Representatives																	
330.	MSA 93D(1)	Designate a councillor or an official of the parent Municipality, or both, as the representative or representatives of the parent Municipality															M5
331.	MSA 93D(2)(b)	Call or convene a meeting of shareholders or other general meeting in order for the board of directors to give account for actions taken by it													Communication and Client Services		M5
332.	MSA 93D(2)(c)	Determine the reporting responsibilities of a municipal representative											In consultation with relevant Council Committee, MM and CFO.				M5
Appointment of Directors																	
333.	MSA 93E(2)	Establish a process through which- a) applications for nomination or appointment are widely solicited; b) a list of all applicants and any prescribed particulars concerning applicants is compiled; and c) the Municipal Council makes the appointment or nomination from such list											In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services		M5
Removal or Recall of Directors																	
334.	MSA 93G	Remove or recall a director appointed or nominated											In cases referred to in section 93G(a) – (c)				E5

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Customer Care and Management															
335.	MSA 95(a)	Establish a sound customer management system that aims to create a positive and reciprocal relationship between persons liable for these payments and the Municipality, and where applicable, a service provider										In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services	M5
336.	MSA 95(b)	Establish mechanisms for users of services and ratepayers to give feedback to the Municipality or other service provider regarding the quality of the services and the performance of the service provider										In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services	M5
337.	MSA 95(c)	Take reasonable steps to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised										In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services	M5
338.	MSA 95(d)	Take reasonable steps to ensure that the consumption by individual users of services is measured through accurate and verifiable metering systems										In consultation with relevant Council Committee, MM and Director.			M5
339.	MSA 95(e)	Ensure that persons liable for payments, receive regular and accurate accounts that indicate the basis for calculating the amounts due										In consultation with relevant Council Committee, MM and Director.			M5
340.	MSA 95(f)	Provide accessible mechanisms for those persons to query or verify accounts and metered consumption, and appeal procedures which allow such persons to receive prompt redress for inaccurate accounts										In consultation with relevant Council Committee, MM and Director.			M5
341.	MSA 95(g)	Provide accessible mechanisms for dealing with complaints from such persons, together with prompt replies and corrective action by the Municipality										In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services	M5
342.	MSA 95(h)	Provide mechanisms to monitor the response time and efficiency in complying with abovementioned										In consultation with relevant Council Committee, MM and CFO.		Communication and Client Services	M5
343.	MSA 95(i)	Provide accessible pay points and other mechanisms for settling accounts or for making pre-payments for services										Subject to MFMA prescripts, delegations and financial policies			M5
Debt Collection Responsibility of Municipalities															
344.	MSA 96(a)	Collect all money that is due and payable to it, subject to MSA and any other applicable legislation										Subject to MFMA prescripts, delegations and financial policies			M5

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGEMENT	TECHNICAL	TECH SERV	ELECTR S					
345.	MSA 96(b)	Adopt, maintain and implement a credit control and debt collection policy which is consistent with rates and tariff policies and complies with the provisions of MSA											Subject to MSA section 97. Subject to MFMA prescripts, delegations and financial policies			E5
By-laws to Give Effect to Policy																
346.	MSA 98	Adopt by-laws to give effect to the Municipality's credit control and debt collection policy, its implementation and enforcement											In consultation with relevant Council Committee, MM and CFO Subject to MFMA prescripts, delegations and financial policies		May differentiate between different categories of ratepayers, users of services, debtors, taxes, services, service standards and other matters as long as the differentiation does not amount to unfair discrimination	E5
Supervisory Authority																
347.	MSA 99(a)	Oversee and monitor the implementation and enforcement of the municipality's credit control and debt collection policy and any by-laws and the performance of the municipal manager in implementing the policy and any by-laws											In consultation with relevant Council Committee, MM and CFO		EMC	E5
348.	MSA 99(b)	Evaluate or review the policy and any by-laws, or the implementation of the policy and any such by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures											In consultation with relevant Council Committee, EM and MM		EMC	E5
349.	MSA 99(c)	Report to a meeting of the Council											In consultation with relevant Council Committee, EM and MM		EMC	E5
Implementing Authority																
350.	MSA 100(a)	Implement and enforce the Municipality's credit control and debt collection policy and any by-laws											In consultation with relevant Council Committee, EM and MM		EMC	M5
351.	MSA 100(b)	Establish effective administrative mechanisms, processes and procedures to collect money that is due and payable to the Municipality											In consultation with relevant Council Committee, EM and MM		EMC	M5
352.	MSA 100(c)	Report the prescribed particulars to a meeting of the supervisory authority											In consultation with relevant Council Committee, EM and MM		EMC	M5

Municipality's Right to Access to Premises

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353.	MSA 101	Read, inspect, install or repair any meter or service connection for reticulation, or disconnect, stop or restrict provision of any service											In consultation with relevant Director, EM and MM, where required			M5
Accounts																
354.	MSA 102(1)(a)	Consolidate any separate accounts of persons liable for payments to the Municipality											Subject to MSA section 102(2) and relevant MFMA prescripts and delegations			M5
355.	MSA 102(1)(b)	Credit a payment by such a person against any account of that person											Subject to MSA section 102(2) and relevant MFMA prescripts and delegations			M5
356.	MSA 102(1)(c)	Implement any of the debt collection and credit control measures in relation to any arrears on any of the accounts of such a person											Subject to MSA section 102(2) and relevant MFMA prescripts and delegations			M5
357.	MSA 102(3)	Provide an owner of property with copies of accounts sent to the occupier of property for municipal services supplied to property if owner requests such accounts in writing from Municipality											Subject to relevant MFMA prescripts and delegations and financial policies			M5
Agreements with Employers																
358.	MSA 103	Enter into agreement with person's employer to deduct from salary or wages of that person outstanding amounts due to Municipality or such regular monthly amounts as may be agreed											Provide special incentives for employers to enter into such agreements and employees to consent to such agreements Subject to relevant MFMA prescripts and delegations and financial policies			M5
Non-performance and Maladministration																
359.	MSA 106(1)(a)	Provide MEC with information required in notice											In consultation with MM and CFO			E5
Furnishing of Information																
360.	MSA 107	Submit to a specified national organ of state information concerning affairs as may be required by notice in Gazette, either at regular intervals or within a period as may be specified													Corporate Services to provide administrative support	M8
Legal Proceedings																

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361.	MSA 109(2)	<i>Compromise or compound any action, claim or proceedings, and submit to arbitration any matter other than a matter involving a decision on its status, powers or duties or the validity of its actions or by-laws</i>											<i>In consultation with EM and MM</i>		Legal Services Division	E2
Legal Representation for Employees or Councillors of Municipality																
362.	MSA 109A	<i>Provide an employee or Councillor of the Municipality with legal representation</i>											<i>In consultation with EM and MM</i>		Legal Services Division	E2
Prosecution of Offences																
363.	MSA 112	<i>Institute criminal proceedings and conduct prosecution</i>											<i>In consultation with MC, EM</i>			E2
Public Servitudes																
364.	MSA 116	<i>Control public servitudes in favour of Municipality and protect and enforce the rights of the local community arising from those servitudes</i>													Town Planning Division	M5
Custody of Documents																
365.	MSA 117	<i>Take custody of all records and documents of Municipality</i>													Archive Division	M5
Restraint on Transfer of Property																
366.	MSA 118(1)	<i>Issue certificate certifying all amounts that became due in connection with property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during two years preceding date of application for certificate have been fully paid</i>											<i>In consultation with Town Planning Division</i>			M5
MSA REGULATIONS, 2001 (GG 22328)																
367.	Reg 3	<i>Maintain register for declaration of gifts received by containing a description of such gift or gifts and indicating the value and source of such gift or gifts</i>											<i>If the value exceeds R1000 and the value of gifts received from a single source in any calendar year exceeds R1000. Subject to MFMA and SCM prescripts and delegations</i>			M5
MUNICIPAL PLANNING AND PERFORMANCE MANAGEMENT REGULATIONS, 2001 (GG 22605)																
Detail of Integrated Development Plan																

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368.	Reg 2(1)	Identify regulation 2(1)(a) – (e) in the Municipality's integrated development plan										In consultation with relevant Council Committee, EM, CFO and MM		IDP/LED Division	E5
369.	Reg 2(2)	Attach to integrated development plan maps, statistics and other appropriate documents or refer to maps, statistics and other appropriate documents that are not attached, provided they are open for public inspection at the offices of the Municipality										In consultation with relevant Council Committee, EM, CFO and MM		IDP/LED Division	M5
370.	Reg 2(3)	Design a financial plan in integrated development plan										Including regulation 2(3)(a) – (c) as well as MFMA prescripts			M5
371.	Reg 2(4)	Design spatial development framework in integrated development plan										Giving effect to regulation 2(4)(a) – (i)		Town Planning Division	
Process for Amending Integrated Development Plans															
372.	Reg 3(2)	Accompany proposal for amending Municipality's integrated development plan with a memorandum setting out reasons for proposal and align with framework										In consultation with relevant Council Committee, EM, CFO and MM		Strategic Services	M5
Procedure and Manner of Referring an Objection to Ad Hoc Committee															
373.	Reg 4(2)(b)	Make written representations to the ad hoc committee regarding reasons for MEC's proposals										In consultation with EM, CFO and MM		IDP/LED Division to provide administrative support	M5
Giving Effect to Integrated Development Plan															
374.	Reg 6(a)	Inform Municipality's annual budget based on development priorities and objectives and performance targets set by Municipality													M5
375.	Reg 6(b)	Use integrated development plan to prepare action plan for the implementation of strategies identified by the Municipality										Subject to MFMA and SCM prescripts		In area of responsibility	M5
Nature of Performance Management System															
376.	Reg 7(2)	Develop performance management system compliant with Reg 7(2)(a) – (g)										In consultation with MM and CFO			M5
Adoption of Performance Management System															

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377.	Reg 8	Adopt performance management system before or at the same time as the commencement of the process of setting key performance indicators and targets in accordance with integrated development plan										In consultation with MM and CFO			M5
Setting of Key Performance Indicators															
378.	Reg 9	Set key performance indicators including input indicators, output indicators and outcome indicators in respect of each development priority and objective										Subject to Reg 9(1)(b) In consultation with EMC, MM and CFO			M5
379.	Reg 9(2)	Ensure that communities are involved and the key performance indicators inform the indicators set for all administrative units and employees and every Municipal entity and service provider with whom Municipality has entered into a service delivery agreement											IDP/LED Division		M5
Setting of Performance Targets															
380.	Reg 12	Set performance targets for each of the key performance indicators										Subject to Reg 12(2) In consultation with all directors/managers			M5
Monitoring, Measurement and Review of Performance															
381.	Reg 13	Develop and implement mechanisms, systems and processes after consultation with local community for the monitoring, measurement and review of performance in respect of the key performance indicator and performance targets										Subject to Reg 13(2) – (4)		MM and Corporate Services to provide administrative support	M5
Internal Auditing of Performance Measurements															
382.	Reg 14(1)	Develop and implement mechanisms, systems and processes for auditing the results of performance measurements as part of internal auditing process												IA Division in MM office to assist	M5
383.	Reg 14(2)(a)	Appoint and budget for a performance audit committee consisting of at least 3 members, the majority of which may not be involved in the Municipality as a Councillor or employee										In consultation with EMC, MM and CFO			M5

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384.	Reg 14(2)(c)	Utilise any audit committee established in terms of applicable legislation as the performance audit committee											In consultation with EMC, MM and CFO			M5	
385.	Reg 14(2)(d)	Designate a member of performance audit committee who is not a Councillor or an employee of the Municipality as chairperson of the committee											In consultation with EMC, MM and CFO			M5	
386.	Reg 14(2)(f)	Fill vacancy for unexpired portion of vacating member's term of appointment											In consultation with EMC, MM and CFO			M5	
387.	Reg 14(2)(g)	Provide secretariat services for performance audit committee												Committee Services Division		M5	
388.	Reg 14(2)(h)(i)	Elect to make use of performance audit committee of district Municipality in area											In consultation with EMC, MM and CFO			M5	
389.	Reg 14(2)(h)(ii)	Notify district Municipality of decision and make suitable arrangements with district Municipality regarding availability of performance audit committee											In consultation with EMC, MM and CFO			M5	
390.	Reg 14(2)(h)(iii)	Remunerate member of performance audit committee who is not a Councillor or an employee of the Municipality concerned											In consultation with EMC, MM and CFO			M5	
Community Participation in Respect of Integrated Development Planning and Performance Management																	
391.	Reg 15(1)(a)	Establish forum that will enhance community participation in the drafting and implementation of integrated development plan and the monitoring, measurement and review of the performance in relation to the key performance indicators and performance targets													IDP/LED Division		M5
392.	Reg 15(1)(b)	Invite local community to identify persons to serve on the forum, including representatives from ward committees													IDP/LED Division		M5
393.	Reg 15(2)(a)	Convene regular meetings of the forum											To discuss items in Regulation 15(2)(a)(i) – (v)		IDP/LED Division		M5
394.	Reg 15(2)(b)	Allow members of forum at least 14 days before any meeting of the forum to consult their respective constituencies on the matters that will be discussed at meeting													IDP/LED Division		M5
395.	Reg 15(3)	Afford the local community at least 21 days to comment on the final draft of integrated development plan before submitting plan to Council for adoption													IDP/LED Division		M5
MSA, MUNICIPAL PERFORMANCE REGULATIONS, 2006 (GG 29089)																	
Performance Management of the Municipal Manager and Managers Directly Accountable to Him/Her																	
396.	Reg 27	Constitute evaluation panels for the purpose of evaluation of the annual performance of the Municipal Manager and managers directly accountable to him or her											Not delegable				

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Obligations of Employer															
397.	Reg 30(1)	Create an enabling environment to facilitate effective performance by the employee										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
398.	Reg 30(2)	Provide access to skills development and capacity building opportunities										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
399.	Reg 30(3)	Work collaboratively with employee to solve problems and generate solutions to common problems that may impact on performance of employee										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
400.	Reg 30(4)	Delegate such powers reasonably required by employee to enable him or her to meet the performance objectives and targets established in terms of the agreement										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
401.	Reg 30(5)	Make available to employee such resources as employee may reasonably require from time to time to assist him or her to meet the performance objectives and targets established in terms of the agreement										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
Dispute Resolution															
402.	Reg 33(1)	Mediate any disputes about the nature of employee's performance agreement										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
403.	Reg 33(2)	Mediate any disputes about the outcome of employee's performance evaluation										In consultation with EMC, MM and CFO, when necessary		HRM Division	M5
General															
404.	Reg 34(1)	Make contents of performance agreement available to public										In consultation with EMC, MM and CFO, when necessary		Communication and Client Services	M5
405.	Reg 34(3)	Submit performance assessment results of MM to the MEC as well as national Minister responsible for local government										Within 14 days after conclusion of assessment		HRM Division	M5
MSA, DISCIPLINARY REGULATIONS FOR SENIOR MANAGERS, 2011 (GG 34213)															
Policy															
406.	Reg 3(4)	Take disciplinary action against senior manager after full investigation										Subject to Reg 5(4) In consultation with EMC and CFO		HRM Division to provide administrative support	E2
Disciplinary Procedures															
407.	Reg 5(1)	Bring allegation of misconduct against senior manager to the attention of Municipal Council										In consultation with EMC and CFO		HRM Division to provide administrative support	E2

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Precautionary Suspension																
408.	Reg 6(1)	Suspend a senior manager on full pay if alleged that senior manager has committed an act of misconduct											In consultation with EMC, MM and CFO		HRM Division to provide administrative support	E2
Serious Misconduct																
409.	Reg 8(1)(a)	Formulate and serve charges of alleged misconduct											Within 30 days of appointment/designation		HRM Division to provide administrative support	E2
410.	Reg 8(1)(b)	Summons witness to appear before disciplinary hearing											In consultation with EMC, MM and CFO		HRM Division to provide administrative support	E2
Notice of Disciplinary Hearing																
411.	Reg 9	Give notice to senior manager in writing											At least 7 days before date of hearing		HRM Division to provide administrative support	E2
Conducting Disciplinary Hearing																
412.	Reg 10(1)	Commence disciplinary hearing within 3 months of resolution to institute disciplinary action and on a date not less than 7 days and not more than 10 days from the date of service of the charge sheet and the written notice of the disciplinary hearing													HRM Division to provide administrative support	E2
413.	Reg 10(2)	Conduct hearing and determine procedures to be followed											Subject to Reg 10(2)(a) – (c)		HRM Division to provide administrative support	E2
Pre-dismissal Arbitration																
414.	Reg 11	Request the CCMA to conduct an arbitration into allegations of misconduct or poor performance against a senior manager													HRM Division to provide administrative support	E2
Policy and Principles																
415.	Reg 15(3)	Assess senior manager's performance											Consider items in Reg 15(3)(a) – (d)		HRM Division to provide administrative support	E2
Procedures for Dealing with Substandard Performance																
416.	Reg 16(3)(a)	Initiate a formal programme of counselling and training to enable senior manager to reach the required standard of performance											Include items listed in Reg 16(3)(a)(i) – (iii)		HRM Division to provide administrative support	E2
417.	Reg 16(3)(b)	Establish ways to address any factors that may affect the senior manager's performance that lie beyond the senior manager's control											In consultation with MM		HRM Division to provide administrative support	E2
Recording																
418.	Reg 18(1)	Record proceedings at hearing by means of a mechanical or electronic device or any other method and transcribed in writing													HRM Division to provide administrative support	E2
419.	Reg 18(2)	Keep records of proceedings in safe custody and only dispose in terms of National Archives of SA Act, 1996													HRM Division to provide administrative support	E2

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420.	Reg 18(3)	Provide copy to senior manager on written request													HRM Division to provide administrative support	E2	
Reporting																	
421.	Reg 19	Provide quarterly reports on the status of disciplinary cases to the MEC for local government												Use format described in Reg 19(3) Consult with EM and MM, where required		HRM Division to provide administrative support	E2
CODE OF CONDUCT FOR COUNCILLORS, JUNE 2004																	
422.	CCC 10	Permit a councillor or an official to disclose any privileged or confidential information of the council or a committee to any unauthorised person												For the purpose of this item "privileged or confidential information" includes any information – (a) determined by the municipal council or a committee to be privileged or confidential; (b) discussed in closed session by the council or committee; (c) disclosure of which would violate a person's right to privacy; or (d) declared to be privileged, confidential or secret in terms of law.			
CODE OF CONDUCT FOR MUNICIPAL STAFF MEMBERS																	
423.	CCMSM 5A(1)	Disclose in terms of Council policy the financial interests that may be made public															
NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 107 OF 1998																	
Principles																	
424.	NEMA 2(4)	Consider all relevant factors for sustainable development														Within area of responsibility	M8
Reference to Conciliation																	
425.	NEMA 17(1)	Consider desirability of referring matter to conciliation												In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8

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426.	NEMA 17(1)(i)(aa)	Refer matter to Director-General for conciliation											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
427.	NEMA 17(1)(i)(bb)	Appoint conciliator on conditions and time-limits determined											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
428.	NEMA 17(1)(i)(cc)	Refer matter for mediation or conciliation under any other relevant law administered by Minister, MEC or Municipal Council											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
429.	NEMA 17(1)(ii)	Make a decision											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
430.	NEMA 17(2)(a)	Appoint a facilitator and determine the manner in which facilitator must carry out his/her tasks and time-limits											Subject to section 22		Community Services to provide administrative support	M8
Arbitration																
431.	NEMA 19(1)	Refer a difference or disagreement regarding the protection of the environment to arbitration											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
432.	NEMA 19(2)	Appoint as arbitrator a person from the panel of arbitrators											In consultation with EMC, MM and CFO		Community Services to provide administrative support	M8
Fair Decision Making and Conflict Management																
433.	NEMA 20	Advise the Executive Mayor regarding liaison with the Minister in the evaluation of a matter relating to the protection of the environment by dissemination of information														
Integrated Environmental Management																
434.	NEMA 24	Submit the Municipality's comments on applications for environmental authorisation outside the urban edge when requested to do so by the Minister or MEC or Minister of Minerals and Energy and to object to the contents of an application for prospecting, mining, exploration, production or related activities via the Regional Mining Development and Environmental Committee											Not delegable			
435.		Establish systems and procedures which promote and ensure that the Municipality adheres to the requirements of this section in respect of environmental assessments, public consultation and information gathering, environmental management programmes, specialist reports, and coordination between organs of state													Town Planning	
436.	NEMA 24(10)	Comment on proposed listed activities, proposed areas or proposed norms and standards													Town Planning	

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437.	NEMA 24C	Make recommendation to council regarding applications for status as competent authority responsible for granting environmental authorisations in respect of listed activities												Town Planning	
438.		Apply for status as competent authority responsible for granting environmental authorisations in respect of listed activities												Town Planning	
439.	NEMA 24G	Apply to the competent authority for rectification of unauthorised activities and conduct the EIA												Town Planning	
440.	NEMA 24K	Consult with the Minister of Environmental Affairs or MEC with regard to the administration of legislation relating to any aspect of an activity that also requires environmental authorisation in terms of "NEMA" in order to recommend to the relevant committee of council and the Executive Mayor that the Municipality enter into a written agreement with the Minister or MEC for the purposes of co-ordinating the respective requirements of such legislation and avoiding duplication												Town Planning	
441.	NEMA 24L(1) & (2)	Issue either a separate or integrated authorisation where the carrying out of a listed or specified activity is also regulated in terms of another law or specific environmental management Act which is the competence of the Municipality												Town Planning	
442.	NEMA 24O(2)	Submit comments on applications for environmental authorisation within the urban edge when requested to do so by the Minister or MEC or Minister of Minerals and Energy,												Town Planning	
443.		Object to the contents of an application for prospecting, mining, exploration, production or related activities via the Regional Mining Development and Environmental Committee, provided such comments and objections are in line with the approved policies of the Municipality												Town Planning	
444.	NEMA 28	Ensure that Municipality activities take reasonable measures to prevent pollution or degradation of the environment from occurring and to report on any such incidences and to identify the measures needed to minimise and rectify such pollution or degradation of the environment												Town Planning	
Control of Emergency Incidents															
445.	NEMA 30(6)	Direct responsible person to undertake specific measures within a specific time to fulfil his/her obligations										Subject to section 30(10)		Town Planning	M8

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S				
446.	NEMA 30(8)	Take measures considered necessary to contain and minimise effects of incident; undertake clean-up procedures; and remedy the effects of the incident										Subject to section 30(10)		Community Services to provide administrative support	M8
447.	NEMA 30(9)	Claim reimbursement of all reasonable costs incurred from every responsible person jointly and severally													M8
448.	NEMA 30(10)	Prepare and publish reports on emergency incident in cases where the Municipality is the relevant authority													
Integrated Environmental Management															
449.	NEMA 31	Request access to information and to disclose information											Town Planning		
450.	NEMA 31G	Enter into an agreement with the relevant MEC with regard to the designation of staff members as environmental management inspectors											Town Planning		
451.	NEMA 32	Take steps to enforce breach or threatened breach of environmental laws											Town Planning		
452.	NEMA 33	Implement steps to prosecute in respect of any breach or threatened breach of any duty, in any municipal by-law, or any regulation, licence, permission or authorisation issued in terms of such legislation, where that duty is concerned with the protection of the environment and the breach of that duty is an offence											Town Planning		
453.	NEMA 34(1)	Make a request to court if a person has been convicted of an offence in terms of Schedule 3, so that the court must inquire as to the cost of the loss or damage or cost incurred or likely to be incurred by rehabilitation or prevention of damage to the environment											Town Planning		
454.	NEMA 34(4)	Make application to court for an order that a person convicted of an offence in Schedule 3 pay the costs incurred by the public prosecutor and the Municipality in the investigation and prosecution of the offence											Town Planning		
Conclusion of Agreements															
455.	NEMA 35(1)	Enter into environmental management co-operation agreements with person/community for purpose of promoting compliance with principles of NEMA										In consultation with EMC, MM and CFO	Town Planning		M8
Environmental Management Co-Operation Agreements															
456.	NEMA 39	Enter into agreements with Director-General so that the latter may fulfil his or her responsibilities													

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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Environment																
457.	NEMA 42	Recommend to Council that the municipality enter into agreements with the Minister or Director General with regard to the delegation of powers or duties vested in him/her in terms of "NEMA" or a specific environmental management act														
458.	NEMA 43	Appeal to the Minister to the Minister of Environmental Affairs, to the Minister of Minerals and to the MEC										Not delegable				
Regulations for Management Co-operation Agreements																
459.	NEMA 45(2)	Substitute own regulations or bylaws for the regulations issued by the Minister										Such provincial regulations or municipal by-laws must cover the matters and comply with the principles laid down in the NEMA		Community Services to provide administrative support		M5
Model Environmental Management Bylaws																
460.	NEMA 46(1)	Make recommendations on the adoption as municipal by-law, any model by-law made by Minister aimed at establishing measures for management of environmental impacts of any development within the Municipality's jurisdiction														
461.	NEMA 46(2)	Request Director-General to assist with preparation of bylaws on matters affecting environment												Community Services to provide administrative support		M8
NATIONAL ENVIRONMENTAL MANAGEMENT REGULATIONS, 2001 (GG 22960)																
Exemptions																
462.	Reg 20	Apply in writing to the Minister for exemption from complying with any of the requirements for the granting of a permit, license or the carrying on of an environmental assessment										In consultation with EMC, MM and CFO		Community Services to provide administrative support		M8
463.	Reg 386 & 387	Deal with authorisation of activities which may not commence without environmental authorisation, in all cases where applications are not opposed by the delegate and no objections are received														
Chapter 2																

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464.	Reg 6	Perform all duties, powers and responsibilities of a competent authority in respect of applications, assistance, consultation, information and decisions														
Chapter 3																
465.	Reg	Receive applications, check submission requirements and content of applications and of draft EMPs, co-ordinate applications, deal with EAPs, apply criteria, consult between authorities and other organs of state, receive written notifications, give advice regarding commencement of EIAs after Scoping Reports and issue authorisations														
466.		Submit comments, objections and representations in a basic assessment, scoping or other EIA process, and on an advertisement report or submission														
Chapter 4																
467.	Reg	Exercise authority in all matters pertaining to an environmental authorisation														
Chapter 5																
468.	Reg	Consider or comment on exemption applications														
Chapter 6																
469.	Reg	Receive notices of commencement of public participation processes, manage I&APs comments on written submissions and receives comments with reports from EAPs														
Chapter 7																
470.	Reg	Lodge notices of intention to appeal a decision or authorisation														
471.		Submit responding statements on appeals														
Chapter 8																

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472.	Reg	Initiate, prepare and participate Environmental Management Frameworks and submit for adoption														
473.		Prepare guidelines which are consistent with National or Provincial guidelines														
474.		Perform all duties and powers regarding failure to comply with a condition of authorisation or exemption											Town Planning			
475.		Give assistance to people with special needs											Town Planning			
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, ACT 10 OF 2004																
476.	NEMBA 43(1)	Prepare biodiversity management plans for recommendation to the Minister for approval											For: (a) an ecosystem, (b) an indigenous species, (c) a migratory species			
477.		Consider and submit biodiversity management plans to the Minister for approval, for: (a) an ecosystem, (b) an indigenous species, (c) a migratory species														
478.	NEMBA 43(2)	Carry out assigned responsibilities for implementing a biodiversity management plan														
479.	NEMBA 44	Enter into a biodiversity management agreement														
480.	NEMBA 46	Request amendments to a biodiversity management plan, and to consult about implementation														
481.	NEMBA 48	Incorporate provisions of the national biodiversity framework into the IDP, and demonstrate implementation														

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482.	NEMBA 49	Monitor the conservation status affecting biodiversity (if required by the Minister) and to report to Council														
483.		Consider a report on the monitoring of the conservation status of biodiversity and report to the Minister (if required by the Minister)														
484.	NEMBA 50	Conduct research on biodiversity conservation														
485.	NEMBA 54	Take into account the need for protection of listed ecosystems in the IDP														
486.	NEMBA 57, 65, 71 & 81	Assist in identifying when permits are required														
487.	NEMBA 69	Ensure that the duty of care relating to alien species is enforced														
488.	NEMBA 69, 73 & 74	Issue directive, implement and recover costs														
489.	NEMBA 75	Coordinate control of invasive species														
490.	NEMBA 76	Prepare invasive species control plans														
491.	NEMBA 77	Prepare invasive species status reports														
492.	NEMBA 82	Protect the interests of stakeholders, and deal with benefit-sharing agreements														
493.	NEMBA 84	Deal with material transfer agreements														

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494.	NEMBA 88, 91, 92 & 93	Issue or cancel permits where designated as an issuing authority														
NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 59 OF 2008																
Establishment of National Waste Management Strategy																
495.	NEMWA 6(4)	Give effect to national waste management strategy when exercising a power or performing a duty in terms of NEMWA or any other legislation regulating waste management										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
Waste Service Standards																
496.	NEMWA 9(1)	Exercise executive authority to deliver waste management services										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
497.	NEMWA 9(3)(a)	Set local standards for the separation, compacting and storage of solid waste collected as part of municipal service or that is disposed of at Municipal waste disposal facility										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
498.	NEMWA 9(3)(b)	Set local standards for management of solid waste that is disposed of by the Municipality or at a waste disposal facility owned by the Municipality										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
499.	NEMWA 9(3)(c)	Set local standards in respect of directing of solid waste to specific waste treatment and disposal facilities										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
500.	NEMWA 9(3)(d)	Set local standards in respect of the control of litter										In consultation with EMC, MM and CFO, where relevant		Civil Services Division	M2	
501.	NEMWA 9(5)	Follow consultative process provided in Chapter 4 of MSA										Need not be complied with if the by-law is amended in a non-substantive manner		Civil Services Division together with Corporate Services	M2	
Designation of Waste Management Officers																
502.	NEMWA 10(3)	Designate in writing a waste management officer from the administration to be responsible for co-ordinating matters pertaining to waste management in the Municipality										In consultation with EMC, MM and CFO			M2	

Certain Organs of State to Prepare Integrated Waste Management Plans

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503.	NEMWA 11(4)(a)(i)	Submit integrated waste management plan to MEC for approval											Subject to section 12 In consultation with EMC, MM and CFO			M2
504.	NEMWA 11(4)(a)(ii)	Include approved integrated waste management plan in integrated development plan											Subject to section 12 In consultation with EMC, MM and CFO	Community Services: IDP/LED Division		M2
505.	NEMWA 11(7)(b)	Follow consultative process as separate process or as part of the consultative process relating to integrated development plan before finalising integrated waste management plan											Subject to section 12 In consultation with EMC, MM and CFO	Planning Division together with Community Services: IDP/LED Division		M2
Reporting on Implementation of Integrated Waste Management Plan																
506.	NEMWA 13(3)	Prepare annual performance report containing information on implementation of municipal integrated waste management plan											Read with MSA section 46	Planning Division together with Community Services: IDP/LED Division		M2
Waste Collection Services																
507.	NEMWA 23(2)	Provide containers or receptacles for the collection of recyclable waste that are accessible to the public												Civil Services Division		M2
Duties of Persons Transporting Waste																
508.	NEMWA 25(1)(a)	Require any person or category of persons who transport waste for gain to register with relevant waste management officer by notice in the Gazette											In consultation with CFO Subject to SCM prescripts	Civil Services Division		M2
509.	NEMWA 25(1)(b)	Require any person or category of persons who transport waste for gain to furnish such information as specified in that notice or as the waste management officer may reasonable require											In consultation with CFO Subject to SCM prescripts	Civil Services Division		M2
ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2006 (GG 28753)																
Public Participation Process																
510.	Reg 56(2)(b)(iii)	Give written notice to the Municipal Councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represents the community in the area												Civil Services Division together with Corporate Services		M5
511.	Reg 56(2)(b)(iv)	Give written notice to the Municipality which has jurisdiction in the area												Civil Services Division together with Corporate Services		M2
ENVIRONMENTAL CONSERVATION ACT, ACT 73 OF 1989																
Removal of Litter																
512.	ECA 19A	Remove litter or cause it to be removed within a reasonable time after it has been discarded, dumped or left behind at any place to which the public has access												Civil Services Division		M2

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Solid Waste														
513.	ECA 20(5)	Administrate, approve and issue "special waste" permits pertaining to the handling, transport, and disposal of all types of "special waste" which includes hazardous waste within the Municipality's boundaries												
Prohibition on Undertaking of Identified Activities														
514.	ECA 22(1)	Authorise in writing an activity which will probably have detrimental effect on environment										In consultation with relevant Council Committee and MM	Civil Services Division	M2
515.	ECA 22(2)	Consider reports concerning impact of proposed activity and of alternative proposed activity on environment										In consultation with relevant Council Committee and MM	Civil Services Division	M2
516.	ECA 22(3)	Refuse or grant authorisation for proposed activity or an alternative proposed activity on such conditions deemed necessary										In consultation with relevant Council Committee and MM	Civil Services Division	M2
517.	ECA 22(4)	Withdraw authorisation in respect of which condition was imposed										After at least 30 days' written notice was given to person concerned	Civil Services Division	M2
Exemption to Persons, Local Authorities and Government Institutions from Application of Certain Provisions														
518.	ECA 28(a) – (i)	Perform functions assigned to the municipality in a Regulation, and serve Notices to rectify or cease any action contravening the Act												
519.	ECA 28A(1)	Apply in writing to Minister or competent authority for exemption from the application of any provision of any regulation, notice or direction which has been promulgated or issued in terms of ECA										In consultation with relevant Council Committee and MM	Civil Services Division	M2
Powers of Minister, Competent Authority, Local Authority or Government Institution Where Environment is Damaged, Endangered or Detrimentally Affected														
520.	ECA 31A(1)	Direct in writing that person cease activity or take steps deemed fit with a view to eliminating, reducing or preventing the damage, danger or detrimental effect										In consultation with relevant Council Committee and MM	Civil Services Division	M2
521.	ECA 31A(2)	Direct the responsible person at his or her own cost, to rehabilitate any damage caused to the environment as a result of the activity or failure to perform an activity whereby the environment is or may be seriously damaged, endangered or detrimentally affected, to the satisfaction of the Municipality												
522.	ECA 31A(3)	Take necessary steps within the Municipality itself to eliminate, reduce or prevent the damage, danger or detrimental effect												

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523.	ECA 31A(4)	Recover expenditure incurred in performance of any function from person concerned											In consultation with relevant Council Committee, Civil Services Division and MM			M2
Publication for Comment																
524.	ECA 32(1)	Publish draft notice in Gazette or Official Gazette											In consultation with relevant Council Committee and MM		Civil Services Division together with Corporate Services	M2
MUNICIPAL DEMARCATION ACT, 27 OF 1998																
Public Notification of Determination of Municipal Boundaries																
525.	MDA 26(3)	Send a copy of the notice by registered post, electronic means or by hand to: a) MEC for local government in the province; b) Each municipality that will be affected by the Board's consideration of matter; c) Magistrate concerned if any magisterial district is affected; and d) The provincial House of Traditional Leaders concerned established by provincial legislation if the boundary of a traditional authority is affected.											Subject to prior approval from Council		IDP/LED Division	M5
MUNICIPAL PROPERTY RATES ACT, 2004																
Power to Levy Rates																

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526.	PRA 2(3)	Exercise power to levy a rate on property												Subject to- a) section 229 and any other applicable provisions of the Constitution; b) the provisions of PRA; and c) adopted rates policy by Council		E2
Adoption and Contents of Rates Policy																
527.	PRA 3(1)	Adopt a policy consistent with PRA on levying of rates on rateable property												In consultation with MM and CFO		E2
528.	PRA 3(2)	Prepare first valuation roll in terms of PRA to accompany budget												Subject to adopted rates policy		E2
Community Participation																
529.	PRA 4(1)	Follow process of community participation before adopting rates policy												In consultation with MM and CFO	Communication and Client Services	M2
530.	PRA 4(2)(a)	Display draft rates policy for a period of at least 30 days at the Municipality's head and satellite offices and libraries and on the website												In consultation with MM and CFO	Communication and Client Services	M2
531.	PRA 4(2)(b)(i)	Advertise in the media a notice stating that a draft rates policy has been prepared for submission to Council and that it is available at the Municipality's head and satellite offices and libraries and on the website												In consultation with MM and CFO	Communication and Client Services	M2
532.	PRA 4(2)(b)(ii)	Advertise in the media a notice inviting the local community to submit comments and representations to the Municipality concerned within a period specified in the notice which may not be less than 30 days												In consultation with MM and CFO	Communication and Client Services	M2
By-laws to Give Effect to Rates Policy																
533.	PRA 6(1)	Adopt by-laws to give effect to implementation of rates policy												In consultation with MM and CFO		E2
Promulgation of Resolutions Levying Rates																
534.	PRA 14(1)	Levy rate by resolution passed with supporting vote of majority of members												In consultation with MM and CFO		E2
535.	PRA 14(2)	Publish the council resolution levying rates in the Provincial Gazette												DIRECTOR: FINANCIAL SERVICES		
536.	PRA 14(3)(a)	Display resolution for a period of at least 30 days at Municipality's head and satellite offices and libraries and on the website													Communication and Client Services	M2
537.	PRA 14(3)(b)	Advertise in the media a notice stating that a resolution levying rate on property has been passed by Council and the resolution is available at Municipality's head and satellite offices and libraries and on the website for public inspection													Communication and Client Services	M2

INITIAL: _____ DATE: _____ - INITIAL: _____ DATE: _____

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Levying Rates															
538.	PRA 15(3)	Table in council a list of all exemptions, rebates and reductions granted during the previous financial year										Annually		CFO	
539.		Table in council a statement reflecting the income foregone during the previous financial year by way of such exemptions, rebates and reductions, exclusions and the phasing-in discount granted												CFO	
Special Rating Areas															
540.	PRA 22(1)(a)	Determine an area within Municipality as a special rating area										In consultation with MM and CFO			E2
541.	PRA 22(1)(b)	Levy additional rate on property in special rating area for purpose of raising funds for improving or upgrading the area										In consultation with MM and CFO			E2
542.	PRA 22(1)(c)	Differentiate between categories of properties when levying additional rate										In consultation with MM and CFO			E2
543.	PRA 22(2)(a)	Consult local community on the proposed boundaries of the area and the proposed improvement or upgrading of the area												Communication and Client Services	M2
544.	PRA 22(2)(b)	Obtain consent of majority of members of local community in proposed special rating area who will be liable for paying additional rate												Communication and Client Services	M2
Register of Properties															
545.	PRA 23(1)	Draw up and maintain a register in respect of properties situated within Municipality												Town Planning Division	M2
Accounts to be Furnished															
546.	PRA 27(1)	Furnish each person liable for payment of a rate with a written account													M2
Recovery of Rates in Arrears from Tenants and Occupiers															
547.	PRA 28(1)	Recover amount in whole or in part from a tenant or occupier of property despite any contractual obligation to the contrary on the tenant or occupier										Only recover after Municipality has served a written notice on tenant or occupier			M2
Recovery of Rates from Agents															
548.	PRA 29(1)	Recover amount due for rates on a property in whole or in part from the agent of the owner													M2
General Valuation and Preparation of Valuation Roles															

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549.	PRA 30(1)	Cause a general valuation to be made of all properties in the Municipality and a valuation roll to be prepared of all properties										In consultation with MM and Town Planning Division			M5
Commencement and Period of Validity of Valuation Roles															
550.	PRA 32(2)(b)	Request extension of period for which valuation roll remains valid to five financial years in exceptional circumstances warranting such extension										On advice of EMC, MM and CFO			E5
Designation of Municipal Valuers															
551.	PRA 33(1)	Designate a person as Municipal valuer before date of valuation										Designate officials or a person in private practice, subject to SCM prescripts			M5
552.	PRA 33(1)	Issue to the person so designated an identity card										DIRECTOR: FINANCIAL SERVICES			
553.	PRA 33(4)	Withdraw designation of a person as Municipal valuer										On grounds of- a) misconduct, incapacity or incompetence; b) non-compliance with a provision of PRA; c) under performance; or d) breach of contract, in the case of a person in private practice. Subject to MFMA and SCM prescripts	Town Planning to advise MM	E2	
Assistant Municipal Valuers															
554.	PRA 35(1)	Designate officials of Municipality or persons in private practice as assistant Municipal valuers to assist valuer of the Municipality with performance of any of the functions										Subject to MFMA and SCM prescripts	Town Planning	M5	
555.	PRA 35(2)	Permit the municipal valuer to designate persons in private practice as assistant municipal valuers to assist the municipal valuer with the performance of any of his/her functions if the municipal valuer is not an official													
556.	PRA 35(4)	Issue to the person designated as an assistant municipal valuer an identity card										DIRECTOR: FINANCIAL SERVICES			

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557.	PRA 35(5)	Withdraw designation of a person as assistant Municipal valuer											On grounds of- a) misconduct, incapacity or incompetence; b) non-compliance with a provision of PRA; c) under performance; or d) breach of any of the terms or conditions of the designation as assistant municipal valuer in terms of a person in private practice. Subject to MFMA and SCM prescripts		Town Planning to advise MM	E2
Data-collectors																
558.	PRA 36(1)	Designate officials of the Municipality or persons who are not officials of the Municipality as data-collectors to assist valuer with collection of data and other related work											Subject to MFMA and SCM prescripts		Town Planning Division	M2
559.	PRA 36(4)	Issue to the person designated as a data-collector an identity card in the prescribed format containing a photograph of that person											DIRECTOR: FINANCIAL SERVICES			
560.	PRA 36(5)	Request a municipal valuer to withdraw the designation by the municipal valuer of a person as a data-collector														
561.	PRA 36(5)	Withdraw the designation by the Municipal Manager of a person as a data-collector											DIRECTOR: FINANCIAL SERVICES			
Municipal Partnerships																
562.	PRA 38(1)	Enter into an agreement with another Municipality or Municipalities to designate a single Municipal valuer and share the costs of preparing valuation rolls											In consultation with EMC, CFO and Town Planning Division			M5

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563.	PRA 41(2)	Issue to the person, authorised by the municipal valuer to enter any property that must be valued, an identity card in the prescribed format containing a photograph of that person											DIRECTOR: FINANCIAL SERVICES			
Valuations																
564.	PRA 43(5)	Designate a special valuer to perform a valuation which a municipal valuer or assistant municipal valuer may not perform											i.e. in cases where that valuer, or any spouse, parent, child, partner or business associate of the valuer, has a personal or private business interest			
Public Notice of Valuation Rolls																
565.	PRA 49(1)(a)(i)	Publish within 21 days of receipt of roll in prescribed form in provincial Gazette and once a week for 2 consecutive weeks in the media a notice stating that the roll is open for public inspection for a period no less than 30 days from date of publication													Town Planning Division together with Communication and Client Services	M5
566.	PRA 49(1)(a)(ii)	Publish within 21 days of receipt of roll in prescribed form in provincial Gazette and once a week for 2 consecutive weeks in the media a notice inviting every person who wishes to lodge an objection in respect of any matter in, or omitted from, the roll													Town Planning Division together with Communication and Client Services	M5
567.	PRA 49(1)(b)	Disseminate substance of notice to local community in terms of Chapter 4 of MSA													Town Planning Division together with Communication and Client Services	M5
568.	PRA 49(1)(c)	Serve by ordinary mail or in accordance with section 115 of MSA on every owner of property listed in valuation roll a copy of notice together with an extract of the valuation roll pertaining to that owner's property													Town Planning Division together with Communication and Client Services	M5
569.	PRA 49(2)	Publish notice and valuation roll on website													Town Planning Division together with Communication and Client Services and ICT Division	M5
Inspection of, and Objections to, Valuation Rolls																
570.	PRA 50(1)	Receive objections against any matter reflected in, or omitted from, the roll														
571.	PRA 50(3)	Assist an objector to lodge an objection if objector is unable to read or write													Town Planning Division	M2
572.	PRA 50(4)	Provide for the lodging of an objection with MM concerned against any matter reflected in or omitted from the roll											Consult with EMC, MM and CFO		Town Planning Division	M5

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S								
573.	PRA 50(5)	Submit all objections within 14 days after end of period stated to Municipal valuer															Town Planning Division	M5	
Compulsory Review of Decisions of Municipal Valuer																			
574.	PRA 52(1)(b)	Submit to relevant valuation appeal board the Municipal valuer's decision, reasons for the decision and all relevant documentation, for review													In consultation with EMC, MM and CFO		Town Planning Division	M5	
Appeals																			
575.	PRA 54(1)	Receive appeals to an appeal board against a decision of a municipal valuer and to forward such appeals to the chairperson of the appeal board																	
Adjustments or Additions to Valuation Rolls																			
576.	PRA 55(2)	Calculate the amount actually paid since the effective date and the amount payable in terms of the adjustment since the effective date													If an adjustment in the valuation of a property affects the amount due for rates payable on that property				
577.		Recover from, or repay to, the person liable for the payment of the rate the difference plus interest at a prescribed rate													If an adjustment in the valuation of a property affects the amount due for rates payable on that property				
578.	PRA 55(3)	Recover from the person liable for the payment of the rate the amount due for rates payable plus interest													Where an addition has been made to a valuation roll				
Conditions of Appointment																			
579.	PRA 61(3)	Remunerate members of appeal board in accordance with conditions of appointment and directions of MEC for local government																	M1
Administrative Assistance																			
580.	PRA 66(1)	Provide an appeal board with the necessary office accommodation and other administrative assistance, including staff													DIRECTOR: FINANCIAL SERVICES				
581.	PRA 66(2)	Comply with all reasonable requests and liability for the costs of an appeal board															Town Planning Division	M1	
Proceedings by, or Against, Appeal Boards																			
582.	PRA 76(2)	Bear any costs awarded in any legal proceedings against an appeal board													In consultation with EMC and CFO			E2	
General																			

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583.	PRA 77	Update valuation roll by causing a supplementary valuation roll to be prepared or the valuation roll to be amended											In consultation with EMC, MM and CFO		Town Planning Division	M5
Supplementary Valuations																
584.	PRA 78(1)	Cause a supplementary valuation to be made											In respect of any rateable property- a) incorrectly omitted from the valuation roll; b) included in a municipality after the last general valuation; c) subdivided or consolidated after the last general valuation; d) of which the market value has substantially increased or decreased for any reason after the last general valuation; e) substantially incorrectly valued during the last general valuation; or f) that must be revalued for any other exceptional reason.		Town Planning Division	M5

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Amendment of Valuation Rolls															
585.	PRA 79	Cause evaluation roll to be amended to reflect any changes to particulars on the roll										In consultation with EMC, MM and CFO		Town Planning Division	M5
586.	PRA 79	Lodge an objection with the Municipal Manager concerning any matter reflected in or omitted from the roll										DIRECTOR: FINANCIAL SERVICES			
Condonation of Non-compliance with Time Periods															
587.	PRA 80(1)	Condone any non-compliance with a provision of PRA requiring any act to be done within a specified period or permitting any act to be done only within a specified period										In consultation with EMC, MM and CFO			M5
Copyright of Valuation Rolls and Other Data															
588.	PRA 85	Vest copyright of valuation rolls and other documents produced for the purpose of preparing valuation rolls										In consultation with EMC, MM and CFO		Town Planning Division	M5
ELECTRICITY REGULATION ACT, 4 OF 2006															
Activities Requiring Licensing															
589.	ERA 8(1)	Issue license in accordance with ERA										In consultation with EMC, MM and CFO		Engineering Division	M5
Tariff Principles															
590.	ERA 16(2)	Determine or approve tariffs and make use of provisions in agreements										In consultation with EMC, MM and Electro Technical Services			M5
591.	ERA 16(3)	Approve deviation from set or approved tariffs										In consultation with EMC, MM and Electro Technical Services			M5
Amendment of License															
592.	ERA 17(1)	Vary, suspend or remove any license condition or include additional conditions										In consultation with EMC, MM and CFO		Engineering Division	M5
Renewal of License															
593.	ERA 21(3)	Apply for renewal of license										In consultation with EMC, MM and CFO		Engineering Division	M5
Powers and Duties of Licensee															
594.	ERA 22(1)	Consent to ceding, transferring exercising powers and performing duties set out in license to other person										In consultation with EMC, MM and CFO		Engineering Division	M5
595.	ERA 22(2)	Approve objectively justifiable and identifiable differences between customers or classes of customers regarding access, tariffs, prices and conditions of service										In consultation with EMC, MM and CFO		Engineering Division	M5

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596.	ERA 22(3)	Provide non-discriminatory access to the transmission and distribution power systems to third parties											Provide on conditions set out in license of transmitter or distributor		Engineering Division	M5
597.	ERA 22(5)	Terminate supply of electricity to a customer											If customer: a) is insolvent; b) has failed to honour, or refuses to enter into, an agreement for the supply of electricity; or c) has contravened the payment conditions of that licensee		Engineering Division	M5
WATER SERVICES ACT, 108 OF 1997																
Right of Access to Basic Water Supply and Basic Sanitation																
598.	WSA 3(2)	Take reasonable measures to realise right of access to basic water supply and basic sanitation													Civil Services Division	M5
599.	WSA 3(3)	Provide in water services development plan for measures to realise these rights													Civil Services Division	M5
Conditions for Provision of Water Services																
600.	WSA 4(1)	Provide water services in terms of conditions set by water services provide r													Civil Services Division	M5
Industrial Use of Water																
601.	WSA 7(1)	Obtain water for industrial use from distribution system of a water service provider nominated by the water services authority													Civil Services Division	M5
602.	WSA 7(2)	Dispose of industrial effluent in manner approved by water services provider nominated by water services authority													Civil Services Division	M5
Approvals and Appeal																

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603.	WSA 8(2)	Provide water services to others										Subject to consultation with EM,MM and CFO On reasonable terms relating to payment for the services and compensation for the cost of reticulation and any other costs incurred in providing the water service Read with section 10		Civil Services Division	M5
Duty to Provide Access to Water Services															
604.	WSA 11(5)	Take reasonable steps to provide basic water supply and basic sanitation services in emergency situations to any person within its area of jurisdiction										May do so at the cost of that authority		Civil Services Division	M5
605.	WSA 11(6)	Impose reasonable limitations on the use of water services												Civil Services Division	M5
Duty to Prepare Draft Water Services Development Plan															
606.	WSA 12(1)	Prepare a draft water services development plan for area of jurisdiction and a summary of the plan										Read with section 13		Civil Services Division	M5
Draft Water Services Development Plan															
607.	WSA 14(1)(a)	Take reasonable steps to bring draft water services development plan to notice of consumers, potential consumers, industrial users and water services institutions										After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M5
608.	WSA 14(1)(b)	Invite public to comment thereon to be submitted within a reasonable time										After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M5
609.	WSA 14(1)(c)	Send copies of draft water services development plan to Minister, relevant Province and all neighbouring water services authorities										After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M8
Adoption of Development Plan															
610.	WSA 15(1)	Consider all comments received before adopting a development plan													
611.	WSA 15(3)	Supply a copy of every development plan to Minister, Minister for Provincial Affairs and Constitutional Development, relevant Province and all neighbouring water services authorities										After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M8
612.	WSA 15(4)	Make copy of development plan available for inspection at offices of water services authority and make obtainable against payment of nominal fee										After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M8
613.	WSA 15(5)	Make water services development plan part of integrated development plan										After consultation with EMC, MM and CFO		Civil Services Division together with IDP/LED Division	M8

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Reporting on Implementation of Development Plan																		
614.	WSA 18(1)	Report on implementation of development plan during each financial year															Civil Services Division	M2
615.	WSA 18(3)	Publicise summary of report													After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M8
616.	WSA 18(4)	Make copy of report and summary available for inspection at the offices of water services authority and make obtainable against payment of nominal fee													After consultation with EMC, MM and CFO		Civil Services Division together with Communication and Client Services	M8
Contracts and Joint Ventures with Water Services Providers																		
617.	WSA 19(1)(a)	Perform functions of a water services provider													In consultation with CFO and subject to MFMA and SCM prescripts		Civil Services Division	M5
618.	WSA 19(1)(b)(i)	Enter into a written contract with a water services provider													In consultation with CFO and subject to MFMA and SCM prescripts		Civil Services Division	M5
619.	WSA 19(1)(b)(ii)	Form a joint venture with another water services institution to provide water services													In consultation with CFO, MM and EM and subject to MFMA and SCM prescripts		Civil Services Division	M5
620.	WSA 19(6)	Supply a copy of agreement to the relevant Province and Minister													In consultation with CFO, MM and EM and subject to MFMA and SCM prescripts		Civil Services Division	M5
Water Services Authority Acting as Water Services Provider																		
621.	WSA 20(1)	Manage and account separately for functions as water services provider																M2
Bylaws																		
622.	WSA 21(1)	Make bylaws containing conditions for provision of water services													In consultation with CFO, MM and EM			M5
Approval to Operate as Water Services Provider																		
623.	WSA 22(1)	Give approval to operate as water services provider													In consultation with CFO, MM and EM			M5
Monitoring Performance of Water Services Providers and Water Services Intermediaries																		
624.	WSA 27	Monitor performance of water services providers and water services intermediaries within area of jurisdiction													In consultation with CFO, MM and EM			M5
Monitoring of Water Services Institutions																		

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625.	WSA 62(a) & (b)	Monitor performance of every water services institution in order to ensure compliance with all applicable national standards and all norms and standards for tariffs prescribed under the WSA												Civil Services Division	M5
Provision of Information															
626.	WSA 69	Furnish information to be included in the national information system												Civil Services Division together with Communication and Client Services	M6
INTERGOVERNMENTAL RELATIONS FRAMEWORK ACT, 13 OF 2005															
Inter-municipality Forums															
627.	IGRFA 28(1)	Establish an inter-municipality forum to promote and facilitate intergovernmental relations											In consultation with MM and CFO		M8
628.	IGRFA 28(2)	Determine composition, role and functioning of inter-municipality forum by agreement between participating municipalities											As instructed by Council and in consultation with MM and CFO	Committee Services Division	M5
Intergovernmental Technical Support Structures															
629.	IGRFA 30(1)	Establish intergovernmental technical support structure if there is a need for formal technical support to forum											As instructed by Council and in consultation with MM and CFO	Committee Services Division	M5
Internal Procedures of Intergovernmental Structures															
630.	IGRFA 33(1)	Adopt rules to govern internal procedures											As instructed by Council and in consultation with MM and CFO	Committee Services Division	M5
Implementation Protocols															
631.	IGRFA 35(1)	Co-ordinate actions in appropriate manner or manner required in circumstances by entering into an implementation protocol												Committee Services Division to provide administrative support	M8
Duty to Avoid Intergovernmental Disputes															
632.	IGRFA 40(1)(a)	Avoid intergovernmental disputes in respect of which other national legislation provides resolution mechanisms or procedures												Committee Services Division to provide administrative support	M8
633.	IGRFA 40(1)(b)	Settle intergovernmental disputes without restoring to judicial proceedings												Committee Services Division to provide administrative support	M8
634.	IGRFA 40(2)	Include dispute-settlement mechanisms or procedures appropriate to the nature of the agreement and matters that are likely to become subject of a dispute												Committee Services Division to provide administrative support	M8
Declaring Disputes as Formal Intergovernmental Disputes															
635.	IGRFA 41(1)	Notify other party of such declaration in writing												Committee Services Division to provide administrative support	M8

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636.	IGRFA 41(2)	Make effort to settle dispute, including information of direct negotiations with other party or negotiations through an intermediary											Subject to approval from Council		Committee Services Division to provide administrative support	M8
Consequences of Declaring Formal Intergovernmental Disputes																
637.	IGRFA 42(1)(d)	Convene meeting to designate person to act as facilitator											Read with section 43. Subject to approval from Council		Committee Services Division to provide administrative support	M8
MUNICIPAL FISCAL POWERS AND FUNCTIONS ACT, 12 OF 2007																
Application for Authorisation																
638.	MFPFA 5(1)	Submit applications to the Minister											In consultation with EM and MM			M5
Collection of Municipal Tax																
639.	MFPFA 7	Collect municipal tax											Unless Minister has in regulations designated another person for this purpose			M5
Obligations of Municipality in Respect of Municipal Surcharges																
640.	MFPFA 9(1)(b)	Apply for exemption from complying with norms and standards for a period and on conditions determined in notice											In consultation with EM and MM			E8
641.	MFPFA 9(3)	Review municipal surcharges											Annually as part of budget preparation process			M5
EMPLOYMENT EQUITY ACT, 55 OF 1998 (MUNICIPALITY = DESIGNATED EMPLOYER)																
Read with: General Admin Regulations, 2009 (GG 32393) and Code of Good Practice, EEP 1999 (GG 20626) and Code of Good Practice: Employment of people with disabilities, 2002 (GG 23718) and Code of Good Practice: Sexual Harassment, 2005 (GG 27865) and Code of Good Practice: Human Resource Policies and Practices, 2005 (GG 27866)																
Elimination of Unfair Discrimination																
642.	EEA 5	Take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice													HRM Division	M2
Medical Testing																
643.	EEA 7(1)(b)	Conduct medical testing of employee											If justifiable in light of medical facts, employment conditions, social policy, fair distribution of employee benefits or inherent requirements of a job		HRM Division	M2

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644.	EEA 7(2)	Conduct test to determine employee's HIV status											If justifiable by the Labour Court Read with Code of Good Practice: HIV/AIDS and Employment, 2000 (GG 21815)		HRM Division	M2
Psychological Testing and Other Similar Assessments																
645.	EEA 8	Conduct psychological tests and other similar assessments of an employee											If test/assessment has been scientifically shown to be valid and reliable and can be applied fairly to all employees and is not biased against any employee or group		HRM Division	M2
Disputes Concerning Unfair Discrimination																
646.	EEA 10(2)	Refer dispute in writing to CCMA within 6 months after the act or omission that allegedly constitutes unfair discrimination											In consultation with relevant Council Committee and MM		HRM Division	E2
Duties of Designated Employers																
647.	EEA 13(1)	Implement affirmative action measures for people from designated groups in order to achieve employment equity											In consultation with relevant Council Committee and MM		HRM Division	M2
648.	EEA 13(2)(a)	Consult with employees													HRM Division	M2
649.	EEA 13(2)(b)	Conduct analysis													HRM Division	M2
650.	EEA 13(2)(c)	Prepare employment equity plan											In consultation with relevant Council Committee and MM		HRM Division	E5
651.	EEA 13(2)(d)	Report to Director-General on progress made in implementing employment equity plan											In consultation with relevant Council Committee and MM		HRM Division	M8
Matters for Consultation																
652.	EEA 17(a)	Consult parties concerning conduct of analysis													HRM Division	M2
653.	EEA 17(b)	Consult parties concerning preparation and implementation of employment equity plan													HRM Division	M2
654.	EEA 17(c)	Consult parties concerning report													HRM Division	M2
Disclosure of Information																
655.	EEA 18(1)	Disclose to consulting parties all relevant information that will allow parties to consult effectively													HRM Division	M2
Analysis																

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656.	EEA 19(1)	Collect information and conduct analysis of employment policies, practices, procedures and working environment, in order to identify employment barriers which adversely affect people from designated groups										Include profile of workforce within each occupational category and level	HRM Division	M2
Employment Equity Plan														
657.	EEA 20(1)	Prepare and implement an employment equity plan										In consultation with relevant Council Committee and MM	HRM Division	M2
Report														
658.	EEA 21(2)	Submit first report to Director-General										Within 6 months after commencement of EEA or within 6 months after date on which employer became designated employer and thereafter once every year on the first working day of October		M8
659.	EEA 21(6)	Prepare report (public document)										In consultation with relevant Council Committee and MM	HRM Division	M2
Publication of Report														
660.	EEA 22(1)	Publish summary of report in annual financial report										In consultation with CFO and MM	HRM Division	M2
Successive Employment Equity Plans														
661.	EEA 23	Prepare subsequent employment equity plan before end of the term of current employment equity plan										In consultation with relevant Council Committee and MM	HRM Division	M2
Designated Employer Must Assign Manager														
662.	EEA 24(1)(a)	Assign one or more senior managers to take responsibility for monitoring and implementing an employment equity plan										In consultation with relevant Council Committee and MM	HRM Division	M2
663.	EEA 24(1)(b)	Provide managers with authority and means to perform their functions										In consultation with relevant Council Committee and MM	HRM Division	M2
664.	EEA 24(1)(c)	Take reasonable steps to ensure that managers perform their functions										In consultation with relevant Council Committee and MM	HRM Division	M2
Duty to Inform														
665.	EEA 25(2)(a)	Place in prominent place accessible to employees the most recent report submitted to Director-General										In consultation with relevant Council Committee and MM	HRM Division	M2

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666.	EEA 25(2)(b)	Place in prominent place accessible to employees any compliance order, arbitration award or order of Labour Court concerning provisions of EEA in relation to employer											In consultation with relevant Council Committee and MM		HRM Division	M2
667.	EEA 25(2)(c)	Place in prominent place accessible to employees any other document concerning EEA as may be prescribed											In consultation with relevant Council Committee and MM		HRM Division	M2
Duty to Keep Records																
668.	EEA 26	Establish and maintain (for prescribed period) records in respect of workforce, employment equity plan and any other records relevant to compliance with EEA													HRM Division	M2
Income Differentials																
669.	EEA 27(1)	Submit a statement to Employment Conditions Commission on the remuneration and benefits received in each occupational category and level of employer's workforce											In consultation with relevant Council Committee, CFO and MM		HRM Division	M2
670.	EEA 27(2)	Take measures to progressively reduce disproportionate income differentials											Subject to such guidance as may be given by the Minister In consultation with relevant Council Committee, CFO and MM		HRM Division	M2
Objections Against Compliance Order																
671.	EEA 39(1)	Object to compliance order by making written representations to Director-General											Within 21 days after receiving order		HRM Division	M2
672.	EEA 39(5)(a)	Comply with order within time period stated in it													HRM Division	M2
673.	EEA 39(5)(b)	Appeal against order to Labour Court											In consultation with relevant Council Committee, CFO and MM		HRM Division	E2
Appeal from Compliance Order																
674.	EEA 40(1)	Appeal to the Labour Court against a compliance order of the Director-General											Subject to prior approval from Council Within 21 days after receiving order		HRM Division	E2

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State Contracts															
675.	EEA 53(1)	Make offer to conclude agreement with any organ of state for furnishing of supplies or services to that organ of state or for the hiring or letting of anything										Designated employer: comply with Chapters II and III Not designated employer: comply with Chapter II Subject to MFMA and SCM prescripts			M2
676.	EEA 53(1)(b)(i)	Attach to offer a certificate of conclusive evidence that employer complies with relevant EEA Chapters										Subject to MFMA and SCM prescripts			M2
677.	EEA 53(1)(b)(ii)	Attach to offer a declaration by employer that it complies with relevant Chapters of EEA (verified by Director-General) as conclusive evidence of compliance										Subject to MFMA and SCM prescripts			M2
Breach of Confidentiality															
678.	EEA 59(2)(a) & (b)	Disclose information to enable person to perform a function in terms of EEA or information that must be disclosed in terms of EEA, any other law or an order of court										In consultation with EM, MM and relevant Council Committee	HRM Division		M2
Liability of Employers															
679.	EEA 60(2)	Consult all relevant parties and take necessary steps to eliminate alleged conduct										In consultation with EM, MM and relevant Council Committee	HRM Division		M2
SKILLS DEVELOPMENT ACT, 97 OF 1998															
Learners hip Agreements															
680.	SDA 17(b)	Enter into learner ship agreement										In consultation with EM, MM and relevant Council Committee	HRM Division		M2
Contract of Employment with Learner															
681.	SDA 18(2)	Enter into contract of employment										If learner was not in the employment of the employer party to the learner ship agreement concerned when agreement was concluded	HRM Division		M2
Disputes about Learner ships															
682.	SDA 19(2)	Refer dispute in writing to Commission for Conciliation, Mediation and Arbitration											HRM Division		M2
Skills Programmes															

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683.	SDA 20(2)	Apply to a SETA with jurisdiction for a grant or the Director-General for a subsidy											In consultation with EM, MM and relevant Council Committee		HRM Division	M2
LEARNERSHIP REGULATIONS, 2007 (GG 30010)																
Registering Learner ship Agreements																
684.	Reg 5(3)(c)	Register and sign learner ship agreement											All parties have to sign agreement (if learner is a minor the parent or guardian has to sign on behalf of learner)		HRM Division	M2
Altering Terms of Learner ship Agreements																
685.	Reg 7(1)	Alter terms of learner ship agreement											By agreement and subject to SETA's approval		HRM Division	M2
Substituting Parties to Learner ship Agreements																
686.	Reg 8(1)	Approve substitution of employer or training provider party to a learner ship agreement											If written application, accompanied by agreement setting out terms of substitution and signed by all parties to learner ship agreement is submitted to SETA		HRM Division	M2
Terminating Learner ship Agreements																
687.	Reg 9(1)(a)	Approve termination of learner ship agreement if employer and learner have agreed in writing to terminate											In consultation with EM, MM, CFO and relevant Council Committee		HRM Division	M2
688.	Reg 9(1)(b)	Approve termination of learner ship agreement if the employer/learner has requested, on good cause, to terminate the agreement											If the other parties have had the opportunity to make representations as to why agreement should not be terminated		HRM Division	M2
Employer Agreements with ESDAs																
689.	Reg 12(1)	Conclude an agreement with an ESDA											In consultation with EM, MM, CFO and relevant Council Committee		HRM Division	M8

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Referral of Disputes																	
690.	Reg 18(1)	Submit completed Form 7.11 to Commission for Conciliation, Mediation and Arbitration														HRM Division	M8
SKILLS DEVELOPMENT LEVIES ACT, 9 OF 1999																	
Read with Regulations Regarding Levies, 2000 (GG 22148)																	
Imposition of Levy																	
691.	SDLA 3(1)	Pay skills development levy												In consultation with CFO and subject to MFMA prescripts		HRM Division	M8
Exemptions																	
692.	SDLA 4(e)	Apply for exemption												Subject to prior approval from Council Conditions and period prescribed by Minister by regulation, in consultation with Minister of Finance and Minister for Provincial and Local Government		HRM Division	M8
OCCUPATIONAL HEALTH AND SAFETY ACT, 85 OF 1993																	
693.	OHSA 8	Take all necessary steps to provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees															
694.	OHSA 9	Take all necessary steps to conduct the undertaking of the Municipality in such a manner as to ensure, as far as is reasonably practicable, that persons other than employees who may be directly affected by such activities are not thereby exposed to hazards to their health or safety															
695.	OHSA 12	Perform the duties in respect of the identification, evaluation, remedial steps, prevention or minimisation of exposure to hazards and risks, to, to, and to															

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696.		<i>Carry out occupational hygiene programmes and biological monitoring</i>														
697.		<i>Subject employees to medical surveillance</i>														
698.		<i>Keep the health and safety representatives informed of the actions taken</i>														
699.	OHSA 13	<i>Ensure that every employee is informed of the hazards to his health and safety in the workplace and the precautionary measures which should be taken and observed with respect to those hazards</i>														
700.		<i>Inform the health and safety representatives of any imminent inspections, investigations or formal inquiries</i>														
701.		<i>Inform a health and safety representative of the occurrence of an incident in the workplace or section of the workplace for which such representative has been designated</i>														
702.		<i>Designate health and safety representatives for a workplace, or for different sections thereof, to consult with employees regarding the arrangements and procedures for the nomination or election, period of office and designation and to perform such functions so as to settle disputes by arbitration</i>														
703.	OHSA 18	<i>Provide such facilities, assistance and training as a health and safety representative may reasonably require and as have been agreed upon for the carrying out of his functions</i>														
704.	OHSA 19	<i>Establish health and safety committees and to consult with a committee with a view to initiating, developing, promoting, maintaining and reviewing measures to ensure the health and safety of employees at work</i>														
705.		<i>Determine the number of members of a health and safety committee</i>														
706.	OHSA 20	<i>Take the prescribed steps to ensure that a health and safety committee complies with the provisions of and performs the duties assigned to it in the act</i>														

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OHSA: GENERAL ADMINISTRATIVE REGULATIONS, 929 OF 2003														
707.	Reg 4	Ensure that a copy of the Act and the relevant regulations are readily available at the work place												
708.	Reg 5	Ensure that that suitable meeting place is made available for health and safety committees and that their records, are kept												
709.	Reg 6	Meet and consult with the registered trade unions of the workplace in order to conclude an agreement										Concerning the: (a) nomination or election of health and safety representatives; (b) terms of office of health and safety representatives and the circumstances and the prescribed manner in which they may be removed as health and safety representatives; (c) manner in which vacancies are to be filled; (d) manner in which health and safety representatives must perform their functions; (e) facilities, training and assistance that must be provided to a health and safety representative; (f) and to refer a dispute for conciliation or arbitration to the CCMA or Bargaining Council.		

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710.	Reg 7	Designate health and safety representatives														
711.	Reg 8	Report incidents and occupational diseases														
712.	Reg 9	Keep a record of all incidents including other incident which resulted in a person having had to receive medical treatment other than first aid and to ensure that every incident which must be recorded is investigated and that all other duties are performed														
713.	Reg 11	Furnish the inspector with such returns as may be required for the purposes of the administration of the Act														
OHSA: GENERAL SAFETY REGULATIONS, 1031 OF 1986																
714.	GS Reg 2	Take such steps as may be necessary to make a condition or situation, that may arise from the activities of the municipality, safe														
715.		Reduce the risk as much as is practicable														
716.		Provide, maintain and safeguard safety equipment and facilities														
717.		Instruct employees in the proper use, maintenance and limitations of the safety equipment and facilities														
718.	GS Reg 3	Ensure that first aid and emergency equipment are provided at the workplace and those procedures that are necessary for the treatment of injuries that may result from a workplace are introduced														
719.	GS Reg 5, 6 & 7	Ensure that procedures are in place when work is undertaken in a confined space or in an elevated position or any place where a danger exists of a person being engulfed by solid or particulate material; and that the necessary apparatus, equipment and first aid are available and that the safety procedures are adhered to														

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720.	GS Reg 8	Ensure compliance with the safety precautions relating to stacking of articles														
721.	GS Reg 9	Ensure compliance with the safety precautions relating to welding, flame cutting, soldering and similar operations														
722.	GS Reg 13A	Ensure that ladders are constructed of sound material, comply with the specifications and are suitable for the purpose for which they are used and that the safety measures are in place														
723.	GS Reg 13B	Ensure that ramps are constructed with accepted technical standards and comply with the specifications and are suitable for the purpose for which they are used and that the safety measures are in place														
OHSA: DRIVEN MACHINERY REGULATIONS, 295 OF 1988																
724.	DM Regs	Ensure that the duties and powers of the municipality as employer are exercised and performed														
OHSA: GENERAL MACHINERY REGULATIONS, 1521 OF 1988																
725.	GM Regs	Ensure that the duties and powers of the municipality as employer are exercised and performed														
OHSA: LIFT, ESCALATOR & PASSENGER CONVEYOR REGULATIONS, 828 OF 2009																
726.	LEAPC Regs	Ensure that all the electrical components of a lift, escalator or passenger conveyor, comply with the prescribed regulations														
727.		Ensure that every lift, escalator and passenger conveyor and its machinery and switch-gear are marked														
728.		Keep and maintain legible and schematic electrical wiring diagram in respect of every lift, escalator or passenger conveyor														
729.		Affix at the main landing of lifts and in each car of escalators and passenger conveyors, the name and telephone number of the competent and designated lift service provider														
730.		Ensure that every lift, escalator or passenger conveyor is inspected and tested as prescribed														

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731.		<i>Ensure that defects or weaknesses revealed during inspections are rectified</i>													
732.		<i>Designate a competent lift service provider to examine and maintain a lift, escalator or passenger conveyer</i>													
733.		<i>Take steps to stop the working of a lift, escalator or passenger conveyer and to prevent the starting thereof if its use is or is likely to be dangerous to persons</i>													
734.		<i>Keep in the machine compartment of every lift, escalator or passenger conveyer a record in which prescribed information is entered</i>													
OHSA: VESSELS UNDER PRESSURE REGULATIONS, 1591 OF 1996															
735.	VUP Reg 3	<i>Ensure that vessels under pressure meets the design, construction and manufacture requirements</i>													
736.	VUP Reg 5	<i>Ensure that all boilers are registered and to comply with the requirements in regard to boilers no longer in use, where the right of control over the use of the boiler is transferred or when of a boiler is moved to other premises</i>													
737.	VUP Reg 6	<i>Ensure that all vessels under pressure are provided with all the appurtenances as required by the health and safety standard used in the design, construction and manufacture thereof and that all safety requirements are met</i>													
738.	VUP Reg 9	<i>Ensure compliance with the requirements relating to access to and exit from vessels under pressure and door interlocks</i>													
739.	VUP Reg 10, 11 & 12	<i>Ensure compliance with the safety requirements relating to portable gas containers, hand-held fire extinguishers and gas fuel use, equipment and systems</i>													
740.	VUP Reg 13, 14, 15 & 16	<i>Ensure that boilers or pressure vessel, appurtenances and automatic controls and indicators, are subjected to inspection and a hydraulic pressure tests; that they are maintained in a safe working condition; that modification and repairs are undertaken; and that records are kept of all inspections, tests, modifications and repairs</i>													

OHSA: ELECTRICAL MACHINERY REGULATIONS, 250 OF 2011

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741.	EM Reg 3	Provide and maintain in good condition insulated stands, trestles, mats or such other protective equipment as may be necessary to prevent accidents														
742.	EM Reg 4	Ensure that precautions are taken whenever work is to be carried out on any electrical machinery which has been disconnected from all sources of electrical energy, but which is liable to acquire or to retain an electrical charge														
743.	EM Reg 18, 19, 20, 21 & 22	Ensure compliance with the duties of and to exercise the powers of the supplier regarding earthing, supports for power lines, clearances of electric conductors and other wires of power lines, line insulators and fittings, line conductor, including joints, overhead service connections, power line crossings of roads, railway or a communication lines and the installation of any distribution scheme or extension to a scheme														
ROADS ORDINANCE, ORDINANCE 19 OF 1976																
744.	RO 7(2)	Construct and maintain every public (proclaimed) road where the Municipality is the road authority in so far as funds permit											DIRECTOR: ENGINEERING SERVICES			
745.	RO 8(1)	Undertake and contribute to the cost of work in connection with the construction and maintenance of a public (proclaimed) road which such other road authority is the road authority											DIRECTOR: ENGINEERING SERVICES			
746.	RO 10	Erect and maintain all direction and warning signposts, distance indicators on public (proclaimed) roads											DIRECTOR: ENGINEERING SERVICES			
747.	RO 11	Regulate and manage, in the interest of the safety of pedestrian or vehicular traffic, the height and/or position of walls, fences, trees, hedges, vegetation fat the intersection of any public (proclaimed) road											DIRECTOR: ENGINEERING SERVICES			
748.	RO 11	Instruct the owner or occupant of property to remove/trim a tree or any growth that may cause an inconvenience, danger or discomfort to any person using such road, falling which, it may be removed / trimmed at the expense of the owner / occupant														
749.		Instruct the owner of grounds to reduce the height of any trees, bushes, murals, walls or fences, that is deemed necessary for the safety of pedestrians or traffic														

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750.	RO 12	Erect and maintain fences along public (proclaimed) roads in accordance with policy										DIRECTOR: ENGINEERING SERVICES		
751.	RO 13	Regulate and manage the erection of gates across any public (proclaimed) road										DIRECTOR: ENGINEERING SERVICES		
752.	RO 14	Remove gates across public (proclaimed) roads										DIRECTOR: ENGINEERING SERVICES		
753.	RO 15	Construct, divert or close a motor by-pass alongside a gate on any public (proclaimed) road										DIRECTOR: ENGINEERING SERVICES		
754.	RO 16	Establish and maintain rest camps and rest places for the use by the traveled public and stock camps for use in the connection with the removal of stock										DIRECTOR: ENGINEERING SERVICES		
755.	RO 17	Regulate and manage the erection of any structure on or near a public (proclaimed) road										DIRECTOR: ENGINEERING SERVICES		
756.		Sign non-compensation agreements on behalf of Council where such agreements arise out of a condition of approval										DIRECTOR: ENGINEERING SERVICES		
757.		Grant written consent to transfer a property in cases where a non-compensation agreement requires a prospective owner to enter into a similar non compensation agreement with Council prior to transfer of a property										DIRECTOR: ENGINEERING SERVICES		
758.	RO 18	Regulate and manage access to and exit from public (proclaimed) roads										DIRECTOR: ENGINEERING SERVICES		
759.	RO 19(1)(b) & (c)	Authorise, administer and manage the temporary closing or temporary restriction or regulating the use of public (proclaimed) road for any purpose deemed necessary or desirable, and to temporarily divert vehicular and pedestrian traffic from a public (proclaimed) road which has been temporarily closed or restricted										DIRECTOR: ENGINEERING SERVICES		
760.	RO 20	Erect and maintain appropriate signs indicating the temporary closing or diversion of public (proclaimed) roads										DIRECTOR: ENGINEERING SERVICES		

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761.	RO 28	Authorise the inspection of property for any purpose as required by this Ordinance											DIRECTOR: ENGINEERING SERVICES			
762.	RO 59	Authorise the right of entry/access to any land for road related purposes											DIRECTOR: ENGINEERING SERVICES			
ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT, ACT 21 OF 1940																
763.	ARRDA 8	Regulate and manage the depositing or leaving of certain articles or materials near public (proclaimed) roads outside the urban area											DIRECTOR: ENGINEERING SERVICES			
764.	ARRDA 9A	Regulate and manage the erection of structures or construction of other things near intersection of building restriction roads outside the urban area											DIRECTOR: ENGINEERING SERVICES			
765.	ARRDA 10	Regulate and manage the restriction of access to land through fences etc. along certain public (proclaimed) roads outside the urban area											DIRECTOR: ENGINEERING SERVICES			
766.	ARRDA 11	Comment on the restriction on establishment or extension of townships near building restriction roads outside the urban area											DIRECTOR: ENGINEERING SERVICES			
MUNICIPAL ORDINANCE, 1974																
767.	MO 129(a)	Make and construct, reconstruct, alter and maintain public streets											DIRECTOR: ENGINEERING SERVICES			
768.	MO 138	Authorise, administer and manage the temporary closing or temporary restriction or regulating the use of public street for any purpose deemed necessary or desirable, and to temporarily divert vehicular and pedestrian traffic from a public (proclaimed) road which has been temporarily closed or restricted											DIRECTOR: ENGINEERING SERVICES			
769.	MO 176	Authorise the right of entry/access to any property for the purpose of inspection or doing anything authorized or required to be done by the Council in terms of the Ordinance											DIRECTOR: ENGINEERING SERVICES			
NATIONAL ROAD TRAFFIC ACT, ACT 93 OF 1996																

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770.	NRTA 3	<p><i>Appoint:</i></p> <p><i>(a) Inspector of licenses;</i></p> <p><i>(b) Examiner of vehicles;</i></p> <p><i>(c) Examiner of drivers licenses;</i></p> <p><i>(d) Traffic officers;</i></p> <p><i>(e) Traffic wardens;</i></p> <p><i>(f) Reserve traffic officers/traffic wardens/casual constables.</i></p>															
771.	NRTA 57(3)	<p><i>Authorise any other person to display (erect) a road traffic sign, and determine the conditions for such display and removal of such sign</i></p>											DIRECTOR: ENGINEERING SERVICES				
772.	NRTA 57	<p><i>Direct the owner/occupant of land on which an object is being displayed and where a road traffic sign is hidden or the effectiveness of such a sign is obstructed, to remove such object or to direct that it be removed</i></p>															
773.		<p><i>Display or cause to be displayed (erect and maintain) road traffic signs (other than traffic signals) in the prescribed manner</i></p>															
NATIONAL ROAD TRAFFIC REGULATIONS, 225 OF 2000																	
774.	NRT Reg 317(2)	<p><i>Grant authority to organize or take part in any race or sport on a public road, to impose conditions and grant exemption from complying with road traffic signs</i></p>															
NATIONAL LAND TRANSPORT TRANSITION ACT, ACT 22 OF 2000																	
775.	NLTTA 29(2)(a)	<p><i>Receive applications from all persons, including the State, Parastatal Institutions, Agencies and Utilities, regarding any substantial change or intensification of land use on any property</i></p>											DIRECTOR: ENGINEERING SERVICES				
776.	NLTTA 29(2)(c)	<p><i>Determine the nature and quantum of the cost of any new or upgraded transport infrastructure or services as may be proposed in a traffic impact assessment or public transport assessment; and, determine who should or shall be responsible for bearing such cost</i></p>											DIRECTOR: ENGINEERING SERVICES				
777.	NLTTA 29(4)(a)	<p><i>Approve or refuse an application (within 28 days) for a change or intensification in land use or development proposal submitted</i></p>											DIRECTOR: ENGINEERING SERVICES				

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778.	NLTTA 29(4)(b)	Submit written decision and any objections with respect to such application, including directions or conditions for compliance with the transport plan, to such authority vested under law with responsibility for considering the application													

SECTIONAL TITLES ACT, ACT 95 OF 1986

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779.	STA 4(5)	Issue a certificate for condonation of non-compliance										<p>(a) In regard to any matter other than the proposed use, the building to which the scheme relates does not comply with any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any at the date of approval of the building plans;</p> <p>(b) in regard to matters other than buildings, there is non-compliance with any applicable condition of any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law;</p> <p>(c) the building to which the scheme relates, has not been erected in accordance with any applicable building regulations or building by-laws in operation at the date of erection.</p>			
NATIONAL BUILDING REGULATIONS, 2378 of 1990															
780.	NB Regs	Supply the levels at which a portion of a street is intended to be constructed or is likely to be reconstructed and, where unable to do so, to furnish reasons to that effect										DIRECTOR: ENGINEERING SERVICES			
Deviations and Exemptions															

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781.	NB Reg A1(7)(a)	Assess building before granting provisional authorisation for a temporary building										In relation to: (a) the intended use and life of the building; (b) the area in which it is to be erected; and (c) the availability of suitable materials from which it may be constructed.			
782.		Grant authority for the erection of such building and for the performance of any experiment, or for the demonstration, testing or assessment of building										Where any building is intended to be used for experimental, demonstration, testing or assessment purposes			
783.		Grant authority for the erection of such building where testing or assessment of the completed building is the only way to ascertain whether such building complies with the requirements of these regulations													
Plans and Particulars															
784.	NB Reg A2(1)	Require from any person intending to erect any building, plans and particulars of: (a) general structural arrangements; (b) general arrangement of artificial ventilation; (c) a fire protection plan; (d) any required certificate; and (e) any other particulars.													
Preliminary Plans and Enquiries															
785.	NB Reg A3(1)	Examine any preliminary sketch plans of the building proposed to be erected and furnish comments on such plans or on any particular features thereof specified by person										Upon request by a person who intends to erect a building			
786.		Furnish an opinion as to whether any material or method or form of construction intended to be used in the erection of such building will comply with these regulations													

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787.	NB Reg A3(2)	<i>Furnish reasons for the inability to accede to the request by a person who intends to erect a building</i>															
Additional Documents and Information																	
788.	NB Reg A4	<i>Exercise the Municipality's powers and duties regarding additional documents and information in respect of structural details and artificial ventilation</i>															
Application Forms and Materials, Scales and Sizes of Plans																	
789.	NB Reg A5(3)	<i>Determine the number of additional paper copies of every plan, drawing or diagram that must accompany an application</i>															
790.	NB Reg A5(5)	<i>Accept a different scale in exceptional circumstances</i>															
Layout Drawing																	
791.	NB Reg A7	<i>Exercise the Municipality's powers and duties regarding requirements of layout drawings</i>															
Plumbing Installation Drawings and Particulars																	
792.	NB Reg A8(4)	<i>Require the owner to submit drainage design calculations which shall clearly indicate the basis for such design</i>															
793.		<i>Require the owner to submit an estimate of the composition and quantity of any industrial effluent proposed to be discharged into any sewer</i>															
794.		<i>Require the owner to submit plans and particulars of any drainage works and installations required by the local authority in terms of its conditions of approval for discharge</i>												<i>Where approval has been given in terms of the local authority's industrial effluent by-laws or regulations for the discharge into a sewer of industrial effluent from the site</i>			
Fire Protection Plan																	
795.	NB Reg A9(1)	<i>Require that an application in respect of the erection of any building, not being a dwelling house, be accompanied by a fire plan</i>															

Boundary Beacons

INITIAL: _____ DATE: _____ - INITIAL: _____ DATE: _____

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY									LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S					
796.	NB Reg A11(1)	Require the owner, to at own cost, engage a professional land surveyor to identify boundary pegs or beacons and other relevant information where the location of any boundary of a site has not been accurately determined														
797.	NB Reg A11(2)	Engage a professional land surveyor to establish and point out the location of such pegs or beacons, and recover such costs of such establishing and pointing out from such owner											Where an owner fails to engage a professional land surveyor			
Building Materials and Tests																
798.	NB Reg A13(2)	Test any material or component used or to be used in the erection of any building in order to determine whether such material or component complies with the requirements of these regulations														
799.	NB Reg A13(3)	Serve a notice on the person erecting such building, stating the respects in which such material or component does not comply and prohibiting such person from making further use of such material or component for the purpose for which it was or is to be used in the erection of such building											If any material or component used in the erection of a building does not comply with these regulations			
800.	NB Reg A13(5)	Recover the cost of such test from the owner of the building concerned											If any material or component is tested and has failed to comply with these regulations			
801.	NB Reg A13(6)	Permit the use of any material or component, which is not permitted or prescribed by these regulations, for a particular purpose if such material or component is at least as suitable for that purpose as the material or component permitted or prescribed to be used by these regulations														
Installations, Maintenance and Operation																
802.	NB Reg A15(3)	Serve a notice on an owner or other person requiring compliance with A15 pertaining to the installation and maintenance and operation of installations														
803.	NB Reg A15(4)	Order the evacuation of a building where the state of such equipment or installation will cause conditions which may be detrimental to the safety or health of the occupiers or users of such building											By notice in writing to the owner			
804.	NB Reg A16	Apply to the relevant body (successor to the Human Sciences Research Council) to evaluate whether qualifications comply with the building disciplines listed in this regulation														
Responsibility for Designs																

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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805.	NB Reg A19(1)	Waive the requirement that the owner of any building must appoint and retain any person who is a professional engineer or other approved competent person to undertake responsibility for designs and inspections														
806.	NB Reg A19(4)	Approve the form on which owner must report the appointment of a professional engineer or other approved competent person														
Commencement of Erection or Demolition and Inspections																
807.	NB Reg A22(1)	Prescribe the format of the notice in connection with the erection or demolition of any building														
808.	NB Reg	Inspect and approve trenches or excavations														
809.	A22(3)	Inspect, test and approve a drainage installation														
Temporary Buildings																
810.	NB Reg A23(1)	Grant provisional authorization to an applicant to proceed with the erection of a temporary building in accordance with any conditions or directions specified in such authorization														
811.	NB Reg A23(2)	Require an applicant the erection of a temporary building to submit a statement of the period for which authorization is required														
812.		Require an applicant the erection of a temporary building to submit a site plan														
813.		Require an applicant the erection of a temporary building to submit layout drawings														
814.		Require an applicant the erection of a temporary building to submit any structural detail required to determine the structural safety of the proposed building														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY									LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
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815.	NB Reg A23(4)	Grant approval for one or more extensions of the period of authorisation of a temporary building and to require such information as may be necessary to consider an application for extension														
Standardisation of Interpretation																
816.	NB Reg A24(1)	Examine plans, specifications or other documents which accompanied or which are intended to accompany an application, to perform any tests that is considered necessary and inspect the site on which a building is to be erected, and issue a report in connection therewith														
General Enforcement																
817.	NB Reg A25(1) & (2)	Serve a notice calling upon a person who contravenes a provision to forthwith cease contravention														
818.	NB Reg A25(6)	Serve a notice on any person contemplated in Section 4(4) of the Act or sub-regulation (4) or (5), ordering such person forthwith to stop the erection of a building concerned or to comply with such approval														
819.	NB Reg A25(7)	Serve a notice on the owner of any building contemplated in sub-regulation (4) or (5) ordering such owner to rectify or demolish the building in question by a date specified in the notice														
820.	NB Reg A25(9)	Serve a notice on the owner of a building where such building is being or has been erected and a contravention of these regulations, other than those referred to in sub-regulation (4) or (5) has been committed, specifying a date by which such owner shall have complied with the regulations, citing the regulations contravened and specifying the steps to be taken in order to comply with the regulations														
821.	NB Reg A25(10)	Serve a notice on the owner of a building that is being or has been erected without the prior approval contemplated in section 4(1) of the Act to obtain the approval in writing as required by the Act by the date specified in the notice														
Demolition of Any Building																

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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822.	NB Reg E1(1) & (2)	Grant permission to demolish a building and to impose any condition or requirements for the safety, health and convenience of the public, and for the safety of any other building or installation, which may be affected by such demolition														
823.	NB Reg E1(4)	Serve a notice on any person involved in the demolition of a building to make the site safe, and on failure to do so, carry out the necessary work and recover the cost thereof from such person														
Prohibition of Dangerous Methods																
824.	NB Reg E3	Prohibit the use of any method to be applied in the demolition of any building where such method will create or cause to create any danger to any person or other building or property, and to give reasons for such prohibition														
Protection of the Public																
825.	NB Reg F1(1)	Require that the owner of a site, where danger or serious inconvenience to the public may ensue from the demolition or erection of a building, erect a fence, hoarding or barricade to prevent the public from entering such site and to protect them from the activities on such site														
826.	NB Reg F1(4)	Permit any person, undertaking any work of erection or demolition on a site, to encroach upon or over any street or public place abutting such site and to impose conditions with regard to the safety and convenience of persons using such street or public place														
827.	NB Reg F1(5)	Impose conditions to safeguard the interests of the general public, during the erection or demolition of any building														
Damage to Municipal Property																
828.	NB Reg F2(1)	Require the owner of a building to pay a deposit or give security to cover the costs of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and to appropriate the amount of the deposit or security towards the costs of repairing damage														
829.	NB Reg F2(3)	Demand from the owner of a building to pay the cost of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and upon failure to recover such cost from the owner in a court of competent jurisdiction										In the absence of a deposit or security				
Unstable Soil Conditions																

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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830.	NB Reg F3(1)	Inform an applicant of any suspected unstable sub-soils or unstable slopes in the area in which a site, upon which a building is to be erected														
831.	NB Reg F3(2)	Require an owner to engage a professional engineer or other approved competent person to prepare measures for any differential movements or other effects which could be detrimental to a building														
Control of Dust and Noise																
832.	NB Reg F6(1)	Consider whether any activity, in the course of any building, demolition or excavation work or any machine, machinery, engine, apparatus, tool or contrivance, unreasonably disturb or interfere with the amenity of the neighbourhood														
Cutting Into, Laying Open and Demolishing Certain Work																
833.	NB Reg F7(1)	Order the owner of building to supply satisfactory proof that such work is in accordance with such provision, approval or authority											Where any work carried out in connection with the erection of any building is not in accordance with the provisions of these regulations or any approval or authority granted there under			
834.		Order the owner of building to cause such work to be cut into, laid open or demolished														
835.		Order the owner of building to cause a test of such work to be carried out														
836.	NB Reg F7(2)	Order the owner to take such steps as may be necessary to ensure that there is such compliance, or to order the owner to cause such work to be cut into, laid open or demolished											Where the actions of the owner is still not compliant			
837.	NB Reg F7(3)	Give authority to proceed with work, in connection with the erection of any building, upon being satisfied with the work cut into, laid open or demolished														
Waste Material on Site																
838.	NB Reg F8(1) & (2)	Order the owner of a site to remove rubble, rubbish, other debris or combustible waste material or to order such removal and recover the costs thereof from the owner														
Cleaning of Site																

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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839.	NB Reg F9(1)	Order the owner or person erecting or demolishing any building to remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public street or public place affected by such material or matter during or after the completion of such erection or demolition														
Builder's Sheds																
840.	NB Reg F10(2)	Require an owner or person carrying out or performing work in connection with the erection or the demolition of any building, to erect on the site of such work such temporary builder's sheds as may be necessary														
841.	NB Reg F10(4)	Order the owner or person to move, reconstruct or repair or improve the condition of such shed, or if use thereof is being made other than that permitted, to cease such un-permitted use											Where a shed is not constructed, located or maintained in terms of this regulation			
Sanitary Facilities																
842.	NB Reg F11(1)	Approve that sanitary facilities for personnel employed on or in connection with the erection or demolition of any building not be provided on the site but at some other place														
843.		Order the cessation of such work until the required facilities have been provided, and, should such order not be complied with, to install such facilities and recover the costs of such installation from the owner of the site											Where sanitary facilities for personnel employed on or in connection with the erection or demolition of any building have not been provided			
General Stability Requirement																
844.	NB Reg G1(3)	Grant authority for any excavation, where the safety or stability of any property or service is likely to be impaired by such excavation, or where the depth, at any point, of such excavation is likely to be more than 3 m														
Approval of Artificial Ventilation Systems																
845.	NB Reg O3	Grant approval for the installation of any artificial ventilation system in any building														
Drainage of Buildings																
846.	NB Reg P1(1)	Prescribe a location and level for the connection of a sewer for the drainage of a building														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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847.	NB Reg P1(2)	Order the owner of any existing building to make a sewer connection within a prescribed period															
848.	NB Reg P1(4)	Lay, alter or extend any drain, alter or extend such drain and recover the costs thereof from the owner												Where the owner of a building fails to comply with an order to do so			
Design of Drainage Installations																	
849.	NB Reg P2(2)	Require a rational design, where the size or complexity of a drainage installation in any building so requires, to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete drainage installation based on such design															
Objectionable Discharge																	
850.	NB Reg P3(3)	Order the owner of any site to, at own cost, execute any precautionary measures to prevent objectionable sewage discharge to enter any storm water drain, storm water sewer or watercourse, any river, stream or natural watercourse or any street or other site															
851.	NB Reg P3(4)	Permit the discharge of water from a swimming pool, fountain or reservoir onto any public street or public place, or onto any site other than onto the site upon which such swimming pool, fountain or reservoir is situated															
Unauthorised Drainage Work																	
852.	NB Reg P6(1)	Permit any person to interfere with any sewer or connecting sewer or to break into or interfere with any part of a drainage installation for the purpose of repair and maintenance															
Inspection and Testing of Drainage Installations																	
853.	NB Reg P7(3)	Inspect, test and pass any drainage installation as complying with these regulations															
Sewage Disposal																	
854.	NB Reg Q1	Permit other means of sewage disposal where waterborne sewage disposal is not available											This delegation must be exercised after consultation with the Director : Technical Services				
Pit Latrine																	
855.	NB Reg Q2	Permit the construction of any pit latrine															
Stormwater Disposal																	

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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856.	NB Reg R1(3)	Require a rational design where the conditions on any site so requires; to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete storm water control and disposal installation for such site and for any building erected thereon, based on such design																	
Fire Protection																			
857.	NB Reg T1(2)	Order the owner of the building to submit for approval a rational design														Where compliance with the relevant SABS code would not comply with the general fire protection requirements			
Refuse Storage Areas																			
858.	NB Reg U2	Approve the access of a refuse storage area from any street, for the purpose of removing the refuse														This delegation must be exercised after consultation with the Director: Community Services			
Fire Installations																			
859.	NB Reg W1	Allow a fire installation to be connected to a source of supply other than a communication pipe														Subject to any conditions considered necessary			
860.		Allow a fire installation to be connected to a source of non-potable water where such water is not to be used for domestic or any other purpose																	
Supply of Water																			
861.	NB Reg W2	Permit that water may be taken from a supply system for use in any fire installation and to impose conditions														This delegation must be exercised after consultation with the Director: Technical Services			
Design of Fire Installations																			
862.	NB Reg W3	Require the provision of isolating valves to control the flow of water to a fire installation, and to such points within the installation																	
NATIONAL WATER ACT, ACT 36 OF 1998																			
863.	NWA (Reg 1560)	Ensure that the storage dams and bulk reservoirs for water supply to the region are operated in terms of the "Dam Safety Regulations"														DIRECTOR: ENGINEERING SERVICES			

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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864.	NWA 20	Control emergency incidents										DIRECTOR: ENGINEERING SERVICES			
865.	NWA 21 – 55	Use water, including by abstraction, storage, discharge to a water resource										DIRECTOR: ENGINEERING SERVICES			
866.	NWA 141 & 142	Provide information on water resources										DIRECTOR: ENGINEERING SERVICES			
867.	NWA (Reg 2834)	Erect, enlarge and operate water and wastewater treatment plants										DIRECTOR: ENGINEERING SERVICES			
868.	NWA 27(1)	Comply with the requirements of the Department of Water Affairs and Forestry in respect of application for permits regarding wastewater treatment, by-product disposal and effluent re-use										DIRECTOR: ENGINEERING SERVICES			
FIREARMS CONTROL ACT, ACT 60 OF 2000															
869.	FCA 95 (a)(vi)	Apply for an accreditation of the Municipality, as an official institution as defined in the Act													
870.	FCA 98(2)	Issue a permit to an employee to possess and use a firearm under its control													
871.	FCA 29	Authorize the application to the Registrar for a copy of any license, permit or authorization which has been defaced, lost or stolen													
872.	FCA 83	Authorize the storage and transport of firearms and ammunition in the prescribed manner													
873.	FCA 97	Authorize the acquisition, use, safe keeping and disposal of firearms, subject to the conditions imposed by the Registrar													

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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874.	FCA 99	Keep a register in the prescribed form with the particulars of every firearm under its control, the particulars of every employee who is allowed to be in possession of a firearm, the conditions specified in every permit issued, particulars regarding the disposal, transfer, loss, theft or destruction of firearms, and particulars regarding the report of the loss or theft to the South African Police Service														
875.	FCA 101	Establish and maintain a workstation and provide the Registrar with access to the workstation and registers														
876.	FCA 95(a)(v)	Authorize an employee to have the firearm in his or her possession after his or her working hours, carry the firearm on his or her person outside the premises of his or her workplace, or store the firearm at his or her residence											Provided the Registrar determines in writing that the Official Institution as contemplated in Sec 95(a)(v) may do so			
MAGISTRATES COURT ACT, ACT 32 OF 1944																
877.	MCA 15(2)(a)	Authorise peace officers in the Municipality's employ to serve court process and all other documents in respect of criminal prosecutions														
878.	MCA 15(2)(b)	Appoint a person or persons to act on behalf of the Municipality for the serving of the summonses or any other court documents for prosecution														
MCA: MAGISTRATE'S COURT RULES																
879.	Rule 52(1)(b)	Appear in Court on behalf of the Municipality or authorize a member of staff to do so														
CONSERVATION OF AGRICULTURAL RESOURCES ACT, ACT 43 OF 1983																
880.	CARA	Utilise and protect vegetation on Municipal land														
881.		Prevent and control veld fires on Municipal land														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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882.		<i>Combat declared weeds and invader plants on Municipal land</i>														
883.		<i>Restore and reclaim eroded land on Municipal land</i>														
NATIONAL VELD AND FOREST ACT, ACT 101 OF 1998																
884.	NVFA	<i>Prepare and maintain fire breaks on municipal land</i>														
885.		<i>Combat and manage the spread of veld fires on municipal land</i>														
PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000																
886.	PAIA 14(1)	<i>Prepare, update and publish the manual</i>														
887.	PAIA 17(1)	<i>Designate Deputy Information Officers</i>														
FIRE BRIGADE SERVICES ACT, ACT 99 OF 1987																
888.	FBSA 5(1)	<i>Appoint a Chief Fire Officer and when necessary an acting Chief Fire Officer who possesses the prescribed qualifications and experience to be in charge of the Municipality's fire service</i>														
CRIMINAL PROCEDURE ACT, ACT 51 OF 1977																
889.	CPROA 334	<i>Appoint Law Enforcement Officers</i>														
LAND USE PLANNING ORDINANCE, ORDINANCE 15 OF 1985																
Definitions																
890.	LUPO (Def)	<i>Determine in which newspaper or newspapers notices required are to be published</i>														
891.		<i>Determine public participation requirements under a Town Planning Scheme</i>														

INITIAL: _____ DATE: _____ - INITIAL: _____ DATE: _____

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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892.		<i>Take steps to obtain comment from interested and affected parties in respect of environmental or heritage matters in terms of the municipality's Town Planning Schemes or equivalent provision in the relevant scheme</i>													
Structure Plans															
893.	LUPO 4(1)	<i>Approve for submission to the Premier (for his/her approval) a structure plan</i>													
894.		<i>Prepare a structure plan</i>													
895.	LUPO 4(4)	<i>Comply with any requirements re the manner in which the structure plan is to be made known, inspection and representations by residents and other interested parties in the preparation of the structure plan, provided that the proposed structure plan must be advertised in the media for public comment/objections</i>													
896.	LUPO 4(5)	<i>Ensure that a structure plan is made available for inspection and the lodging of objections or the making of representations, before the date on which it is submitted to the Premier for approval</i>													
897.	LUPO 4(8)	<i>Review a structure plan at least once every 10 years</i>													
898.	LUPO 4(10)	<i>Determine the manner in which a structure plan is to be prepared, including conditions as to inspection and representations by residents and other interested parties, provided that the proposed structure plan must be advertised in the media for public comment/objections</i>													
899.		<i>Recommend to the Provincial sphere of Government the approval of structure plans</i>													
900.		<i>Approve with or without conditions, a structure plan</i>													
901.	LUPO 4(10)(a)(i)	<i>Prepare and submit to the council for its approval a structure plan</i>													

Special Consent, Consent or Conditional Use in Terms of the Zoning Scheme Regulations

INITIAL: _____ DATE: _____ - INITIAL: _____ DATE: _____

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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902.	LUPO 9(2)	Recommend to the Provincial sphere of government the amendment or replacement of Scheme Regulations															
Zoning Certificates, Maps, Register																	
903.	LUPO 10	Prepare and approve a zoning map showing zones and land units															
904.	LUPO 12	Keep and maintain a register															
Use Rights																	
905.	LUPO 14(1)	Determine the utilisation of land												Where objections have been received			
906.	LUPO 14(3)	Recommend to the relevant Committee of the Municipality or the Council to determine whether the most restrictive zoning permitting of the utilisation of the land concerned shall be either in conjunction with a departure or not when land is deemed to be zoned															
907.		Determine whether the most restrictive zoning permitting of the utilisation of the land concerned shall be either in conjunction with a departure or not when land is deemed to be zoned															
908.	LUPO 14(4)	Substitute a zoning scheme or part thereof with one in terms of which land is not necessarily zoned in accordance with the utilisation thereof												Where objections have been received			
909.		Amend a zoning map															
910.	LUPO 14(5)	Determine the zoning of land in accordance with the utilisation thereof where a use right has lapsed, because of failure to exercise such right for an uninterrupted period of two years												Where objections have been received			
911.	LUPO 14(7)	Grant a use right by way of rezoning in terms of section 16 or 18 where the lawful use right of land cannot be determined in relation to land												Where objections have been received			

Departures

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CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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912.	LUPO 15(1)	Approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the scheme regulations concerned										Where objections have been received		
913.		Approve applications to utilise land on a temporary basis for a purpose for which no provision has been made in the said regulations in respect of a particular zone										Where objections have been received		
914.	LUPO 15(1)(a)(i)	Receive and process applications for an alteration of the land use restrictions applicable to a particular zone in terms of the scheme regulations concerned												
915.	LUPO 15(1)(a)(ii)	Receive and process applications to utilise land on a temporary basis for a purpose for which no provision has been made in the said regulations in respect of a particular zone												
916.	LUPO 15(2)(a)	Consider whether any person may be adversely affected by an application for departure and to advertise such application												
917.	LUPO 15(2)(b)	Submit objections against application to the said owner for his comment												
918.	LUPO 15(2)(c)	Obtain the relevant comment of any person who in his opinion has an interest in the application												
919.		Comment on an application where the use, activity or departure may have a detrimental impact on any environmental or heritage resources, and/or to call for an impact assessment to be conducted by an independent environmental assessment practitioner, for consideration by the municipality of the desirability thereof or migratory conditions to be imposed												
920.	LUPO 15(2)(d)(i)	Submit an application and all relevant documents to council												
921.	LUPO 15(2)(d)(ii)	Notify the owner of the council's decision and where applicable furnish him with a copy of any conditions imposed by the council												
922.	LUPO 15(5)	Approve an application by the owner to extend the period within which the use right must be exercised										Where objections have been received		

INITIAL: _____ DATE: _____ - INITIAL: _____ DATE: _____

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY								LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT	
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV					ELECTR S
923.	LUPO 15(6)	Amend the register and zoning map where a departure has lapsed wholly or partly													
Rezoning (Application of Owner of Land)															
924.	LUPO 16(1)	Grant or refuse an application by an owner of land for the rezoning thereof										Where objections have been received			
925.	LUPO 16(2)	Grant an extension of the validity period of two years in which the use right must be utilised										Where objections have been received			
926.		Determine the utilisation of land for purposes of zoning where a zoning has lapsed										Where objections have been received			
927.	LUPO 16(3)	Amend the zoning map concerned and, where applicable, a register, where an application for rezoning is granted or a rezoning has lapsed													
928.	LUPO 17(1)	Receive and process applications for rezoning of land													
929.	LUPO 17(2)(a)	Advertise an application for rezoning of land													
930.	LUPO 17(2)(b)	Submit objections against an application for rezoning to the owner for his comment													
931.	LUPO 17(2)(c)	Obtain comment of any person who in his opinion has an interest in the application for rezoning of land													
932.		Comment on an application where the use, activity or departure may have a detrimental impact on any environmental or heritage resources, and/or to call for an impact assessment to be conducted by an independent environmental assessment practitioner, for consideration by the municipality of the desirability thereof or migratory conditions to be imposed													

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933.	LUPO 17(2)(d)(i)	Submit the application and all relevant documents to Council													
934.	LUPO 17(2)(d)(ii)	Notify the owner of the decision and where applicable furnish him with a copy of any conditions imposed by the council													
Compensation															
935.	LUPO 19(2)	Consider the amount of compensation to be paid to an owner whose land sustains a fall in value										(a) consequent on the rezoning thereof or a part thereof, contrary to his wishes, or (b) consequent on the rejection, except on the ground of the provisions of any other law, of a plan for a building which is in accordance with the use right of the land concerned			
936.		Conclude an agreement regarding the payment of compensation													
937.	LUPO 19(4)	Approve settlement by an appeal committee if an agreement regarding the payment of compensation is not concluded within 90 days													
Zoning Certificates, Maps, Register															
938.	LUPO 22(3)	Amend a zoning map and, where applicable, a register where a subdivision or part thereof is deemed to be a substitution scheme													
Exemptions - Subdivisions															
939.	LUPO 23	Authorise an exemption of a subdivision from the provisions of Chapter III of "LUPO"													
940.		Authorise an owner of land to deal with his land with a view to the separate registration of land units, of undivided portions													

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941.	LUPO 24(1)	Receive and process applications for the granting of a subdivision by an owner of land														
942.	LUPO 24(2)(a)	Advertise an application for the granting of a subdivision if in his opinion any person may be adversely affected thereby														
943.	LUPO 24(2)(b)	Submit objections against an application for the granting of a subdivision to the owner for comment														
944.	LUPO 24(2)(c)	Obtain the comment of any person who in his opinion has an interest in an application for the granting of a subdivision														
945.		Comment on an application where the use, activity or departure may have a detrimental impact on any environmental or heritage resources, and/or to call for an impact assessment to be conducted by an independent environmental assessment practitioner, for consideration by the municipality of the desirability thereof or migratory conditions to be imposed														
946.	LUPO 24(2)(d)(i)	Submit an application and all relevant documents to council														
947.	LUPO 24(2)(d)(ii)	Notify the owner and the Surveyor-General concerned of council's decision and where applicable furnish them with a copy of any conditions imposed														
Subdivisions																
948.	LUPO 25(1)	Grant or refuse an application for the subdivision of land										Where objections have been received				
949.	LUPO 25(2)	Indicate the relevant zonings in relation to the subdivision concerned for the purpose of an application for the subdivision of land														
950.	LUPO 27(1)	Grant an extension of the validity period within which a subdivision of land must be confirmed														

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951.		<i>Extend the period of five years</i>																	
Home Owner's Association																			
952.	LUPO 29(1)	<i>Impose conditions in relation to the compulsory establishment by the applicant for subdivision of a home owners' association where objections have been received, when granting of an application for subdivision</i>																	
953.	LUPO 29(2)	<i>Approve the constitution of a home owners' association established or grant written approval to amend clauses in the constitution which relate to the provisions of section 29(2) after consultation with legal services</i>																	
954.	LUPO 29(4)	<i>Take all steps required to rectify failure, and recover from the owners any expenditure incurred by it in relation to such steps</i>																	
Amendment or Cancellation of Plan of Subdivision																			

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955.	LUPO 30(1)	Amend or partially cancel the plan of a subdivision, including a general plan, or cancel the plan of a subdivision, including a diagram or general plan after application for the subdivision of land has been granted										After: (a) considering objections received in consequence of an advertisement of the proposed amendment or cancellation of a plan of subdivision, and (b) consulting the owner of the land concerned and the Surveyor-General in relation to land units not yet registered by virtue of the granting of that application, where objections have been received.		
956.	LUPO 30(2)	Advertise the proposed amendment or cancellation of a plan of subdivision, if it is deemed that the amendment or cancellation of a plan of subdivision adversely affects the interest that any person has in land												
Registration of and Building Upon Land Units														
957.	LUPO 31(1)	Issue written authority confirming that all conditions on which an application for subdivision was granted, has been complied with before registration is effected by the registrar of deeds												
958.	LUPO 31(2)	Grant authority that a building or structure may be erected on a land unit forming part of a subdivision before such subdivision has been confirmed												
Compliance – Provisions of Zoning Scheme and Conditions of Subdivision														
959.	LUPO 39	Enforce compliance with the provisions of "LUPO", the provisions incorporated in a zoning scheme in terms of "LUPO", and the conditions imposed in terms of "LUPO" or the "Townships Ordinance", 1934												
Rectification of Contraventions														
960.	LUPO 40(1)	Direct the owner to: (a) rectify contravention; (b) apply for the determination of a contravention levy, or (c) apply for a departure										Where a building or any part thereof was erected in contravention of section 39(2)(a) of "LUPO"		

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961.		<i>Take all such steps as may be necessary to rectify such contravention</i>										<i>If the owner fails to comply with the instruction</i>			
962.	LUPO 40(1)(d)(ii)	<i>Determine contravention levies up to a capitalised sum determined by the Province</i>													
963.		<i>Determine contravention levies in accordance with a policy if any, up to a capitalised sum determined by the Provincial sphere of government</i>										<i>In cases where agreement is reached with the owner</i>			
964.	LUPO 40(2)	<i>Recover from the owner any amount spent to rectify contraventions</i>													
Right of Entry															
965.	LUPO 41	<i>Authorise any official to at any reasonable time, after reasonable notice and causing as little inconvenience as possible enter upon any land in order to do anything which the council is permitted or required to do in terms of "LUPO"</i>													
966.		<i>Authorise any official to at any reasonable time, after reasonable notice and causing as little inconvenience as possible enter upon any land in order to make an inquiry, an investigation or a survey in connection with the exercise or performance the council's powers or duties in terms of "LUPO"</i>													
Conditions															
967.	LUPO 42	<i>Provide the Premier/ Minister with standard conditions in cases where Province has requested such conditions, notwithstanding the fact that the application was refused by the decision making body of Council and</i>										<i>Provided that the comments/consultation will still support refusal of the application</i>			
968.		<i>Identify and recommend environmental and heritage resources in a zoning scheme, imposition of conditions, performing power or duty in terms of a condition</i>													
969.	LUPO 42(1)	<i>Impose conditions when granting an authorisation, exemption or application under LUPO</i>													

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970.	LUPO 42(3)	Consider objections in consequence of an advertisement and after consultation with the owner of the land concerned											And to: (a) waive or amend any condition; and (b) impose additional conditions.			
971.		Approve or amend a site development plan, where objections have been received, where a rezoning, subdivision, departure or consent /conditional use has been approved by Province subject to the submission and approval of a site development plan														
972.		Grant, with or without conditions, or refuse an application for the Special consent of Council, consent of Council, or a conditional use referred to in the Zoning Scheme Regulations in operation in Council's area of jurisdiction in relation to land where no objections have been received														
973.		Approve or amend a site development plan where a rezoning, subdivision, departure or consent/conditional use has been approved by Province, subject to the submission and approval of a site development plan											Where no objections thereto have been received			
974.		Waive, amend or impose additional conditions in relation to a condition imposed in respect of an application for rezoning, subdivision, departure or consent/conditional use by Provincial Government on appeal in terms section 44 of "LUPO"											Where objections have been received			
975.		Waive, amend or impose additional conditions In relation to a condition imposed in respect of an application for rezoning, subdivision, departure or consent/conditional use on by Province on appeal											Where no objections have been received			
976.		Recommend to Province/Premier to waive, amend or to impose additional conditions where Council does not have the delegated authority to do so											Where objections have been received			
977.		Recommend to Province/Premier to waive, amend or to impose additional conditions where Council does not have the delegated authority to do so											Where no objections have been received			
978.		Amend a condition imposed by officials, after consultation with the owner of the land concerned											in cases where no objections have been received			
979.		Grant or refuse consent to amend or cancel a notarial tie required by conditions imposed in terms of section 42														

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980.	LUPO 42(4)	Advertise													
Appeals															
981.	LUPO 44(1)(a), (b) & (c)	Consult with and comment to the Premier/relevant Minister on appeals lodged											Provided that such consultation/comments must be in accordance with the decision taken by the final decision making body of Council. Provided further that where the comment/consultation is not in accordance with the original decision, the body who took the final decision shall consult with and comment to the Premier/ Minister.		
982.	LUPO 44(1)(d)	Consult with and comment to the Premier/relevant Minister on appeals lodged													
LAND USE PLANNING ORDINANCE REGULATIONS															
983.	LUPO Reg 4	Request additional information or documentation in any application, which may include an independent impact assessment, and which may be necessary to consider the potential detrimental impact of a proposal on environmental or heritage resources													
DISASTER MANAGEMENT ACT, ACT 57 OF 2002															
984.	DMA 55	Declare a local state of disaster													
MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, ACT 28 OF 2002															

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985.	MPRDA 10, 16, 22, 27, 39 & 40	Submit Municipality's comments to the Minister of Minerals and Energy relating to the contents of an application outside the urban edge for prospecting, mining, exploration, production or related activities, or on environmental management programmes or environmental management plans and to present the Municipality's comments to the Regional Mining Development and Environmental Committee											Not delegable			
LESS FORMAL TOWNSHIPS ESTABLISHMENT ACT, ACT 125 OF 1991																
986.	LFTEA	Process applications and make recommendations to PGWC to designate land for less formal settlement and to formulate conditions														
987.	LFTEA 3	Request the Premier to make available State land that is controlled by him or land that has been acquired by him, for designation														
988.		Request the Premier to designate land as land for less formal settlement and to formulate conditions for such designation														
989.		Request the Premier to suspend the operation of any servitude registered against the title of the designated land or any other restrictive condition registered or otherwise operative in respect of the land														
990.	LFTEA 3(5)(h)	Request the Premier to, at any time prior to the commencement of settlement amend or withdraw a notice														
991.		Request the Premier to amend or suspend a condition imposed under subsection (1) which binds the local authority or person referred to in paragraph (b) of that subsection either before or after settlement														
992.	LFTEA 8(1)	Request the Premier to approve or amend layout plans submitted in terms of a condition of designation of land for less formal settlement														
993.		Request the Premier to declare that a provision of law referred to in section 3(5) to be applicable or to declare that another law referred to in section 3(5)(h) be declared as not being applicable to designated land														

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994.		<i>Request the Premier to declare a provision of a law mentioned in s3(5) to be applicable to designated land described in the notice or to request him to amend or withdraw a notice</i>														
995.	LFTEA 10	<i>Apply to the Premier to grant permission for the establishment of a Township</i>														
996.	LFTEA 12	<i>Recommend to the Premier the granting or refusal of an application for the establishment of a township in terms of section 11, to formulate conditions for the establishment of the township and to recommend the exclusion of laws and suspension of servitudes and restrictive conditions</i>														
REMOVAL OF RESTRICTIONS ACT, ACT 84 OF 1967																
997.	RRA 2(1)	<i>Lodge an application with the Premier to alter, suspend or remove any restriction or obligation on municipal land</i>														
Title Deed Restrictions																
998.	RRA 3	<i>Transmit an application for the alteration, suspension or removal of a restriction or obligation to the Director-General together with comments and recommendation thereon</i>														
999.	RRA 3(2)	<i>Comment on and make recommendation to the Premier or his delegatee regarding a proposed alteration, suspension or removal of a restriction or obligation</i>														
1000	RRA 3(6)	<i>Process the advertising of an application in accordance with the instructions of the Director-General</i>														
1001	RRA 3(8)	<i>Request the Provincial Director General to grant a further period to allow the municipality to comment on and make recommendations</i>														
LEGAL SUCCESSION TO SOUTH AFRICAN TRANSPORT SERVICES ACT, ACT 9 OF 1989																
1002	LSSATSA	<i>Approve Precinct Plans, Site Development Plans, Development Framework Plans and amendments thereto arising out of agreements entered into</i>										<i>Where no objections have been received</i>				
1003		<i>Perform powers and duties in terms of agreements under the "LSSATS Act", subject thereto that major expansions will require Council's consent and significant departures will require a rezoning to an appropriate use zone</i>														

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1004		Determine deemed consents for non-transport uses which pre-existed the Amendment Act														
1005		Determine change of use										Must be dealt with under "LUPO"				
1006	LSSATSA 13	Determine uses which comply with the definitions of "ancillary uses" as provided for in Transportation Use Zones														
BLACK COMMUNITIES DEVELOPMENT ACT REGULATIONS, ACT 4 OF 1984																
1007	BCDA Regs	Process applications and make recommendations to PGWC regarding consent, rezoning and subdivision														
1008		Make recommendations to the Provincial government relating to the granting or refusing, with or without conditions, of applications for rezoning, subdivision, departures, consent of Council or amendment to town planning conditions and where objections have been received														
1009		Grant or refuse, with or without conditions, a consent and departures in cases where the power is delegated to Council where objections have been received														
1010		Make recommendations to the Provincial government to grant with or without conditions or refuse an application by an owner of land for the rezoning thereof in cases where Council does not have the delegated power in terms of the General Structure Plan to authorise Councils to grant or refuse rezoning applications														
NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT, ACT 103 OF 1977																
Buildings Erected by or on Behalf of the State																
1011	NBRBSA 2(4)	Comment on plans, specifications and certificate in respect of any building to be erected by or on behalf of the State														
Applications in Respect of Erection of Buildings																

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1012	MBRBSA 4(2)(3)	Prescribe the application form for the erection of any building and to require such particulars as may be required for the carrying out of the objects and purposes of this acting														
Qualifications of Building Control Officer																
1013	NBRBSA 5(2)	Apply to the Minister for approval in writing for a person who does not have the prescribed qualifications to be appointed as BCO by Council														
Approval in Respect of Erection of Buildings																
1014	NBRBSA 7	Grant approval or refuse to grant approval for the erection of any building, with a floor space in excess of 500 square meters, in respect of which plans and specifications have been drawn and submitted														
1015	NBRBSA 7(4)	Extend the period of 12 months (as from the date on which approval was granted) for which an approval for the erection of any building is valid														
1016	NBRBSA 7(6)	Grant provisional authorisation to an applicant to commence or proceed with the erection of a building, before approval has been considered and to impose such conditions as may be deemed fit														
Appeals																
1017	NBRBSA 9	Comment on appeals lodged and authorising officials to appear at the Review Board Hearing of the appeal.														
Prohibition and Conditions																

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1018	NBRBSA 10(1)	Prohibit or to grant approval subject to conditions, the erection of a building or earthwork										That: (a) will not be in the interest of good health or hygiene; (b) will be unsightly or objectionable; (c) will probably or in fact be a nuisance to the occupiers of adjoining or neighbouring properties; (d) will probably or in fact derogate from the value of adjoining or neighbouring properties; (e) its being or is to be erected on a site which is subject to flooding does not drain properly or is filled up or covered with refuse or material impregnated with matter liable to decomposition			
Time Limits															
1019	NBRBSA 11(1)	Order the owner of such building to resume and to complete the erection thereof within a specified period										Where for a period exceeding 3 months the erection of a building is not proceeded with			
1020	NBRBSA 11(2)	Extend the period specified in the notice if satisfied it that the owner's failure was due to circumstances beyond his control										Where the owner of a building fails to proceed with the erection of a building as ordered			
1021	NBRBSA 11(3)	Order the owner to demolish such building and to remove the material, if of the opinion that such building is unsightly or dangerous to life or property or derogates from the value of adjoining or neighbouring properties										Where the owner of a building fails to resume or to complete the erection of a building within the specified periods as ordered			

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1022	NBRBSA 11(4)	Demolish such building and remove the material and recover the costs thereof from owner										Where the owner of a building fails to comply with an order to demolish a building and to remove the material			
Demolition or Alteration of Certain Buildings															
1023	NBRBSA 12(1)	Order the owner of a building, land or earthwork, that is dilapidated or in a state of disrepair or is dangerous or is showing signs of becoming dangerous to life or property, to demolish, alter or secure such building in such manner that it will no longer be dilapidated or dangerous to life or property													
1024	NBRBSA 12(3)	Order the owner of such building, land or earthwork to at own cost instruct an architect or registered person to investigate such condition and to report to the Municipality on the nature and extent of the steps to be taken, in the opinion of such architect or registered person, in order to render such building, land or earthwork safe										Where the condition of any building or the land on which a building was or is being or is to be erected or any earthwork is such that it is dangerous or is showing signs of becoming dangerous to life or property			
1025		Order that any activities be stopped or prohibit the performance of any activities which may increase the danger or hinder or obstruct the architect or registered person from properly carrying out the investigation													
1026		Require the architect or registered person to submit evidence of his or her competence to carry out such duties													
1027		Order the owner to instruct another architect or registered person to carry out the duties													
1028	NBRBSA 12(4)(5)	Order the owner of any building to remove all persons occupying or working or being for any other purpose in such building therefrom, and to take care that no unauthorized person may enter such building										If deemed necessary for the safety of any person			
1029		Order any person occupying or working or being for any other purpose in any building, to vacate such building													

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1030		<i>Grant permission that such building may again be occupied or used</i>														
Exemptions and Authorisations																
1031	NBRBSA 13(3)	<i>Consider, where the building control officer has refused to extend any period of 6 months allowed for a minor building work, on written application from an aggrieved person, such refusal and confirm such refusal or extend such period on such conditions as may be deemed fit</i>														
Certificates of Occupancy																
1032	NBRBSA 14(1)	<i>Issue or to refuse to issue a certificate of occupancy on completion of the erection of a building</i>														
1033	NBRBSA 14(1)A	<i>Grant permission to use a building before the issue of the certificate of occupancy, for such period and on such conditions as may be deemed necessary, and to extend or alter such period and conditions</i>														
1034	NBRBSA 15	<i>Authorize a person to enter any building or land at any reasonable time to carry out inspections</i>														
Deviations and Exemptions																
1035	NBRBSA 18(1)	<i>Permit a deviation or grant an exemption from any applicable national building regulation except a national building regulation regarding the strength and stability of buildings</i>														
BUSINESSES ACT, ACT 71 OF 1991																
Business Licensing																
1036	BA Sch1(2)	<i>Grant licences for health facilities or entertainment</i>														
1037	BA Sch1(2)(4) – (10)	<i>Exercise all powers conferred on the Municipality</i>														
1038	BA Sch1	<i>Comment on and make recommendations regarding the demarcation and amendments thereto, of prohibited and restricted trading areas proclaimed</i>														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

ITEM NO	POWER/AUTHORITY		DELEGATED AUTHORITY								LIMITATIONS/ CONDITIONS	SUB DELEGATIONS	REMARKS	RISK: LTD MOD EXT
	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV				
WESTERN CAPE GAMBLING AND RACING ACT, ACT 4 OF 1996														
1039	WCGRA	<i>Comment on applications</i>												
PREVENTION OF ILLEGAL EVICTION FROM UNLAWFUL OCCUPATION OF LAND ACT, ACT 19 OF 1998														
1040	PIEUOLA 7	<i>Appoint a mediator</i>												
LAND SURVEY ACT, ACT 8 OF 1997														
Land Survey														
1041	LSA	<i>Position, create and maintain a Town Survey Mark Reference System</i>												
1042	LSA 37(2)	<i>Amend or cancel subdivision diagrams</i>												
1043		<i>Amend or cancel general plans</i>												
1044		<i>Amend or cancel road widening diagrams</i>												
1045		<i>Amend or cancel public open space</i>												
1046		<i>Amend or cancel road closures</i>												
1047		<i>Amend or cancel servitudes</i>												
PROTECTED AREAS ACT, ACT 57 OF 2003														
1048	PAA 38	<i>Manage protected environments (if assigned by Minister)</i>												

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1049	PAA 39(3)	Participate in preparation of management plans														
1050	PAA 39(4)	Ensure the applicable aspects of the municipality's IDP are incorporated into a management plan														
1051	PAA 40(1)(iv)	Ensure that the management authority is adhering to municipal by-laws														
1052	PAA 41(3)(a)	Assess integrated development plan framework's economic opportunities as part of management plan														
1053	PAA 42(2)(a) - (l)	Co-manage protected areas including exercise of powers, duties and regulation of human activities that affect the environment in terms of an agreement with the Municipality														
1054	PAA 42(3)(a)	Ensure the management plan addresses the Municipality's cultural heritage resources in the protected area														
1055	PAA 86	Undertake/implement any actions contemplated by the Minister in the Regulations for the proper administration of special nature reserves, national parks and world heritage sites														
NATIONAL HERITAGE RESOURCES ACT, ACT 25 OF 1999																
1056	NHRA 8(6)	Apply for assessment of municipality's competence to perform functions under the Act														
1057	NHRA 8, 25 & 26(1)	Perform any general responsibility, duty or function assigned, deemed or delegated to the Municipality														
1058	NHRA 4 – 10	Manage Heritage Resources (policy, identify resources, assess and grade, perform local responsibilities, database),														
1059	NHRA 27	Follow procedure for formal protection of heritage sites, comment on declarations proposed by SAHRA or Province, regulations pertaining to heritage sites, make agreements with site owners														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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	MANDATE	CRYPTIC DESCRIPTION OF AUTHORITY	COUNCIL	SPEAKER	EM	MM	CFO	MANAGE- MENT	TECHNICAL	TECH SERV	ELECTR S					
1060	NHRA 28	Make recommendations regarding provision in by-laws or zoning scheme for managing Protected Areas														
1061	NHRA 29	Protect places considered conservation-worthy or threatened by public notices														
1062	NHRA 30	Compile a heritage inventory as part of the Provincial Heritage Register, and follow application assessment requirements and to mark listed places														
1063	NHRA 31	Recommend on the designation of Heritage Areas to protect places of environmental or cultural interest, including at the time of revision of a zoning scheme or spatial plan; to provide for protection in a by-law or zoning scheme and require/consider approval or refusal of consent for alteration or development in the area and to perform powers in Heritage Areas														
1064	NHRA 34	Deal with structures older than 60 years and apply for exemptions of areas or categories, subject to competency being granted														
1065	NHRA 38	Notify developers of requirement for Heritage Impact Assessment, (HIA) follow consideration procedures for HIA's, comment on HIA's, authorise HIA in cases where evaluation of impact can be dealt with in an application made in terms of "LUPO", "Zoning Scheme Regulations" or other relevant laws														
1066	NHRA 39	Inform of destruction of listed heritage place														
1067	NHRA 42	Negotiate heritage agreements														
1068	NHRA 43	Recommend on the provision of incentives in by-law or planning scheme														
1069	NHRA 44	Promote presentation and use of heritage resources														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1070	NHRA 45	Serve notices for compulsory repair and maintenance of heritage resources														
1071	NHRA 48	Deal with the manner in which application is to be made for any permit or other requirement and make stipulations and conditions														
1072	NHRA 49	Lodge appeals against decisions														
1073	NHRA 50	Perform all functions of appointed Heritage Inspector														
1074	NHRA 51	Lay charges, make submissions for offences														
1075	NHRA 54	Recommend to Council on the formulation of by-laws for heritage resources														
1076	NHRA 55	Assist and cooperate with heritage bodies														
1077	NHRA 58	Provide for the protection of conservation areas under previous National Monuments Act, or perform other transitional powers														
			SPATIAL DATA INFRASTRUCTURE ACT, ACT 54 OF 2003													
			Spatial Information Standards and Prescriptions													
1078	SDIA 11(3)	Ensure adhere to the standards and prescriptions for spatial information														
			Capture and Publishing of Spatial Information Metadata													
1079	SDIA 12(1)	Capture and maintain metadata for spatial information in accordance with the Act														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1080	SDIA 12(2)	Ensure that metadata for spatial information is available to users by making metadata available to the Department of Land Affairs in the prescribed manner for inclusion in the electronic metadata catalogue														
Supply of and Accountability for Spatial Information																
1081	SDIA 14(2)	Be accountable for the integrity of unmodified spatial information														
1082	SDIA 14(3)	Provide (a) the information in a prescribed manner and (b) the relevant metadata together with the spatial information when supplying information														
Maintenance of Spatial Information Base Data Sets																
1083	SDIA 16(2)	Ensure regular updating of base data sets in accordance with the provisions of the Act														
Reporting on Spatial Information Data Quality																
1084	SDIA 17(3)	Report on data quality by responding in the prescribed time and manner, to the user after receiving the report on that deficiency														
Security of Spatial Information																
1085	SDIA 18(a)	Take reasonable steps to effect adequate and appropriate security against the loss of spatial information unauthorized or unlawful access to and modification or disclosure of that spatial information														
1086	SDIA 18(b)	Ensure the protection of the copyright of the state and other interested parties in spatial information														
SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, ACT 16 OF 2013																
Categories of Spatial Planning																
1087	SPLUMA 5(1)(a)	Compile, approve and review integrated development plans														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1088	SPLUMA 5(1)(b)	Compile, approve and review the components of an integrated development plan prescribed by legislation and falling within the competence of a municipality, including a spatial development framework and a land use scheme														
1089	SPLUMA 5(1)(c)	Control and regulation of the use of land within the municipal area where the nature, scale and intensity of the land use do not affect the provincial planning mandate of provincial government or the national interest														
Norms and Standards																
1090	SPLUMA 8(1)	Consult with Minister prescribed norms and standards for land use management and land development that are consistent with this Act, the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), and the Intergovernmental Relations Framework Act														
Preparation of Spatial Development Frameworks																
1091	SPLUMA 12(1)	Prepare spatial development frameworks										Subject to SPLUMA 12(1)(a) – (o)				
1092	SPLUMA 12(2)	Participate in the spatial planning and land use management processes that impact on national government, provincial government and municipalities to ensure that the plans and programmes are coordinated, consistent and in harmony with each other														
Regional Spatial Development Framework																
1093	SPLUMA 18(1)	Consult with the Minister with regards to a regional spatial development framework to guide spatial planning, land development and land use management in any region of the Republic before Minister publishes it in the Gazette														
1094	SPLUMA 18(2)	Consult with the Minister with regards to him/her reviewing the regional spatial development framework at least once every five years from the date of its last publication or amendment and proposing amendments to the regional spatial development framework														

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1095	SPLUMA 18(3)	Consult with the Minister with regards to him/her declaring any geographic area of the Republic to be a region for the purpose of this section when necessary to give effect to national land use policies or priorities in any specific geographic area of the Republic in addition to the spatial development framework applicable to such area															
Preparation of Municipal Spatial Development Framework																	
1096	SPLUMA 20(1)	Adopt a municipal spatial development framework for the municipality by notice in the Provincial Gazette															
1097	SPLUMA 20(3)(a)	Give notice of the proposed municipal spatial development framework in the Gazette and the media											Before adopting the municipal spatial development framework and any proposed amendments to the municipal spatial development framework Contain items listed in SPLUMA 21				
1098	SPLUMA 20(3)(b)	Invite the public to submit written representations in respect of the proposed municipal spatial development framework to the Municipal Council within 60 days after the publication of the notice															
1099	SPLUMA 20(3)(c)	Consider all representations received in respect of the proposed municipal spatial development framework															
Role of Executive Authority																	
1100	SPLUMA 23(1)(a)	Provide general policy and other guidance											Subject to section 81 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), a municipality, in the performance of its duties in terms of this Chapter must allow the participation of a traditional council				
1101	SPLUMA 23(1)(b)	Monitor and oversee such responsibilities as it may designate to officials of municipality and non-officials in the implementation of this Act															
Land Use Scheme																	

CAM ADMINISTRATIVE and OPERATIONAL DELEGATIONS ISSUED IN TERMS OF SECTION 59 OF THE MUNICIPAL SYSTEMS ACT, 2000

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1102	SPLUMA 24(1)	Adopt and approve a single land use scheme for its entire area after public consultation											Within five years from the commencement of SPLUMA Subject to SPLUMA 24(2)				
1103	SPLUMA 24(4)	Request the district municipality to prepare a land use scheme applicable to the municipal areas of the constituent local municipalities within the district municipality															
Legal Effect of Land Use Scheme																	
1104	SPLUMA 26(5)	Amend land use scheme if the amendment is: (a) in the public interest; (b) to advance, or is in the interest of, a disadvantaged community; and (c) in order to further the vision and development goals of the municipality.											After public consultation				
Review and Monitoring of Land Use Scheme																	
1105	SPLUMA 27(1)	Review land use scheme in order to achieve consistency with the municipal spatial development framework											At least every five years				
1106	SPLUMA 27(2)(a)	Amend respective land use schemes accordingly											Where the boundaries of a municipal area are altered				
1107	SPLUMA 27(3)	Submit approved land use scheme to the Premier for purposes of monitoring the performance of the municipalities											Within a time prescribed by or in terms of provincial legislation				
Amendment of Land Use Scheme and Rezoning																	
1108	SPLUMA 28(1)	Amend land use scheme by rezoning any land considered necessary by the municipality to achieve the development goals and objectives of the municipal spatial development framework															
1109	SPLUMA 28(2)	Undertake a public participation process to ensure that all affected parties have the opportunity to make representations on, object to and appeal the decision											Where the municipality intends to amend its land use scheme				

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1110	SPLUMA 28(4)	Authorise any change to the land use scheme of a municipality affecting the scheme regulations setting out the procedures and conditions relating to the use and development of land in any zone															
Consultation With Other Land Development Authorities																	
1111	SPLUMA 29(1)	Consult any organ of state responsible for administering legislation relating to any aspect of an activity that also requires approval in terms of this Act in order to coordinate activities and give effect to the respective requirements of such legislation, and to avoid duplication															
1112	SPLUMA 29(2)	Enter into a written agreement with the organ of state to avoid duplication in the submission of information or the carrying out of a process relating to any aspect of an activity that also requires authorisation under this Act											After consultation with the organ of state				
Alignment of Authorisations																	
1113	SPLUMA 30(1)(a)	Exercise respective powers jointly by issuing separate authorisations											Where an activity requiring authorisation in terms of this Act is also regulated in terms of another law Subject to SPLUMA 30(2)				
1114	SPLUMA 30(1)(b)	Exercise respective powers jointly by issuing an integrated authorisation															
1115	SPLUMA 30(3)	Regard an authorisation in terms of any other legislation that meets all the requirements set out in this Act or in provincial legislation as an authorisation in terms of this Act															
Record of Amendments to Land Use Scheme																	
1116	SPLUMA 31(1)	Keep and maintain a written record of all applications submitted and the reasons for decisions in respect of such applications for the amendment of land use scheme											Must be accessible to members of the public during normal office hours at the municipality's publicly accessible office				
Enforcement of Land Use Scheme																	
1117	SPLUMA 32(1)	Pass by-laws aimed at enforcing land use scheme															
1118	SPLUMA 32(2)(a)	Apply to a court for an order interdicting any person from using land in contravention of its land use scheme															

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1119	SPLUMA 32(2)(b)	Apply to a court for an order authorising the demolition of any structure erected on land in contravention of its land use scheme, without any obligation on the municipality or the person carrying out the demolition to pay compensation														
1120	SPLUMA 32(2)(c)	Apply to a court for an order directing any other appropriate preventative or remedial measure														
1121	SPLUMA 32(3)(a)	Designate a municipal official or appoint any other person as an inspector to investigate any non-compliance with land use scheme														
1122	SPLUMA 32(3)(b)	Issue each inspector with a written designation or appointment in the prescribed form, stating that the person has been appointed in terms of this Act														
Municipal Land Use Planning																
1123	SPLUMA 33(1)	Receive all land development applications as the authority of first instance														
Municipal Cooperation																
1124	SPLUMA 34(1)	Agree to establish a joint Municipal Planning Tribunal to exercise the powers and perform the functions of a Municipal Planning Tribunal														
1125	SPLUMA 34(2)	Establish a Municipal Planning Tribunal to receive and dispose of land development applications and land use applications within the district municipal area											A district municipality with the agreement of the local municipalities within the area of the district municipality			
1126	SPLUMA 34(3)	Publish the agreement entered into in the Provincial Gazette and a local newspaper in each of the affected municipalities														
Establishment of Municipal Planning Tribunals																

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1127	SPLUMA 35(1)	Establish a Municipal Planning Tribunal in order to determine land use and development applications within municipal area											Not delegable			
1128	SPLUMA 35(2)	Authorise that certain land use and land development applications may be considered and determined by an official in the employ of the municipality											Subject to SPLUMA 35(4) Not delegable			
1129	SPLUMA 35(3)	Categorise development applications to be considered by an official and those to be referred to the Municipal Planning Tribunal in order to determine land use and land development applications within municipal area														
Composition of Municipal Planning Tribunals																
1130	SPLUMA 36(1)(b)	Appoint members of Municipal Planning Tribunal who are not municipal officials and who have knowledge and experience of spatial planning, land use management and land development or the law related thereto														
1131	SPLUMA 36(4)(a)	Designate a member of the Municipal Planning Tribunal as chairperson														
1132	SPLUMA 36(4)(b)	Designate another member as deputy chairperson, to act as chairperson of the Municipal Planning Tribunal when the chairperson is absent or is unable to perform his or her duties														
Term of Office of Members of Municipal Planning Tribunals																
1133	SPLUMA 37(1)	Determine the term of office of members of a Municipal Planning Tribunal											Provided that a member may not serve as a member for a continuous period of ten years			
1134	SPLUMA 37(2)	Determine the terms and conditions of service of members appointed											In line with norms and standards published by the Minister			
1135	SPLUMA 37(3)	Consult with the Premier of the province in which the municipality is situated where a Municipal Council fails to appoint persons to allow the Premier to appoint such persons on behalf of the Municipal Council, and, where necessary, the Premier must determine the terms and conditions of that person's appointment														

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1136	SPLUMA 37(4)	<i>Publish notice in the Provincial Gazette upon the first appointment of members to a Municipal Planning Tribunal and when the Municipal Council is satisfied that the tribunal is in a position to commence its operations</i>														
Disqualification From Membership of Municipal Planning Tribunals																
1137	SPL:UMA 38(5)(a)	<i>Remove any member of an applicable Municipal Planning Tribunal from office if there are reasonable grounds justifying the removal</i>														
1138	SPLUMA 38(5)(b)	<i>Remove any member of an applicable Municipal Planning Tribunal where a member has been disqualified after giving such a member an opportunity to be heard</i>														
1139	SPLUMA 38(6)	<i>Appoint a person to fill the vacancy for the unexpired portion of the vacating member's term of office</i>														
Provision of Engineering Services																
1140	SPLUMA 49(2)	<i>Provide external engineering services</i>														
Land for Parks, Open Space and Other Uses																
1141	SPLUMA 50(2)	<i>Provide land required for parks or open space within the land area to which the development application refers or may be provided elsewhere within the municipal area</i>														
Internal Appeals																
1142	SPLUMA 51(1)	<i>Receive appeal against Municipal Planning Tribunal decision</i>														
1143	SPLUMA 51(2)	<i>Submit the appeal to the executive authority of the municipality as the appeal authority</i>														

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1144	SPLUMA 51(6)	Authorise a body or institution outside of the municipality assume the obligations of an appeal authority															
Commencement of Registration of Ownership																	
1145	SPLUMA 53	Certify that all the requirements and conditions for the approval have been complied with for the registration of any property resulting from a land development application															

Acronyms:

ARRDA	Advertising on Roads and Ribbon Development Act (Act No. 21 of 1940)
BA	Businesses Act (Act No. 71 of 1991)
CARA	Conservation of Agricultural Resources Act (Act No. 43 of 1983)
CCC	Code of Conduct for Councillors (2004)
CCMSM	Code of Conduct for Municipal Staff Members
CPROA	Criminal Procedures Act (Act No. 51 of 1977)
DMA	Disaster Management Act (Act No. 57 of 2002)
ECA	Environmental Conservation Act (Act No. 73 of 1989)
EEA	Employment Equity Act (Act No. 55 of 1998)
ERA	Electricity Regulation Act (Act No. 4 of 2006)
FBSA	Fire Brigade Services Act (Act No. 99 of 1987)
FCA	Firearms Control Act (Act No. 60 of 2000)
IGRFA	Intergovernmental Relations Framework Act (Act No. 13 of 2005)
LFTEA	Less Formal Townships Establishment Act (Act No. 125 of 1991)
LSA	Land Survey Act (Act No. 8 of 1997)
LSSATSA	Legal Succession to South African Transport Services Act (Act No. 9 of 1989)
LUPO	Land Use Planning Ordinance (15 of 1985)
MCA	Magistrates Court Act (Act No. 32 of 1944)
MDA	Municipal Demarcation Act (Act No. 27 of 1998)
MDA	Municipal Demarcation Act (Act No. 27 of 1998)
MFMA	Municipal Finance Management Act (Act No. 56 of 2003)
MFPFA	Municipal Fiscal Powers and Functions Act (Act No. 12 of 2007)
MO	Municipal Ordinance (1974)
MPRDA	Mineral and Petroleum Resources Development Act (Act No. 28 of 2002)
MSA	Municipal Systems Act (Act No. 32 of 2000)
MSTA	Municipal Structures Act (Act No. 117 of 1998)

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NBRBSA	National Building Regulations and Building Standards Act (Act No. 103 of 1977)
NEMA	National Environmental Management Act (Act No. 107 of 1998)
NEMBA	National Environmental Management: Biodiversity Act (Act No. 10 of 2004)
NEMWA	National Environmental Management: Waste Act (Act No. 59 of 2008)
NHRA	National Heritage Resources Act (Act No. 25 of 1999)
NLTTA	National Land Transport Transition Act (Act No. 22 of 2000)
NRTA	National Road Traffic Act (Act No. 93 of 1996)
NVFA	National Veld and Forest Act (Act No. 101 of 1998)
NWA	National Water Act (Act No. 36 of 1998)
OHSA	Occupational Health and Safety Act (Act No. 85 of 1993)
PAA	Protected Areas Act (Act No. 57 of 2003)
PAIA	Promotion of Access to Information Act (Act No. 2 of 2000)
PIEUOLA	Prevention of Illegal Eviction from Unlawful Occupation of Land Act (Act No. 19 of 1998)
PRA	Municipal Property Rates Act (Act No. 6 of 2004)
RO	Roads Ordinance (19 of 1976)
RPOA	Remuneration of Public Office Bearers Act (Act No. 20 of 1998)
RRA	Removal of Restrictions Act (Act No. 84 of 1967)
SDA	Skills Development Act (Act No. 97 of 1998)
SDIA	Spatial Data Infrastructure Act (Act No. 54 of 2003)
SDLA	Skills Development Levies Act (Act No. 9 of 1999)
SPLUMA	Spatial Planning and Land Use Management Act (Act No. 16 of 2013)
STA	Sectional Titles Act (Act No. 95 of 1986)
WCGRA	Western Cape Gambling and Racing Act (Act No. 4 of 1996)
WSA	Water Services Act (Act No. 108 of 1997)