

Provincial Gazette

Free State Province

Published by Authority

Provinsiale Koerant

Provinsie Vrystaat

Uitgegee op Gesag

NO.27	FRIDAY, 28 JUNE 2019	NR.27	VRYDAG, 28 JUNIE 2019	
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[PROVINCIAL NOTICE NO. 24 OF 2018]

ALLOCATIONS TO MUNICIPALITIES IN TERMS OF LIMITED FINANCIAL SUPPORT

In terms of the Division of Revenue Act, Bill of 2019/2020 financial year and the Public Finance Management Act, 1999 Section 38(1)(l-n), the Provincial Treasury hereby publishes the information set out in Schedule 1 that relates to the allocation of the amounts as stated in Schedule 2 relating to the allocation of funds from the Provincial Revenue Fund by the Accounting Officer of the Department of Cooperative Governance and Traditional Affairs to Municipalities

SCHEDULE 1**LIMITED FINANCIAL ASSISTANCE TO MUNICIPALITIES: KOPANONG LOCAL MUNICIPALITY**

1. Transferring Provincial Department	Department of Cooperative Governance and Traditional Affairs
2. Purpose	To assist medium and small Municipalities experiencing severe financial problems to restructure their financial positions and organizations over the medium term.
3. Measurable Outputs	The provision of Limited Financial Assistance to those Municipalities facing critical financial problems.
4. Conditions	<p>The transfer of Limited Financial Assistance to the Municipality facing critical financial problems is subject to the following conditions:</p> <ul style="list-style-type: none"> • Where applicable, the Local Municipality follows due Supply Chain Management process in the appointment of service providers and provide documentary evidence thereof to the Department. • The Local Municipality acknowledges receipt of the funds as per the prescribed Limited Financial Assistance Return Certificate attached hereto. • The Local Municipality includes the allocation amount in its Adjustment Budget; • The Local Municipality uses the full and total amount for the exclusive purposes for which it was granted, no portion of the allocation will be permitted to be apportioned towards any administrative handling/processing fees or levies whatsoever; • The Local Municipality reports back on compliance with these conditions and submit supporting documentation in this regard to the Department within 30 calendar days after receipt of the funds.
5. Allocation criteria	Allocations are based on financial position of Municipalities.
6. Monitoring mechanism	<ul style="list-style-type: none"> • Submission of Financial Assistance Receipt Return Certificate supported by bank statement. • Proof that the full amount transferred was exclusively appropriated for the sole intended purpose as per the original application for Limited Financial Assistance supported by invoices, payment vouchers and bank statements.
7. Projected Life	Once-off transfer payment, the appropriation of which must be reported back on within 30 days from date of receipt.
8. Payment Schedule	Payment with regard to financial support will be made according to the conditions of paragraph 4.
9. Reason not incorporated in Equitable Share	According to Section 154(1) of the Constitution, the National Government and the Provincial Governments, by legislative and other measures, must support and strengthen the capacity of Municipalities to manage their own affairs, to exercise their powers and to perform their functions.
10. Allocation	R 250 000

SCHEDULE 2

LIMITED FINANCIAL ASSISTANCE TO KOPANONG, MALUTI A PHOFUNG, MAFUBE, MOHOKARE AND NGWATHE LOCAL MUNICIPALITIES LOCAL MUNICIPALITIES				ANNEXURE A					
Category	DC	Number	Municipality	PROVINCIAL FINANCIAL YEAR			MUNICIPAL FINANCIAL YEAR		
				2019/2020 Allocation (R'000)	2020/2021 Allocation (R'000)	2021/2022 Allocation (R'000)	2018/2019 Allocation (R'000)	2019/2020 Allocation (R'000)	2020/2021 Allocation (R'000)
A		MAN	Mangaung						
C	DC 16	DC 16	Xhariep						
B	DC 16	FS 161	Letsemeng						
B	DC 16	FS 162	Kopanong	250				250	
B	DC 16	FS 163	Mohokare						
Total									
C	DC 18	DC 18	Lejweleputswa						
B	DC 18	FS 181	Masilonyana						
B	DC 18	FS 182	Tokologo						
B	DC 18	FS 183	Tswelopele						
B	DC 18	FS 184	Matjhabeng						
B	DC 18	FS 185	Nala						
Total									
C	DC 19	DC 19	Thabo Mofutsanyana						
B	DC 19	FS 191	Setsoto						
B	DC 19	FS 192	Dihlabeng						
B	DC 19	FS 193	Nketoana						
B	DC 19	FS 194	Maluti-a-Phofung						
B	DC 19	FS 195	Phumelela						
B	DC 17	FS 196	Mantsopa						
Total									
C	DC 20	DC 20	Fezile Dabi						
B	DC 20	FS 201	Moqhaka						
B	DC 20	FS 203	Ngwathe						
B	DC 20	FS 204	Metsimaholo						
B	DC 20	FS 205	Mafube						
Total									
Unallocated									
GRAND TOTAL				250				250	

[PROVINCIAL NOTICE NO. 25 OF 2019]

NOTICE OF 2019/2020 MUNICIPAL TARIFFS

- 5.6% CPIX was applied to increase tariffs on Property Rates, Water, Refuse and Sanitation
- Electricity has been increased by the overall 8.41% as approved by NERSA (using a 1 % less to 9.41 % of Eskom guideline. Pending Nersa Approval)
- 50kWh will be provided only to indigents
- Rates and Taxes utilizing the 2019/2024 new General Valuation Roll with new tariffs that are lower than the 2018/19 financial year
- Cemeteries 5.6 %
- Halls 5.6 %
- All Other Sundries 5.6 %
- From 2019/20 the irrigation water will not be levied

Indigent Policy

- **Category A – R 4 040.00** of the total gross income per month of all occupants over 18 years: (Full subsidised services on the municipal account) to accommodate two state pensioners
- **Category B – R 4 040.00** of the total gross income per month of all occupants over 18 years (will receive a rebate of R 200.00 per month if the market value of the household property is above 1500 000.00

The property rates tariffs summarised for the financial year 1 July 2019 to 30 June 2020 are as follows:

CATEGORY	Rate c in R	Exemptions, Reductions & Rebates
Residential	0,0122000	A total rebate of R30 000 will be granted on the value of the property (R15 000 impermissible according to the Municipal Property Rates Act plus a further R15 000 according to the municipality's Property Rates Policy)
Business, Commercial and Industrial	0,0200000	A maximum of 5% reduction in line with the Rates Policy will be given
Private Owned Towns	0.0122000	A total rebate of R30 000 will be granted on the value of the property (R15 000 impermissible according to the Municipal Property Rates Act plus a further R15 000 according to the municipality's Property Rates Policy)
Agriculture	0,0030500 100% Phase in of MPRA	25% of the residential tariff. Any rebate will be granted in line with the Property Rates Policy
State-Owned, Government, Schools	0,0200000	
Public Service Infrastructure	0,0030500	25% of the residential tariff. Any rebate will be granted in line with the regulation on rate ratios
Vacant Stand Business	0.0122000	No rebates
Vacant Stand Residential	0.0122000	A total rebate of R30 000 will be granted on the value of the property (R15 000 impermissible according to the Municipal Property Rates Act plus a further R15 000 according to the municipality's Property Rates Policy)
Municipal Property	Exempted/Zero rated	

EXEMPTIONS, REDUCTIONS AND REBATES:

Exemptions, Reduction and Rebates will be given to the different categories of properties and owners as follows:

Different categories of properties

Residential properties

All residential properties with a market value of less than the amount as annually determined by the municipality are exempted from paying rates. **For the 2019/2020 financial year the maximum reduction is determined as R30 000.** The impermissible rates of R15 000 contemplated in terms of section 17(1) (h) of the Property Rates Act is included in the amount referred to above as annually determined by the municipality. The remaining R15 000 is an important part of the council's indigent policy and is aimed primarily at alleviating poverty.



Indigent owners

Owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality, regardless of the value of the property, will receive reduction from payment of property tax in terms of the Property Rates Policy.

Child headed families

Families headed by children with monthly income not exceeding **R 4 040.00** will receive a **100%** rebate for paying property tax.

Retired and Disabled Persons Rate Rebate

Retired and Disabled Persons, not registered as indigents, qualify for special rebates according to monthly household income as follows;

- **R0 to R4 040** per month - **100%** rebate
- **R4 041 to R5 000** per month - **60%** rebate
- **R5001 to R6 000** per month - **30%** rebate
- **R6 001 to R7 500** per month - **15%** rebate

Business, commercial and industrial properties

The municipality will grant rebates to rateable enterprises that promote local, social and economic development in its area of jurisdiction. Maximum rebate for the 2019-20 financial year has been determined at **5%**.

Public Benefit Organizations (PBO's)

Taking into account the effects of rates on PBOs performing a specific public benefit activity and if registered in terms of the Income Tax Act, 1962 (No 58 of 1962) for tax reduction because of those activities, Public Benefit Organizations may apply for the exemption or reduction of property rates up to 60%. Application should be submitted by the end of August 2019 on a prescribed form.

Agricultural property rebate

The municipality will apply the standard ratio for agricultural properties as promulgated by the Minister **1:0.25 (75% rebate** on the tariff for residential properties).

BK KANEMEYER
MUNICIPAL MANAGER

[PROVINCIAL NOTICE NO.26 OF 2019]

METSIMAHOLO LOCAL MUNICIPALITY**RATES BY-LAWS TO GIVE EFFECT TO PROPERTY RATES POLICY
RATES BY-LAWS****TABLE OF CONTENTS**

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PREAMBLE

WHEREAS Section 229(1) of the Constitution of the Republic of South Africa authorises a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the municipality;

AND WHEREAS section 3 of the Local Government: Municipal Property Rates Act, 2004 (No 6 of 2004), a municipality must adopt a policy consistent with the Act on the levying of rates on rateable property in the municipality;

AND WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 (No 6 of 2004) requires a municipality to adopt by-laws to give effect to the implementation of its rates policy: the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for payment of rates;

AND WHEREAS section 13 of the Local Government: Municipal Systems Act, 2000 read with section 162 of the Constitution requires a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province.

NOW therefore be it enacted by the Council of Metsimaholo Local Municipality, as follows:

1. DEFINITIONS

In this by-laws, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise-

“**Municipality**” means the municipal council for the municipal jurisdiction area of Metsimaholo Local Municipality;

“**Credit Control and Debt Collection Policy**” means the Municipalities Credit Control and Debt Collection Policy as required by sections 96(b) and 97 of the Local Government: Municipal Systems Act, 32 of 2000;

“**Rate**” or “**rates**” means a municipal rate as envisaged in section 229 of the Constitution of the Republic of South Africa.

“**Rates Policy**” means the rates policy adopted by the Council of the Municipality from time to time, contemplated in chapter 2 of the Property Rates Act and which is consistent with the Local Government: Municipal Property Rates Act, Act no. 6 of 2004 as amended.

“**Property Rates Act**” means the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004);

2. OBJECTIVE

The objective of this by-law is to give effect to the implementation of the Rates Policy as contemplated in section 6 of the Property Rates Act.

3. ADOPTION AND IMPLEMENTATION OF PROPERTY RATES POLICY

3.1 The municipality shall adopt and implement a rates policy consistent with the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) on the levying of rates on rate-able property in the municipality and

3.2 The municipality shall not be entitled to levy rates other than in terms of a valid rates policy.

4. CONTENTS OF PROPERTY RATES POLICY

The municipality's property rates policy shall inter alia:

4.1.1 Apply to all rates levied by the municipality pursuant to the adoption of the municipality's annual budget;

Comply with the requirements for: -

(a) the adoption and contents of a property rates policy specified in section 3 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004);

(b) the process of community participation specified in section 4 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004);

(c) the annual review of a rates policy specified in section 5 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004);

4.1.2 Provided for principles, criteria and implementation measures consistent with the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) for the levying of rates which the municipality may adopt and

4.1.3 Provide for enforcement mechanisms that are consistent with the Property Rates Act and Local Government: Municipal Systems Act, 2000 as well as enforcement mechanisms contained in the Credit Control and Debt Collection Policy.

5. ENFORCEMENT OF PROPERTY RATES POLICY

The municipality's property rates policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the municipality's Property Rates Policy.

6. SHORT TITLE AND COMMENCEMENT

This By-Law is called the Property Rates By-law, and takes effect on 1 July 2019.

[PROVINCIAL NOTICE NO.27 OF 2019]

METSIMAHOLO LOCAL MUNICIPALITY

CREDIT CONTROL AND DEBT COLLECTION BY LAWS

To give effect to the Municipality's credit control and debt collection policy and/or to regulate its implementation and enforcement in the Metsimaholo Municipal Area (FS024) in terms of section 156(2) of the Constitution of the Republic of South Africa (Act 108 of 1996) and sections 96 and 98 of the Municipal Systems Act (Act 32 of 2000); to provide for the collection of all monies due and payable to the Municipality; and to provide for matters incidental thereto.

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1. DEFINITIONS

In this policy, unless the context indicates otherwise, the word or expression has the means as follows:

“**Account**” means any account or accounts rendered for municipal services provided;

“**Actual consumption**” means the measure consumption of any consumer for any given period;

“**Agreement**” means the contractual relationship between the municipality and a customer whether in writing or not;

“**Arrears**” means any amount due, owing and payable by a customer in respect of municipal services not paid on the due date;

“**Arrangement**” means a formal agreement entered into between the Municipality and a customer where specific repayment parameter are agreed to in respect of debt in arrears;

“**Average consumption**” means the average consumption by a customer of a municipal service during a specific period, which consumption is calculated by dividing the total measured consumption of that municipal service by the customer over the preceding twelve months by twelve;

“**Authorised Representative**” means a person or agent or instance legally appointed or authorised by the Council to act or to fulfil a duty on its behalf;

“**Chief Financial Officer**” means the person appointed by Council to administer its finances;

“**Connection**” means the point at which a customer gains access to municipal services;

“**Council**” means the municipal Council of Metsimaholo Local Municipality;

“**Customer**” means any occupier of any property to which the municipality has agreed to supply services or already supplies services to, or failing such occupier, then the owner of the property;

“**Defaulter**” means the person who owes money to municipality after the due date has expired

“**Deposit**” means a minimum sum of money specified by Council and payable by the customer to the Municipality prior to occupation of the property or prior to the date on which services to the property are required; or prior to the date on which services are supplied by the municipality;

“**Due date**” means the date stipulated on the account and determined from time to time as the last date on which the account must be paid;

“**Engineer**” means the person in charge of civil and/or electrical component of the municipality;

“**Equipment**” means a building or other structure, pipe, pump, wire, cable, meter engine or any accessories;

“**Financial year**” means the period starting on 1st July in a year and ending on the 30th June the next year;

“**Illegal connection**” means a connection to any system through which municipal services are provided that is not authorized or approved by the municipality;

“**Indigent customer**” means a domestic customer qualifying and registered with the municipality as an indigent in terms of the municipality’s indigent policy;

“**Interest**” means a charge levied with the same legal priority as service fees and calculated at a rate determined by Council from time to time on arrears monies;

“**Meter audits**” means an investigation of municipal electricity and water meter supply to verify the correctness of consumption;

“**Municipality**”

- (a) means a municipality as described in the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)
- (b) a geographic area means a municipal area determined in terms of Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998);

“**Municipal Manager**” means the person appointed as Municipal Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) and include any person acting in that position or to whom authority was delegated;

“**Municipal services**” means those services provided by the municipality, such as, inter alia the supply of water, electricity, refuse removal, sewerage treatment, property rates and for which services charges are levied;

“**Owner**” means:

- (a) the person in whose name the property is legally vested;
- (b) in the case where the person in whose name the property is vested, is insolvent or deceased, or is disqualified in terms of any legal action, the person who is responsible for administration or control of the property as curator, trustee, executor, legal manager, liquidator or any other legal representative;
- (c) in the case where Council is unable to determine the identity of such person, a person who is entitled to the benefit of such premises with a building thereon;
- (d) in relation to:
 - (i) a portion of land delineated on a sectional plan registered in terms of the Sectional Title Act, 1986 (Act No 95 of 1986), without restricting it to the developer or managing body corporate in respect of the common property;
 - (ii) a portion as defined in the Sectional Title Act, the person in whose name that portion is registered in terms of a ‘sectional title, including lawfully appointed agent of such person;
- (e) any legal entity including but not limited to:
 - (i) a company registered in terms of the Companies Act, 1973 (Act No 61 of 1973), a trust, a closed corporation registered in terms of the Close Corporation Act, 1984 (Act No 28 of 1984) and a voluntary association;
 - (ii) any national or provincial government department; and
 - (iii) any Council or Board established in terms of any legislation applicable to the Republic of South Africa;

“**Property**” means any portion of land, of which the boundaries are determined, within the jurisdiction of the municipality;

“**Rates**” refers to property rates being levied by the municipality for a property that is situated in the municipal area

“**Terminated account**” refers to:

- (i) the final account for services after the customer has vacated the premises, whether or not the customer has given notice to terminate the supply of service or
- (ii) the final account for services if the customer has contravened the service provisions of this policy and attendant municipal by-laws

2. APPLICATION OF BY LAWS

- (1) These By-laws only apply in respect of amounts of money due and payable to the Council for –
 - (a) rates;
 - (b) fees, surcharges on fees in respect of the following municipal services :
 - (i) The provision of water and the availability thereof;
 - (ii) refuse removal and disposal;
 - (iii) sewerage and the availability thereof; and
 - (iv) electricity consumption and the availability thereof;
 - (c) interest which has or will accrue in respect of any amount of money due and payable or which will become due and payable to the Council in regard to rates and municipal services; and
 - (d) collection charges;
- (2) These By-laws also apply to any municipal service provided through pre-paid meters, in so far as the By-laws may be relevant.

3. CUSTOMER CARE

3.1 Specific Objective

- 3.1.1 To focus on the client's need in a responsible and pro-active way, to enhance the payment for services and to create a positive and cooperative relationship between the persons responsible for the payment for the services received, and the municipality, and where applicable, any service provider.

3.2 Communication

- 3.2.1 The municipality will, within its financial and administrative capacity, conduct an annual process of compiling and communicating its budget, which will include targets for credit control.

- 3.2.2 Council's Customer Care, Credit Control and Debt Collection Policy or relevant extracts thereof, will be available in **English, Afrikaans and Sotho**, and will be made available by general publications and on specific request, and will also be available for perusal at Council's offices.
- 3.2.3 Council will endeavour to distribute a regular newsletter, which will give prominence to customers' care and debt issues.
Ward Councillors will be required to hold regular ward meetings, at which customer care and debt collection issues will be given prominence.
- 3.2.4 The media will be encouraged to give prominence to Council's Customer Care, Credit control and Debt Collection policies and will be invited to Council or Committee meetings where these are discussed.

3.3 Metering

The municipality will endeavour, within practical and financial limits, to provide meters to every paying client for all consuming services.

- 3.3.1 All meters will be read monthly, if at all possible. If the meter is not read monthly the Council will estimate the consumption in terms of Council's operational procedures.
- 3.3.2 Customers are entitled to request verification of meter readings and accuracy within reason, but may be held liable for the cost thereof if it is found that the readings are correct or the difference is less than ten percent
- 3.3.3 Customers will be informed of meter replacement.
- 3.3.4 If a service is metered but it cannot be read due to financial and human resource constraints or circumstances out of the control of the municipality or its authorised agent, the customer is charged for an estimated consumption based on any consecutive twelve months consumption.
- 3.3.5 The account following the reading of the metered consumption must articulate the difference between the actual consumption and the average consumption, and the resulting credit or debit adjustments.

3.4 Accounts and Billing

- 3.4.1 Customers on the billing system will receive an understandable and accurate bill from the municipality, which bill will consolidate all services costs for that property.
Accounts will be produced in accordance with the meter reading cycle and due dates will be linked to the statement date.
- 3.4.2 Accounts will be rendered monthly in cycles of approximately 30 days at the address last recorded with the municipality or its authorized agent
- 3.4.3 It is the customer's responsibility to ensure that the postal address and other contact details are correct and in the case of a changes the municipality be notified in writing.
- 3.4.4 It is the customer's responsibility to ensure timeous payment in the event of accounts not received on or before the due date.
- 3.4.5 Settlement or due dates will be as indicated on the statement.
- 3.4.6 Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in full and final settlement of such an account.
- 3.4.7 Where any payment made to the municipality or its authorised representative by negotiable instrument is later dishonoured by a bank, the municipality or its authorised agent:-
- May recover the average bank charges incurred relating to dishonoured negotiable instruments against the account of the customer.
 - Shall regard such an event as a default on payment
 - Disconnect the service to such applicable property
- 3.4.8 The municipality or its authorised agent must, if administratively possible, issue a duplicate account to a customer on request, at a cost determined by Council from time to time

3.5 Payment Facilities and Methods

- 3.5.1 The municipality will operate and maintain suitable payment facilities will be accessible to all users.
- 3.5.2 The municipality will, at its discretion, allocate a payment between service debts and a debtor who has overdue debt, may not specify that the payment is for a specific portion of the account.
- 3.5.3 Any payments received from debtors for service delivery by the Council shall be used to off-set debts to the council in the following order:-
- Arrears;
 - Interest;
 - Instalment – dwelling;
 - Instalment – stand;
 - Sundries;
 - Additional – deposit;
 - Rates;
 - Penalty on arrear rates and services;

- Collection charges on arrear rates;
 - Refuse removal;
 - Water;
 - Sewerage;
 - Electricity; and
 - VAT on vat able services which will be the proportionate amount for the applicable services.
- 3.5.4 The municipality may in terms of section 103 of the Municipal Systems Act, with the consent of a customer, approach an employer to secure a debit or stop order arrangement.
- 3.5.5 The customer will acknowledge, in the customer agreements that the use of customer agents in the transmission of payments to the municipality is at the risk of customer – also for the transfer time of the payment
- 3.6 Incentives for Prompt Payment**
- 3.6.1 The Council may, to encourage prompt payment and/or to reward regular payers, consider from time to time incentives for the prompt payment of accounts or payment by debt.
- 3.6.2 Such incentive schemes, if introduced, will be reflected in annual adjustment budgets as additional expenditure.
- 3.7 Enquiries, Appeals and Service Complaints**
- 3.7.1 Within its administration and financial ability the municipality will establish:-
- A centralized complaints/feedback office;
 - A centralized complaints database to enhance co-ordination of complaints, their speedy resolution and effective communication with customers;
 - Appropriate training for officials dealing with the public to enhance communication and service delivery; and
 - A communication mechanism to give Council feedback on service, debt and other issues of concern.
- 3.7.2 If a customer is convinced that his/her account is inaccurate, he/she can lodge in writing a query with the municipality for investigation of this account, and where necessary the relevant alterations.
- 3.7.3 In the interim the debtor must pay the average of the last three months accounts where such history of the account is available. Where no such history is available, the debtor is to pay an estimate provided by the municipality before payment due date until the matter is resolved.
- 3.7.4 The relevant department will investigate and inform the debtor within the period specified herein, as determined by the Municipal Manager from time to time.
- 3.7.5 Failure to make such agreed interim payment or payments will result in the customer forming part of the normal credit control procedures.
- 3.7.6 A customer may appeal against the finding of the municipality or its authorised agent.
- 3.7.7 An appeal and request must be made and lodged in writing with the municipality within 21 (twenty-one) days after the customer became aware of the finding and must:-
- Set out the reasons for the appeal
 - Be accompanied by any security determined for the testing of a measuring device, if applicable.
- 3.8 Customer Assistance Programmes**
- 3.8.1 Water Leakages
- The customer has the responsibility to control and monitor his/her water consumption.
 - If the leakage is on the customer's side of the meter, the customer will be responsible for the payment of all water supplied to the property.
- 3.8.2 Rate Rebates
- Properties used exclusively for residential purposes may qualify for a rebated rate determined annually by Council.
 - A rate rebate may be granted according to certain qualifying criteria to social pensioners or the receiver of a State disability grant and/or any category of customer, as determined by Council from time to time.
- 3.9 Arrangements**
- 3.9.1 Customers with arrears and who cannot pay his/her account must:-
- Agree to the conversion to a prepayment electricity meter (if possible)
 - Sign an acknowledgement of debt
 - Provide a garnishee order/emolument order/ stop order (if he or she is in employment)
 - Acknowledge that as an incentive measure no interest will be charged on the arrear amount as from the date of the agreement
 - Sign an acknowledgement that, if the arrangements being negotiated are later defaulted on, that no further arrangements will be possible and that disconnection of water and electricity will follow immediately, as will legal proceedings
 - Acknowledge liability of all costs incurred.
-

- 3.9.2 Businesses, Schools and Industries are allowed to make arrangements up to a maximum period of 12 months.
- 3.9.3 Municipal employees and Councillors are allowed to make arrangements in line with credit policy arrangements and it be deducted from their salary/ allowance.
- 3.9.4 Council reserves the right to raise the deposit requirement of debtors who default on arrangements.

3.10 Rates by Instalments

- 3.10.1 Customers may elect to pay the property rates account monthly, over a maximum period of 12 months at no interest cost, on the condition that there is no rates outstanding in respect of a previous period and that the rates are paid in full prior to the next cycle.
- 3.10.2 Any arrangement for monthly rate instalments will be cancelled by the Municipality and all rates will be payable in full with immediate effect should any three instalments become overdue.
- 3.10.3 Owners of farm property may pay their assessment rates in one payment by not later than 31st October; interest will be affected thereafter if no payment is received.

3.11 Indigent Subsidy

- 3.11.1 The purpose of the indigent subsidy is to provide funding for a basic level of services to qualifying household consumers with a total gross income of two times the State old age pension, and according to further specified criteria as determined by Council from time to time
- 3.11.2 The source of funding of the indigence subsidy is that portion of the equitable share contribution to the municipality made from the national governments' fascas and as provided for in the budget. As such, the subsidy can only be credited to the qualifying customers' accounts until the amount received by the Municipality from National Government for this purpose has been exhausted, whereupon no further credits will be made, or the level of the credits reduced, until further national funds are received.
- 3.11.3 Subsidized services may include electricity, water, sewerage, refuse removal and assessment rates, rental and any consumption service charges.
- 3.11.4 If a consumer's consumption or use of the municipal service is less than the subsidised service, the unused portion may not be accrued by the customer and will not entitle the customer to cash or a rebate in respect of the unused portion.
- 3.11.5 If a customer's consumption or use of a municipal service is in excess of the subsidised service, the customer will be obliged to pay for such excess consumption at the applicable charges.
- 3.11.6 All consumers who qualify for an equitable share subsidy may be placed on restricted service levels in order to limit further escalation of debt.
- 3.11.7 Where applicable, these consumers may be exonerated from their arrear debt of portion thereof.
- 3.11.8 Where a qualifying customer's account is paid in full at the date of application, or maintains a paid up account after receiving the subsidy, the restriction on service levels may be waived on request by such a customer.
- 3.11.9 An indigent customer must immediately request de-registration by the municipality or its authorised agent if his/her circumstances have changed to the extent that he/she no longer meet the criteria.
- 3.11.10 An indigent customer may at any time request de-registration
- 3.11.11 A register of indigent customers will be maintained and may be made available to the general public.

3.12 Additional Subsidy Categories

- 3.12.1 Council may provide, free of charge to a customer, certain basic levels of water and electricity, as determined from time to time
- 3.12.2 Council may provide grants in lieu of rates to certain categories of owners of domestic properties to alleviate poverty
- 3.12.3 Rebates may be granted to sporting or any other determined bodies for consumption but tariffs must at least cover the cost of service.
- 3.12.4 Rebates may be granted to large customers to attract business to Metsimaholo that would benefit the community of Metsimaholo but tariffs must at least cover the cost of the service.

3.13 Customers Categories

- 3.13.1 Customers will be categorised according to specific classifications based on inter alia the type of entity and applicable tariffs and risk levels. Processes for credit control, debt collection and customer care may differ from category, as deemed appropriate from time to time by the Council.

3.14 Priority Customer Management

- 3.14.1 Certain customers may be classified as priority customers based on criteria determined by the Council from time to time, such as the number of properties owned or volume of consumption

4. CREDIT CONTROL

4.1 Service Application and Agreements

- 4.1.1 All customers (owners ONLY) of services will be required to sign an agreement governing the supply and cost of municipal services. Prior to signing these agreements, customers will be entitled to receive the policy document of the Council on request.
- 4.1.2 On the signing of the agreement, customers will receive a copy of the agreement for their records.
- 4.1.3 Council reserves the right to refuse any application for services if any amounts are owed on the account (site/erf) by the owner.
- 4.1.4 When applying for services, personal details as required by Council from time to time must be produced. Failure thereof will result in Council reserving its right refuse such application.
- 4.1.5 Customers are responsible for costs of collection, interest and penalties in the event of delayed and/or non-payment.
- 4.1.6 Existing customers of services may be required to sign new agreements as determined by the Municipal Manager from time to time
- 4.1.7 If at the commencement of these policies or at any other time, municipal services are provided and received and no written agreement exists in respect of such service it shall be deemed that an agreement in terms of paragraph (8.2.1) exist.
- 4.2 Right of Access to Premises**
- 4.2.1 The owner and or occupier of property is to allow an authorizes representative of the municipality access at all reasonable hours to the property in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict, or reconnect the provision of any municipal service.
- 4.2.2 The owner is responsible for the cost of relocating a meter if satisfactory access is not possible
- 4.2.3 If a person fail to comply, the municipality or its authorised representative may:-
- By written notice require such a person to restore access at his/her own expense within a specified period.
 - If it is the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such person.
- 4.3 Enforcement Mechanisms**
- 4.3.1 Interest will be raised as a charge on all accounts not paid by the due date, at a rate determined by Council from time to time, in accordance with applicable legislation.
- 4.3.2 The municipality shall have the right to restrict or discontinue the supply of services or to implement any other debt collection action necessary due to late or non-payment of accounts, relating to any consumer, owner or property.
- 4.4 Liability for Payment**
- 4.4.1 The owner will be the debtor of last resort
- 4.4.2 The owner will remain liable for payment of the Municipal account up to and including the date which terminates the Service Agreement as indicate in the Notice of Termination of Services,
- 4.4.3 An owner who fails to enter into the Service Agreement, will despite such failure, be liable for the payment of the Municipal account.
- 4.4.4 Nothing contained in this policy will prohibit the Council to collect payment of any amount from the owner or any other person, in terms of applicable legislation
- 4.4.5 The Chief Financial Officer may consolidate separate municipal accounts, or portions thereof, of persons liable for payment to the council
- 4.4.6 A copy of the identity document, payslip and Electricity Compliance Form, must be submitted with the Service Agreement.
- 4.5 Theft and Fraud**
- 4.5.1 Any person (natural or juristic) found to be illegally connected or reconnected to municipal services, tampering with meters, the reticulation network or any other supply equipment or committing any unauthorised act associated with the supply of municipal services, as well as theft of and damage to Council property, may be prosecuted and/or liable for penalties as determined from time to time.
- 4.5.2 Council will immediately terminate the supply of services to a customer should such conduct as outlined above, be detected.
- 4.5.3 The total bill owing, including penalties, assessment of unauthorised consumption and discontinuation and reconnection fees, and increased deposits as determined by Council if applicable, will be due and payable before any reconnection can be sanctioned.
- 4.5.4 Council may maintain monitoring systems in order to identify customers who are undertaking such illegal actions.
- 4.5.5 Council reserves the right to lay criminal charges and/or to take any other legal action against both vandals and thieves.
- 4.5.6 Any customer failing to provide information or providing false information to the municipality may face immediate disconnection and/or legal action.
- 4.6 Customer Screening and Securities**
- 4.6.1 All applicants for municipal services may be checked for credit-worthiness including checking information from banks, credit bureaus, other local authorities, trade creditors and employers.
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- 4.6.2 Deposits either in cash or any other security acceptable to the municipality may be required, and may vary according to the risk as determined by the Municipality.
- 4.6.3 A minimum deposit of the equivalent of one month's average consumption will be required.
- 4.6.4 Deposits can be increased by the municipality at any time and at the sole discretion of the municipality to a maximum of three months average consumption.
- 4.6.5 Deposits can vary according to the credit-worthiness or legal category of the applicant.
- 4.6.6 The municipality will not pay any interest on deposit's
- 4.6.7 On the termination of the agreement the amount of the deposit, less any outstanding amount due to the municipality, will be refunded to the consumer.

4.7 Persons and Business who Tender to the Municipality

- 4.7.1 The Procurement Policy and Tender Conditions of the Municipality will include the following:-
- When inviting tenders for the provision of services or delivery of goods, potential contractors may submit tenders subject to a condition that consideration and evaluation thereof will necessitate that the tendered obtain from the municipality a certificate stating that all relevant municipal accounts owing by the tendered and/or its director, owners or partners have been paid or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears
 - No tender will be allocated to a person/contractor until a suitable arrangement for the repayment of arrears, has been made. No further debt may accrue during contract period.
 - A condition allowing the municipality to deduct any moneys owing to the municipality from contract payments.
- 4.7.2 The municipality reserves the right not to consider and or disapprove any applications for subdivisions, consolidations and development of land if the owner, and partner or director (s) of such an application owes the municipality for rates and / or services.

4.8 Cost of Collection

- 4.8.1 All costs of legal processes, including interest, penalties, service discontinuation costs and legal costs associated with customer care or credit control, where ever applicable, are for the account of the debtor and should reflect at least the cost of the particular action.

4.9 The Pre-payment Meter System

- 4.9.1 The municipality may use its pre-payment system to:-
- Link the provision of electricity by the Municipality to a "pre-payment" system comprising, first, a pre-payment of electricity kWh and:
 - A payment in respect of arrears of accrued municipal taxes and other municipal levies, tariffs and duties in respect of services such as water, refuse removal, sanitation and sewage.

5. DEBT COLLECTION

5.1 Personal Contact

- 5.1.1 Telephonic contact, agents calling on clients
- Council will endeavour, within the constraints of affordability, to make personal or telephonic contact with all arrear debtors to encourage their payment, and to inform them of their arrears state, their right (if any) to conclude arrangements or to indigence subsidies, other related matters and will provide information on how and where to access such arrangements or subsidies.
 - Such contact is not a right for debtors to enjoy and disconnection of services and other collection proceedings may continue in the absence of such contact for whatever session.

5.2 Interruption of Service

- 5.2.1 Customers who are in arrears with their municipal account and who have not made arrangements with the Council will have their supply of electricity and water, and other municipal services, suspended, disconnected or reduced.
- 5.2.2 The disconnection of services may happen within 14 days of the date of the warning notice letter.
- 5.2.3 Council reserves the right to deny the sale of electricity or restrict the sale of water to customers who are in arrears with their rates or their municipal charges
- 5.2.4 Council reserves the right to levy an administrative fee if the process to disconnect services take legal action has been completed after the due date and the customer only pays the arrear amount before the action has been executed.
- 5.2.5 Upon the liquidation of arrears, or the conclusion of acceptable arrangements for term payment, the service will be reconnected as soon as conveniently possible.
- 5.2.6 The cost of the restriction or disconnection, and the reconnection, will be determined by tariffs approved by Council, and will be payable by the customer.
- 5.2.7 The deposit of any defaulter will be adjusted to bring into line relevant policies.

5.3 Legal Process/Use of Attorneys/Use of Credit Bureaus

- 5.3.1 Council may, when a debtor is in arrears, commence legal process against that debtor, which process could involve final demands, summonses, court trails, judgements, garnishee orders and/or sales in execution of property.
- 5.3.2 Council will exercise strict control over this process, to ensure accuracy and legality within it, and will require regular reports on progress from outside parties, be they attorneys or any other collection agents appointed by Council.
- 5.3.3 Council will establish procedures and codes of conduct with these outside parties.
- 5.3.4 Garnishee orders, in the case of employed debtors, are preferred to sales in execution, but both are part of Council's system of debt collection procedures.
- 5.3.5 All steps in the customer care and credit control procedure will be recorded for Council's records and for the information of the debtor.
- 5.3.6 All costs of this process will be for the account of the debtor.
- 5.3.7 Individual debtor accounts are protected and are not the subject of public information. However Council may release debtor information to credit bureaus. This release will be in writing or by electronic means.
- 5.3.8 Council may consider the cost effectiveness of the legal process, and will receive reports on relevant matters, including cost effectiveness.
- 5.3.9 Council may consider the use of agents as service providers and innovative debt collection methods and products. Cost effectiveness, the willingness of agents to work under appropriate codes of conduct and the success of such agents and products will be part of the agreement council might include with such agents or service providers; and will be closely monitored.
- 5.3.10 Customers will be informed of the powers and duties of such agents or service providers and their responsibilities including their responsibilities to observe agreed codes of conduct.
- 5.3.11 Any agreement concluded with an agent, service provider or product vendor shall include a clause whereby breaches of the code of conduct by the agent or vendor will constitute a breach of the contract

5.4 Rate Clearance

- 5.4.1 On the sale of any property in the municipal jurisdiction, Council will withhold the transfer until rates and service charges are paid by withholding a rates clearance certificate as contemplated in section 118 of the Systems Act.

5.5 Abandonment of Claims

- 5.5.1 The Municipal Manager must ensure that all avenues are utilised to collect the municipality's debt.
- 5.5.2 There are certain circumstances that allow for the valid termination of debt collection procedures as contemplated in section 109(2) of the Systems Act such as:-
- The insolvency of the debtor, whose estate has insufficient funds
 - A balance being too small to recover, for economic reasons considering the cost of recovery.
- 5.5.3 Where Council deems that a customer or groups of customers are unable to pay for services rendered
- 5.5.4 The municipality will maintain audit trails in such an instance, and document the reasons for the abandonment of the action or claim in respect of the debt.

5.6 Writing off Bad Debt

Bad debts will be written off in terms of the Bad debts write off policy as approved by Council.

6. CONFLICT OF BY LAWS

If there is any conflict between a provision in these By-laws and a provision of any other by-law, the provision in these By-laws must prevail.

7. SHORT TITLE AND COMMENCEMENT

This By-law is called the Metsimaholo Local Municipality: Credit Control and Debt Collection By-law and shall come into effect from the 01 July 2019

<p>[PROVINCIAL NOTICE NO.28 OF 2019]</p> <p>BUDGET AND ASSESSMENT RATES TARIFFS 2019/2020</p> <p>Notice is hereby given in terms of section 21 (1) of Local Government Municipal Systems Act 32 of 2000 that the Municipality's budget for 2019/2020 financial year has been adopted by Council on 31 May 2019.</p> <p>Notice is further given that a copy of the Estimates, Revenue and Expenditure and Capital requirements for the period ending 30 June 2020 as approved by Council, is available at the municipal Offices during working hours from 07:30 to 16:30 (excluding lunch hours: 13:00 – 14:00), Monday to Friday.</p>		<p>[PROVINSIALE KENNINGSGEWING NR.28 VAN 2019]</p> <p>BEGROTING EN EIENDOMBELASTING TARIEWE 2019/2020</p> <p>Kennis geskied hiermee dat die Bedryf-en Kapitale begroting vir die 2019/2020 finansiële jaar deur die Munisipale Raad, kragtens die bepalinge van artikel 21(1) van die Wet op Plaaslike Regering: Munisipale Stelsels No 32 van 2000, op 31 Mei 2019 goedgekeur is.</p> <p>Kennis geskied verder dat 'n afskrif van die geskatte Inkomste en Uitgawe Kapitaal begroting vir 'n tydperk eindigende 30 Junie 2020 ter insae sal wees by die Munisipale kantore gedurende werksure 07:30 tot 16:30 (uitsluitende etensure 13:00 – 14:00), Maandag tot Vrydag.</p>	
<p>ASSESSMENT RATES</p> <p>DESCRIPTION</p> <p>Public / Residential Market Value</p> <p>Government/State owned Market Value Residential Market Value Business</p> <p>Business/Industrial Market Value</p> <p>Farms/Agricultural Market Value</p> <p>Public Service Infrastructure Market Value</p> <p>Exemptions, Rebates, Discounts & Reductions. As stipulated in the Council's Rates Policy and Rates By-Law</p> <p>Rebate – Government/State owned</p> <p>Rebate – Public /Residential</p> <p>Rebate – Business/Industrial</p> <p>Rebate – Farms/Agricultural</p>	<p>TARIFF 2019/2020</p> <p>0.0200</p> <p>0.0400</p> <p>0.0400</p> <p>0.0400</p> <p>0.0025</p> <p>0.0050</p> <p>0%</p> <p>50%</p> <p>50%</p> <p>60%</p>	<p>ERFBELANGSTING</p> <p>BESKRYWING</p> <p>Publieke/Residensieel Markwarde</p> <p>Regering Markwarde Residensieel Markwarde Besighede</p> <p>Besighede Markwarde</p> <p>Plase Markwarde</p> <p>Publieke Diens Infrastruktuur Markwarde</p> <p>Verstellings, Kortings, Afslag & Verminderings Soos vervat in die Raad se erfbestaling Beleid en Munisipale Verordeninge</p> <p>Kortings – Regering</p> <p>Kortings – Residensieel</p> <p>Kortings – Besighede</p> <p>Kortings - Plase</p>	<p>TARIEWE 2019/2020</p> <p>0.0200</p> <p>0.0400</p> <p>0.0400</p> <p>0.0400</p> <p>0.0025</p> <p>0.0050</p> <p>0%</p> <p>50%</p> <p>50%</p> <p>60%</p>
<p>The other user services will be levied as per approved and adopted budget by Council.</p> <p>Enquiries can be directed to Mrs. F Viljoen in the Revenue Department (051) 933-9335</p>		<p>Ander verbruikersdienste sal gevorder word soos goedgekeur en aanvaar in die begroting van die Munisipale Raad.</p> <p>Navrae kan gerig word aan Mev. F Viljoen Inkomste Afdeling (051) 933-9335</p>	

**FREE STATE GAMBLING AND LIQUOR ACT, 2010
APPLICATION FOR A LIMITED GAMBLING MACHINE SITE LICENCE**

Notice is hereby given that:

- Aletha Magrietha Roets trading as **Little Loft** of 1 Halse Street, Wilgehof, Bloemfontein.
- Christiaan Johannes Coetzer trading as **Die Windpomp** of Erf 15760, No 2B, Tamar Buildings, Emily Hobhouse Square, Dan Pienaar Drive, Bloemfontein.
- Nicolaas Van Der Westhuizen Nolte trading as **Trattoria** of 43 Henley Street, Deneysville

Intend submitting applications to the Free State Gambling, Liquor and Tourism Authority for limited gambling machine site licenses at above-mentioned sites. These applications will be open for public inspection at the offices of the Free State Gambling, Liquor and Tourism Authority from **28 June 2019**

Attention is directed to the provision of Section 67 of the Free State Gambling and Liquor Act, 2010 which makes provision for the lodging of written representations in respect of the application. Such representations should be lodged with the Chief Executive Officer, Free State Gambling Liquor and Tourism Authority, P O Box 9229, Bloemfontein, Free State Province, 9300, within 30 days from **28 June 2019**

Any person submitting representations should state in such representation whether or not they wish to make oral representations at the hearing of the application.
