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 VUNDU LA LIMPOPO
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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 83



EPHRAIM MOGALE LOCAL MUNICIPALITY

CREDIT CONTROL AND DEBT COLLECTION BY- LAW

The Municipal Manager of Ephraim Mogale Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes Debt Collection and Credit Control By-Laws for the Municipality as approved by its Council, as set out hereunder.

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1. DEFINITIONS

For the purpose of these by-laws, unless the context indicates otherwise: -

“account” means any account or accounts rendered for municipal services that have been provided;

“Agreement” means a written agreement entered into by and between the municipality and the debtor or consumer where specific terms and conditions for the payment of a debt are agreed to;

“arrears” means any amount that is due, owing and payable by a customer in respect of a municipal service that has not been paid on or before the due date;

“Chief Financial Officer” means a person appointed by the Municipality in terms of section 56 of the Local Government: Municipal Systems Act 2000 (Act 32 of 2000) as amended to manage, inter alia, the financial administration and collection of the debt of the Municipality's debts;

“Client Management” means the focusing on the client's needs in a responsive and pro-active way to encourage payment, thereby limiting the need for enforcement;

“Council” means the Council of the Municipality;

“Credit Control” means the limiting of further service delivery (and thus lowering current accounts and arrears growth) to defaulters and the negotiation for payment before normalizing service delivery again;

“Debtor” means a person or entity to whom or to which a municipal account has been submitted.

“Debt Collection” means the administrative and legal processes, which are necessary to collect unpaid income of the Municipality from its debtors;

“Debt Collector” means any person or persons authorised by the municipality to collect monies or institute legal proceedings against debtors, on behalf of the municipality;

“Defaulter” means a debtor whose municipal account is in arrears for a period of more than 30 (thirty) days from the due date of account;

Due date means a final date on which a payment, as shown on the debtor's municipal account or in terms of a contract is due and payable;

“Indigent debtor” means a debtor who is qualified to be, and who is registered with the municipality as an indigent in accordance with the municipality indigent policy;

“interest” means interests as may be prescribed by the Minister of Justice in terms of section 1 of the Prescribed Rate of Interest Act, 1975 (Act No 55 of 1975);

“Municipality” means Ephraim Mogale Local Municipality established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“Municipal Services” means services, rates and taxes reflected on the municipal account for which payments is required by the Municipality;

“owner” means—

- (a) The registered owner of premises in terms of the Deeds Registries Act, 1937 (Act 47 of 1937) or the person in whom from time to time is vested the legal title to premises or where the municipality is unable to determine the identity of such person who is benefitting or who is likely to benefit from such premises or such building thereon;
- (b) the person in whose name the ownership of the premises is registered from time to time or his agent;
- (c) where the registered owner of the premises is insolvent or dead, or for any reason lacks legal capacity, or is under any form of legal disability, that has the effect of preventing him or her from being able to perform a legal act on his or her own behalf, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (d) where the municipality is unable to determine the identity of the owner, a person who has a legal right in, or the benefit of the use of, any premises, building, or any part of a building, situated on them;
- (e) where a lease has been entered into for a period of 30 (thirty) years or longer, or for the natural life of the lessee or any other person mentioned in the lease, or is renewable from time to time at the will of the lessee indefinitely or for a period or periods which, together with the first period of the lease, amounts to 30 years, the lessee or any other person to whom he has ceded his right title and interest under the lease, or any gratuitous successor to the lessee;
- (f) in relation to—
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No 95 of 1986), the developer or the body corporate in respect of the common property, or
 - (ii) a section as defined in the Sectional Titles Act, 1986 (Act No 95 of 1986), the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person; or
 - (iii) a person occupying land under a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority;

"Premises" includes any piece of land, the external surface boundaries of which are delineated on-

- (a) A general plan or diagram and registered in terms of the legislation; or in terms of the Deeds Registry Act, 47 of 1937;
- (b) A sectional plan registered in terms of the Sectional Titles Act, 95 of 1986, which is situated within the area of jurisdiction of the council

"Property means":

- (a) Immoveable property and any building, whether moveable or immoveable and any other immoveable structure in or on the property or entity:

- (b) A right registered against immovable property in the name of a person or entity;
- (c) A land tenure right registered in the name of a person or entity, or granted to a person in terms of legislation.

2. Application for Services

- (1) A consumer shall forward the application to the municipal council for provision of municipal services and indigent customer must apply for services in the manner set out in the credit control and debt collection policy.
- (2) No person shall, subject to the provisions of subsection (3), receive or be provided with access to a municipal service unless the municipality has given its approval to an application that has been made to the municipality on the prescribed form obtained from the municipal offices.
- (3) If, at the commencement of these by-laws or at any other time, municipal services are provided and received and no written agreement exists in respect of such services, it shall be deemed that—
 - (b) an agreement exists; and
 - (c) the level of services rendered to that customer is at a level of services elected by him.
- (4) The municipality, when an application for the provision of municipal services has been made to it, must inform the applicant of the levels of services that are available and the applicable tariffs or charges.
- (5) The municipality is obliged only to provide a level of service specifically requested by the applicant if the service is currently being provided and if the municipality has the resources and capacity to provide that level of service.
- (6) A customer may at any time apply for an alteration to the level of services that was elected in terms of an agreement, and, if she does so, the municipality may approve of the application if it has the capacity and resources to provide the requested level of service altering the level of services subject to the condition that the customer shall be liable, for the cost of effecting the alteration and, if it be feasible to calculate the cost, to pay it before the alteration commences.
- (7) An application for services that has been submitted by a customer and approved by the municipality shall constitute a written agreement between the municipality and the customer, and such agreement shall take effect on the date referred to or stipulated in the agreement.
- (8) The municipality must take reasonable steps to attempt to ensure that an illiterate person who wishes to complete an application form understand the document as well as the consequences of entering into the agreement, and must also advise him or her of the possibility of registering as an indigent customer.

- (9) If the municipality—
- (a) refuses an application for the provision of municipal services or a specific service or level of service;
 - (b) is unable to render municipal services, or a specific service or level of service, by when the customer wants it; or
 - (c) is unable to render municipal services, a specific service, or a specific level of service; it must, within 7 (seven) days of refusing the application or of becoming aware of its inability, inform the customer about the refusal or its inability, and must furnish the reasons for its refusal or inability.

3. Payment of Deposit

- (1) A municipal council may require a customer to pay a deposit that has been determined by it and may determine that different deposits be paid by different categories of customers, users of services and debtors as well as for different services and standards of service.
- (2) A deposit may not exceed 3 (three) times the monetary value (including rates and taxes derived from rendering the service) of any service for which a client has applied.
- (3) The municipal council may specify acceptable forms of deposits, which may include:
 - (a) cash;
 - (b) bank guaranteed cheques; and
 - (c) bank guarantees.
- (4) A deposit determined by the Municipal Council must be paid by a customer when he or she applies for a municipal service and no service will be rendered until it has been paid.
- (5) The municipal council may annually review a deposit to be paid depending on the outcome of the review—
- (6) A deposit, is refundable to the customer on settlement of all arrears on the termination of the agreement but if any arrears are still due, they will be deducted from it.
- (7) A deposit shall be forfeited to the municipality if it has not been claimed by the customer within 12 (twelve) months of the termination of the agreement.

4. Accounts

- (1) Accounts shall be rendered monthly to customers at the customer's last recorded address.
- (2) Where in the opinion of the municipality it is not reasonably possible or cost effective to render accounts to consumers who consume only subsidised services, the municipal council may, notwithstanding subsection (1), decide not to render accounts to those consumers.

- (3) Failure by the customer to receive or accept an account does not relieve a customer of the obligation to pay any amount that may be due and payable.
- (4) The municipality must, if it is reasonably possible to do so, issue a duplicate account to a customer on request.
- (5) Accounts must be paid not later than the last date for payment specified in the account.
- (6) Accounts for municipal services must—
 - (a) reflect at least the—
 - (i) services rendered;
 - (ii) consumption of metered services or the average, shared or estimated consumption;
 - (iii) period addressed in the account;
 - (iv) applicable charges;
 - (v) subsidies;
 - (vi) amount due (excluding the value added tax payable)
 - (vii) value added tax;
 - (viii) adjustment, if any, to metered consumption which has been previously estimated;
 - (ix) arrears;
 - (x) interest payable on any arrears;
 - (xi) final date for payment; and
 - (xii) methods, places and approved agents where payment may be made.

5. Arrangements to pay outstanding and due amount in consecutive instalments

- (1) A debtor may enter into a written agreement with the Municipality to repay any outstanding arrears to the Municipality under the following conditions:
 - (a) the outstanding balance, costs and any interest thereon shall be paid in regular and consecutive monthly instalments;
 - (b) monthly instalments will be debited on the monthly current account, which has to be paid every month to ensure that the agreement is not cancelled;
 - (c) the written agreement has to be signed on behalf of the Municipality by an authorized official.

6. Interest Charges

- (1) Interest may be levied on arrears.
- (2) The municipal council may differentiate between types of domestic customers, types and

levels of services, quantities of services, geographical areas and socio-economic areas in levying interest on arrears.

7. Power to restrict or disconnect supply of services.

- (1) The Municipality may after having consulted the debtor restrict or disconnect any other service to any premises whenever a debtor:
- (a) fails to make full payment on the due date or fails to make acceptable arrangements for the repayment of any arrears;
 - (b) fails to comply with a condition of supply imposed by the municipality;
 - (c) obstructs the efficient supply of electricity, or any other municipal services to another customer;
 - (d) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue; causes a situation which in the opinion of the municipality is dangerous or a contravention of relevant legislation;
 - (e) Is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act no 24 of 1936;

8. Reconnection of services

- (a) The Municipality shall reconnect supply of any of the restricted or discontinued services after the amount outstanding and due, including the costs of such disconnection and reconnection, if any, have been paid or after any other condition or conditions of the municipality's credit control and debt collection policy has been complied with.

9. Power of entry and inspection

- (1) An authorized representative of the Municipality may for any purpose related to the implementation or enforcement of these by-laws, at all reasonable times or in an emergency at any time, enter premises, request information, carry out such inspection and examination as he or she may deem necessary, install or repair any meter or service connection for reticulation and disconnect, stop or restrict the provision of any municipal service.
- (2) If the Municipality considers it necessary that work be performed to enable a representative of the Municipality to perform a function referred to in (a) above properly and effectively, it may-
- (a) by written notice require the owner or occupier of the premises at his or her own expense to do specified work within a specified period; or
 - (b) If in its opinion the situation is a matter of urgency, without prior notice do such work or cause it to be done at the expense of the owner.
- (3) If the work referred to in (b) above is carried out for the sole purpose of establishing whether a contravention of these by-laws has been committed and no such contravention has taken place, the municipality shall bear the expense connected therewith together with that of restoring the premises to their former condition.

10. Service agreement and client management

- (1) No supply of services shall be given unless and until application has been made and a service agreement, in the Municipality's prescribed format for either residential consumers or business consumers, has been entered into and a deposit as security equal to an amount and in the form of either cash or a bank guarantee as determined by the Municipality from time to time, has been paid. Such a services agreement shall not be entered into without the consent of the registered owner of the relevant property. Such a deposit will not attract interest and must not be regarded as payment for arrears whilst the municipal account is still active, as it is intended as security after the eventual closure of the municipal account.
- (2) Termination of the services agreement must be in writing.
- (3) All arrears attached to the property where services are to be connected are paid up or payment arrangement entered into as per approved debt collection and credit control policy.
- (4) The Chief Financial Officer shall provide the infrastructure and expertise for client management to address the following aspects:-
 - (a) opening of accounts;
 - (b) closure of accounts;
 - (c) debt collection counters and telephones;
 - (d) credit control counters, consultation facilities and correspondence;
 - (e) account correspondence and corrections; and
 - (f) communication to clients via municipal accounts statement and specialised notices.

11. Termination of agreements for municipal services

- (1) A customer may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to the municipality.
- (2) The municipality may terminate an agreement for municipal services by giving at least 21 (twenty-one) days written notice to a customer where—
 - (a) municipal services were not utilised for a consecutive period of 2 (two) months and without an arrangement, to the satisfaction of the municipality, having been made for the continuation of the agreement; or
 - (b) premises by a customer have been vacated by the customer, who owns or has occupied them, and no arrangement for the continuation of the agreement has been made with the municipality.
- (3) A customer shall remain liable for all arrears and applicable charges that are payable for municipal services rendered prior to the termination of an agreement.

12. Notices and Documents

- (a) A notice or document issued by the Municipality in terms of these by-laws shall be deemed to be duly issued if it is signed by an authorized official or representative of the Municipality.

- (b) If a notice is to be served on a person in terms of these by-laws, such service shall be effected by:
- (i) delivering the notice to him or her personally or to his or her duly authorized agent;
 - (ii) delivering the notice at his or her residence or place of employment to a person apparently not less than sixteen years of age and apparently residing or employed there; if he or she has nominated an address for legal purposes, by delivering the notice to such an address;
 - (iii) registered or certified post addressed to his or her last known address; in the event of a body corporate, by delivering it at the registered office or the business premises of such body corporate;
 - (iv) affixing the notice to the principal door or entry to the premises or placing it on a conspicuous place on the land to which it relate, if service cannot be effected in terms of paragraphs (b)(i) to (b)(iii).

13. Authentication documents

- (1) Every order, notice or other document requiring authentication by the municipality shall be sufficiently authenticated, if signed by the Municipal Manager or by an authorised official or representative of the municipality.
- (2) Delivery of a copy shall be deemed to be of the original.

14. Power of the municipality to recover costs

- (1) Where any payment made to the Municipality is later dishonoured by the bank, the Municipality shall levy a cost and administration fee against the municipal account of the defaulting debtor in terms of the Municipality's tariff.
- (2) All legal costs, including attorney-and-own-client costs incurred in the recovery of amounts in arrears shall be levied against the arrear municipal account of the debtor.
- (3) For any action taken in demanding payment from the debtor or reminding the debtor, by means of telephone, SMS, email, letter or otherwise, that his or her payments are due, a penalty fee may be levied against the municipal account of the debtor in terms of the Municipality's tariff.
- (4) Where any service is disconnected or restricted for credit control purposes, the Municipality shall be entitled to levy and recover a disconnection fee from that debtor in terms of the Municipality's approved tariff.

15. PROPERTY RATES

(1) Amount due for the property rates

- (a) Property rates is payable by property owners by a fixed date as determined by the Municipality.
- (b) Joint owners of property shall be jointly and severally liable for payment of property rates.
- (c) Property rates may be levied as an annual single amount, or in equal monthly instalments

- (d) Payment of property rates may not be deferred beyond the fixed date by reason of an objection to the valuation of the property.

15.2 Claim on rent income for property rates in arrears

The Municipality may apply to Court for the attachment of any rent income, in respect to a rateable property, to cover in part or in full any amount outstanding in respect of arrears on the municipal accounts of such a property for a period longer than three months after the fixed date.

15.3 Liability of company directors for property rates

Where a company, closed corporation or a body corporate in terms of the Sectional Titles Act, 1986 is responsible for the payment of any arrears amount to the Municipality, the liability of such entity shall be extended to the directors or members thereof jointly and severally, as the case may be.

15.3 Municipal property sold or donated and payment of property tax

A new owner of the property obtained from the municipality, shall be liable for the payment of property rates for the property in respect of financial year in which he or she becomes the new owner.

In the event that the municipality has to repossess the property, any outstanding and due amount in respect of the property rates shall be recovered from the intended new owner.

15.4 Restraint on transfer of property

- (1) A registrar of deeds or other registration officer of immovable property may not register the transfer of property except on production to that registration officer of a prescribed certificate –
- (i) issued by the municipality in which that property is situated; and
 - (ii) which certifies that all amounts due in connection with that property for municipal services and other municipal taxes, levies and duties have been fully paid.
- (2) In case of the transfer of immovable property by a trustee of an insolvent estate, the provisions of this section are subject to section 89 of the Insolvency Act, 1936(Act 24 of 1936)
- (3) An amount due for the municipal services and other municipal taxes, levies and duties is a charge upon the property in connection with which the amount is owing and enjoys preferences over any mortgage bond registration against the property.

16. OFFENCES

- (1) A person who-
- (a) fails to give the access required by an official or representative of the Municipality in terms of these by-laws;
 - (b) obstructs or hinders an official or representative of the Municipality in the exercise of his or her powers or performance of functions or duties under these by-laws; illegally uses or interferes with municipal services equipment or illegally consumes municipal services; tampers or breaks any seal on a meter or on any

equipment belonging to the Municipality, or for any reason causes a meter not to properly register the service consumption, shall be charged for usage, estimated by the Chief Financial Officer based on average usage;

- (c) fails or refuses to give an official or representative of the Municipality such information as he or she may reasonably require for the purpose of exercising his or her powers or functions under these by-laws or gives such an official or representative false or misleading information knowing it to be false or misleading; contravenes or fails to comply with a provision of these by-laws;
- (d) fails to comply with the terms of a notice served upon him or her in terms of these by-laws; shall be guilty of an offence and liable upon conviction to a period not exceeding six months of community services or fine not exceeding R50 000.00 or a combination of the aforementioned.

17. REPEAL

By-laws published by the former local authorities within Ephraim Mogale Local Municipality are hereby repealed.

18. COMMENCEMENT DATE

This By-laws shall take effect on the date of publication in the Provincial Gazette.

19. SHORT TITLE

This by-law is called Ephraim Mogale Local Municipality Credit Control and Debt Collection by-law.

LOCAL AUTHORITY NOTICE 84**EPHRAIM MOGALE LOCAL MUNICIPALITY**

PROPERTY RATES BY LAW

The Municipal Manager of Ephraim Mogale Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes Property Rates By-Law for the Municipality as approved by its Council, as set out hereunder.

PREAMBLE:

WHEREAS section 229 of the Constitution of the Republic of South Africa entitles municipalities to impose rates on property; and

WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) provides that the municipality must adopt by-laws to give effect to implementation of the property rates policy;

BE IT THEREFORE ENACTED by the Municipality, as follows:

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1. DEFINITIONS

All words in this by-law shall have the same meaning and interpretation as assigned in the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) unless the context indicates otherwise:

“Actual Use” means actual activities that are taking place on the property;

“Child Headed Household” means a household recognized as such in terms of section 137 of the Children's Amendment Act, 41 of 2007;

“Business” in relation to property, means the use of property for the activity of buying, selling or trading in commodities or service on a property and includes any office or other accommodation on the same property, the use of which is incidental to such activity;

“Community services” means any services which the expenditure of rendering of such a service is financed from the revenue generated from property rates;

“Disaster” means a disaster within the meaning of the Disaster Management Act (57 of 2002); or any other serious adverse social or economic condition;

“Indigent household” means an owner of property who is in permanent occupation of the property and qualifies for indigent relief in terms of the municipality's indigent policy, shall include state pensioner, child-headed household, disabled people, household without income or with income that falls within a certain threshold and medical boarded people;

“Municipality” means Ephraim Mogale Local Municipality established in terms of section 12 of the Local Government: Municipal Structure Act, 1998 (Act 117 of 1998);

“Municipal Manager” means a person appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000;

“Non-profit organization” means any organization which is registered in terms of the Non-profit Organizations Act;

“Person” means natural and legal person including an organ of state;

“Privately owned township” means single properties, situated in an area not ordinary being serviced by the municipality, divided through sub-divisions or township establishment units (ten or more) full title stands and/or sectional units and where all services inclusive of water, electricity, sewerage and refuse removal and roads development are installed at the full cost of the developer and maintained and rendered by the residents of such estate or township;

“Pensioner” means any owner of rateable property who has reached the age of 60 years or more;

“Smallholding” means a property recorded in the Deeds Registry Database as being an Erf and zoned for Agricultural usage in terms of an adopted Town Planning Scheme;

“Small, very small and micro business” Means businesses as per the criteria set by the National Small Business Act No.102 of 1996 schedule;

“Special rating area” Means a geographic area within which property owners agree to pay for certain services supplementary to those supplied by the municipality. These services are financed

by levying an additional rate, which is added to the rate in a rand of the property owners within the precinct;

“the Act” means the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004);

“Vacant Land” means land, irrespective of zoning or category and in respect of which the municipality has not issued an occupancy certificate, being unimproved urban land;

“Value of property” means the market value of the property as determined in terms of the Act;

2. Purpose

- (1) The purpose of this By-Law is to:
 - (a) comply with the provisions section 6 of the Act;
 - (b) determine criteria to be applied for the levying of differential rates for different categories of properties;
 - (c) determine or provide criteria for the determination of categories of properties and categories of owners of properties;
 - (d) determine criteria to be applied for granting exemptions, rebates and reductions;
 - (e) Identify which categories of properties the municipality has elected not to rate as provided for in section 7 of the Act.

3. Categories of properties for differential rating purposes

- (1) For the purposes of differential rates, the following categories of rateable property have been determined, being:
 - (a) Residential Property;
 - (b) Residential Property with special consent;
 - (c) Business, Commercial and Industrial Property;
 - (d) Agricultural Property;
 - (e) State owned Property;
 - (f) Public Service Infrastructure;
 - (g) Public Benefit Organization Property;
 - (h) Mining Property;
 - (i) Rural Communal Land;
 - (j) State Trust Land;
 - (k) Municipal property;
 - (l) Places of Public Worship;
 - (m) Protected area;
 - (n) vacant land;
 - (o) Formal and informal settlements; and
 - (p) properties used for multiple purposes.
- (2) Differential rating among the above determined categories of properties will be done by way of setting different rates in the rand for each property category.
- (3) The criteria for weighting the categories determined above, for the purpose of determining cent in a rand amount (rates tariff) for each category, must take

account of the following:

- (a) the reliance or otherwise of the owners of specific categories of property on services supplied by the Municipality;
- (b) the strategic importance of a category of property with reference to the aims and objectives of the municipality and the Government of the Republic of South Africa as a whole (such as social, economic and developmental issues); and
- (c) the nature of the category of property, including its sensitivity to rating.

4. Categories of owners of properties

- (1) The municipality has determined in its rates policy, the following categories of owners of property:
 - (a) Indigents;
 - (b) Pensioners, physically and mentally disabled;
 - (c) Owners temporarily without income;
 - (d) Owners of residential properties;
 - (e) Land reform beneficiaries;
 - (f) Sporting bodies; and
 - (g) Public benefit organizations.

5. Liability for rates

- (1) The levying of rates on property will be effected in terms of the municipality's rates policy as amended from time to time.
- (2) The Municipality will, as part of each annual operating budget process, determine a rate in the rand to be levied on the market value of the property in every category of properties.
- (3) Rates will be recovered monthly.
- (4) If an amount due for rates on a property is unpaid by the owner of the property, the municipality may recover the amount from the tenant, occupier of the property or, the agent of the owner.
- (5) Where the rates levied on a property are based on a supplementary valuation made in terms of section 78(1) of the Municipal Property Rates Act, 2004 such rate will be payable from the date contemplated in section 78(4) of the Act.
- (6) Recovery of rates due will be in accordance with the Municipality's Credit Control and Debt Collection policy read together with the Credit Control and Debt Collection by-laws.

6. Imposition of rates

- (1) The council shall as part of each annual operating budget cycle, impose a rate in the rand on the market value of all rateable property as recorded in the municipality's valuation roll and supplementary valuation roll. Rateable property shall include a property on which the municipality may in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levy of rates in terms of the Act.
- (2) All ratepayers, in a specific category, as determined by council from time to time, will be treated equitably;
- (3) Property rates will be assessed on the market value of all rateable properties in the jurisdiction of the municipality;

7. General Valuation

- (1) The municipality will undertake a general valuation of all rateable properties in its area of jurisdiction and a valuation roll be compiled triennially.
- (2) The municipality will undertake supplementary valuations on an ongoing basis and prepare a supplementary valuation roll once during each financial year.
- (3) The municipality will in accordance with section 79 of the Act, make amendments regularly to the particulars on the valuation roll, only the electronic copy of the valuation roll is updated to incorporate such amendments, except those changes to the roll in circumstances where section 78 of the Municipal Property Rates Act applies, which may only be effected through a supplementary valuation in accordance with the section.

8. Exemptions, reductions and rebates

- (1) A municipality may in terms of the criteria as set out in its rates policy-
 - (a) exempt a specific category of owners of properties, or the owners of a specific category of properties, from payment of a rates levied on their property; or
 - (b) grant to a specific category of owners of properties, or the owners of a specific category of properties, a rebate on or a reduction in the rates payable in respect of their properties.

9. Relief measures for property owners

- (1) The municipal council shall consider the need and desire to grant relief to a specific category of owners of properties and owners of a specific category of properties as set out in its rates policy.
- (2) The municipality will not grant relief in respect of the payment of rates other than by way of an exemption, rebate or reduction provided for in this by-law and granted in terms of section 15 of the Act to:
 - (a) a specified category of properties; or
 - (b) a specified category of owners of property as provided for hereunder.

10. Recovery and payment of rates

- (1) An owner of a rateable property shall be liable for a property rates account;
- (2) Property rates shall be recovered on a monthly basis over a twelve months period in equal installments;
- (3) Owners of rateable properties liable for the payment of property rates account shall be furnished with a written municipal account on a monthly basis; but this does not exempt the owner from paying if he or she does not get the municipal account.
- (4) Payment of property rates with a single amount on or before 31 December of each year, shall be allowed on condition that:
 - (a) the owner applies to the municipality in writing on a prescribed form for such deferment of the payment of the property rates account;
 - (b) the owner has more than ten (10) property rates accounts with the municipality;
 - (c) the application reaches the municipality before 30 June of each year; and
 - (d) interest on overdue property rates accounts shall not be levied until 31 December of each year in case of payment of property rates with a single amount for twelve months;

- (5) Rates in arrears shall be recovered from tenants and occupants of a property if the owner fails to pay the property rates account.
- (6) The Credit Control and Debt Collection policy and by-law shall apply in cases where the property rates accounts are in arrears.
- (7) Interest on property rates in arrears shall be calculated and charged at prime rate which shall be applicable as at 30 June plus one percent fixed over the twelve months period of the financial year.

11. OFFENCES

Any person who contravenes or fails to comply with the provision of this by-law is guilty of an offence and is liable to a fine.

12. REPEALS

By-laws published by the former local authorities within Ephraim Mogale Local Municipality are hereby repealed.

13. COMMENCEMENT DATE

This By-laws shall take effect on the date of publication in the Provincial Gazette.

13. SHORT TITLE

This By-Law is called Ephraim Mogale Local Municipality Property Rates By-Law.

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za
 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
 - Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.