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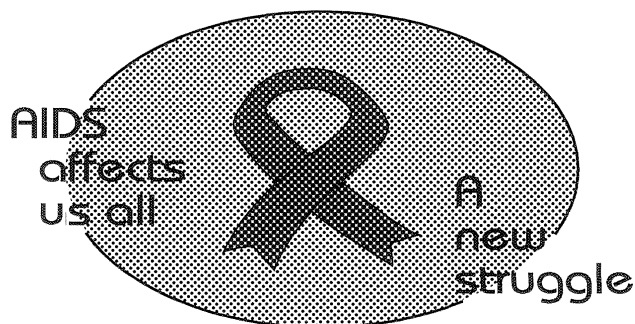
**BUITENGEWONE
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No. 7026

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 135

MADIBENG LOCAL MUNICIPALITY

Rates By-Law



MADIBENG BY-LAW NO. 2/2012

2012/2013

THE MADIBENG LOCAL MUNICIPALITY RATES BY-LAW

[Date of Commencement: 1 July 2012]

By-law

To give effect to the implementation of the MADIBENG LOCAL MUNICIPALITY's Rates Policy and to provide for matters incidental thereto.

Preamble

WHEREAS section 6(1) of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) as amended, requires a municipality to adopt By-Laws to give effect to the implementation of its Rates Policy;

AND WHEREAS section 6(2) of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004) as amended, provides that By-Laws adopted in terms of section 6(1) may differentiate between different categories of properties and different categories of owners of properties liable for the payment of rates.

BE IT THEREFORE ENACTED by the Council of the MADIBENG LOCAL MUNICIPALITY, as follows:

1. Definitions

In this By-Law any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004) shall bear the same meaning and unless the context indicates otherwise –

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

“**Council**” means the Council of the MADIBENG LOCAL MUNICIPALITY; and

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

2. Adoption and implementation of Rates Policy

- (1) The Council shall adopt and implement a rates policy consistent with the Act on the levying of rates on rateable property within the jurisdiction of the municipality; and
- (2) The Council shall not be entitled to levy rates other than in terms of its rates policy.

3. Contents of Rates Policy

The Council's rates policy shall, *inter alia*:

- (1) Apply to all rates levied by the Council pursuant to the adoption of its Annual Budget;
- (2) Comply with the requirements for:
 - (a) the adoption and contents of a rates policy specified in section 3 of the Act;
 - (b) the process of community participation specified in section 4 of the Act; and
 - (c) the annual review of a Rates Policy specified in section 5 of the Act.
- (3) Specify any further principles, criteria and implementation measures consistent with the Act for the levying of rates which the Council may adopt; and

- (4) Include such further enforcement mechanisms, if any, as the Council may wish to impose.

4. Enforcement of Rates Policy

The Council's Rates Policy shall be enforced through the Credit Control and Debt Collection By-Law and Policy and any further enforcement mechanisms stipulated in the Act and the Council's Rates Policy.

5. Short title and commencement

This By-Law is the Rates By-Law of the MADIBENG LOCAL MUNICIPALITY, and takes effect on 1 July 2012.

M JUTA
MUNICIPAL MANAGER

Civic Centre
Van Velden Street
P O Box 106
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0250

Notice Number: 79/2012

LOCAL AUTHORITY NOTICE 136

MADIBENG LOCAL MUNICIPALITY

Credit Control and Debt Collection By-Law



MADIBENG BY-LAW NO. 3/2012

2012/2013

THE MADIBENG LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION BY- LAW

[Date of Commencement: 1 JULY 2012]

By-law

To give effect to the implementation of the MADIBENG LOCAL MUNICIPALITY's Credit Control and Debt Collection Policy and to provide for matters incidental thereto.

Preamble

WHEREAS the MADIBENG LOCAL MUNICIPALITY has adopted a Credit Control and Debt Collection Policy on 31 May 2012; AND WHEREAS section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), requires a municipal council to adopt bylaws to give effect to the municipality's credit control and debt collection policy; BE IT THEREFORE ENACTED by the Council of the MADIBENG LOCAL MUNICIPALITY, as follows:

1. Definitions

In this By-Law any word or expression to which a meaning has been assigned in the Act, shall bear the same meaning in these by-laws, and unless the context indicates otherwise —

"Act" means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended from time to time;

"Council" means the Council of the MADIBENG LOCAL MUNICIPALITY ; and

"rate" or "rates" means a rate on property and or services as approved by council.

2. Objective of the Bylaw

The objective of this by-law is to —

- i. ensure that all monies due and payable to the Council are collected;
- ii. provide for customer management, credit control procedures and mechanisms and debt collection procedures and mechanisms;
- iii. provide for indigents in a way that is consistent with rates and tariff policies and any national policy on indigents;
- iv. provide for extension of time for payment of accounts;
- iv. provide for charging of interest on arrears, where appropriate;
- v. provide for termination of services or the restriction of the provision of services when payments are in the arrears; and
- vi. provide for matters relating to unauthorized consumption of services, theft and damages.

3. Application of By-law

This by-law shall only apply to money due and payable to the Council and municipal entity in respect of which the municipality is the parent municipality for —

- a. Assessment rates and taxes levied on the property
- b. Fees, surcharges on fees, charges and tariffs in respect of municipal services, such as –
 - i. provision of water;
 - ii. refuse removal;
 - iii. sewerage;
 - iv. removal and purification of sewerage;
 - v. electricity consumption;
 - vi. municipal services provided through prepaid meters.
 - vii. all other related costs for services rendered in terms of the property
 - viii. interest which has accrued or will accrue in respect of money due and payable to the Council;
 - ix. surcharges; and
 - x. collection charges in those cases where the Council is responsible for;
 - (aa) the rendering of municipal accounts in respect of any one or more of the municipal services;
 - (bb) the recovery of amounts due and payable in respect thereof, irrespective whether the municipal services, or any of them, are provided by the Council itself or by a service utility with which it has concluded a service provider agreement to provide a service on the municipality's behalf.

4. Short title and commencement

This by-law is the Credit control and Debt collection By-Law of the MADIBENG LOCAL MUNICIPALITY, and takes effect on 1 July 2012.

M JUTA MUNICIPAL MANAGER

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Notice Number: 80/2012
