

DRAFT ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2023



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CHAPTER 1 – MAYOR’S FOREWORD AND EXECUTIVE SUMMARY

COMPONENT A:

1.1 MAYOR’S FOREWORD

This annual report draws a curtain on the financial year 2022/2023 which accounts for the performance of municipality as per the adopted SDBIP. It reflects the key milestones achieved in its quest to improve service delivery through the delivery of accessible and good quality services. Most importantly, the report also reflects on the municipal limitations and constraints encountered during the reporting period which will have to be addressed going forward in an accelerated manner. It is critically important that we learn from our achievements as well as from our oversights and limitations.

The municipality is besieged with the high levels of service delivery backlogs, vandalism of our electricity infrastructure thus hampering our efforts to provide uninterrupted electricity and water to both our residents and business community. Job creation, devastating changes in global climate and gender-based violence remain the challenge confronting Maluti-a-Phofung and South Africa at large.

As we leap forward into 2023/2024 we do so filled with a deep sense of appreciation of the challenges that lie ahead.

Executive Mayor

31 January 2024

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1.2 MUNICIPAL MANAGER'S OVERVIEW

This annual report draws a curtain on the financial year 2022/2023 which accounts for the performance of municipal departments as per the adopted SDBIP. It reflects the key milestones achieved in its quest to improve service delivery through the delivery of accessible and good quality services. Most importantly the report also reflects on the municipal limitations and constraints encountered during the reporting period which will have to be addressed going forward in an accelerated manner. It is of critical importance that we learn from our achievements as well as from our oversights and limitations.

During the 2022/2023 financial year, the performance of the Maluti-a-Phofung Local Municipality plummeted to 42,6% as against 55% achievement in the 2021/2022 financial year. Whilst this level of performance is a drastic decline compared to the past two years (2020/2021: 61.4%), there are several factors which contributed immensely to the status quo. Of great concern in the achievement of targets, is the continued non-achievement of both the Current and Cost Coverage Ratios of the municipality which are both way below the industry norm posing the risk on the survival of the municipality and on its ability to delivering services as per its Constitutional obligation.

Firstly, the continued non-filling of vacant HOD positions and other critical vacant positions is a contributor to the none-performance of departments. This has led to the performance of departments with vacant HOD declining drastically because of lack of management in those departments.

Secondly, the low revenue collection by the municipality resulting in the municipality having an unfunded budget thus not being able to fund some critical projects in the IDP.

Thirdly, a ballooning ESKOM debt which the municipality owes also has a negative effective in the performance of the municipality, as a result, the municipality had surrendered top 100 electricity paying customers to pay ESKOM directly in an effort to service the ESKOM debt which that money could has been otherwise used to fund other municipal programmes.

Last, but not least, the continuous vandalism of basic service delivery infrastructure also contributes because the municipality has to divert money meant for other projects to refurbish and or buy the vandalised infrastructure.

Another concerning factor for the survival of the municipality is the ballooning employee costs which, at the end of the financial year, were at 72% above an expected norm of 40%, a variance 32%.

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In conclusion, I thank the municipality's political and administrative leadership, the Audit Committee, other political structures of council, the employees, stakeholders and the entire community of MAP for their support and cooperation throughout the year.

Amos Goliath

Acting Municipal Manager

31 January 2024

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1.3 MUNICIPAL FUNCTIONS, POPULATION AND ENVIRONMENTAL OVERVIEW

The functions of the Maluti-a-Phofung Local Municipality (MAP) are derived from schedules 4B and 5B of the Constitution of the Republic of South Africa, read in conjunction with section 84 of the Local Government: Municipal Structures Act (Act No 117 of 1998). The specific functions performed by the MAP are listed in table below:

Constitutional mandates Schedule 4 (Part B) Schedule 5 (Part B)	Definition
Air pollution	Any change in the quality of the air that adversely affects human health or wellbeing or the ecosystems useful to mankind, now or in the future.
Building Regulations	The regulation, through by-laws, of any temporary or permanent structure attached to, or to be attached to, the soil within the area of jurisdiction of a municipality, which must at least provide for: Approval of building plans, Building inspections, and
Child Care facilities	Facilities for early childhood care and development which fall outside the competence of national and provincial government
Electricity reticulation	Bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and, where applicable, the generation of electricity, and also the regulation, control and maintenance of the electricity reticulation network.
Fire Fighting equipment	Planning, co-ordination and regulation of fire services and specialized firefighting services such as mountain, veld and chemical fire services; coordination of the standardization of infrastructure.
Local Tourism	The promotion, marketing and, if applicable, the Development, of any tourist attraction within the area of the municipality with a view to attract tourists; to ensure access, and municipal services to such attractions, and to regulate, structure.
Municipal planning	The compilation, review and implementation of integrated development plan in terms of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)
Municipal public transport	The regulation and control, and where applicable, the provision of services for the carriage of passengers, whether scheduled or unscheduled, operated on demand along a specific route or routes or, where applicable, within a particular area.
Storm water	The management of systems to deal with storm water in built-up areas.
Trading Regulations	The regulation of any area facility and/or activity related to the trading of goods and services within the municipal area not already being regulated by national and provincial

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	legislation.
Potable water	The establishment, operation, management and regulation of a potable water supply system, including the services and infrastructure required for the regulation of water conservation, purification, reticulation and distribution as well as bulk supply to local supply.
Sanitation	The establishment, provision, operation, management, maintenance and regulation of a system, including infrastructure, for the collection, removal, disposal and/or purification of human excreta and domestic waste-water to ensure minimum standard of service.
Amusement facilities	A public place for entertainment and includes the area for recreational opportunities, available for public use and any other aspect in this regard which falls outside the competence of the national and provincial government
Billboards and the display of advertisements in public places	The display of written or visual descriptive material, any sign or symbol or light that is not intended solely for illumination or as a warning against danger which: promotes the sale and / or encourages the use of goods and services found in the municipal area
Cemeteries	The establishment conducts and control of facilities for the purpose of disposing of human and animal remains.
Cleaning	The cleaning of public streets, roads and other public spaces either manually or mechanically
Control of public nuisance	The regulation, control and monitoring of any activity, condition or thing that may adversely affect a person or a community
Control of undertakings that sell Liquor to public	The control of undertakings that sell liquor to the public that is permitted to do so in terms of provincial legislation, regulation and licenses, and includes an inspection service to monitor liquor outlets for compliance to license requirements.
Facilities for accommodation	The provision of and/or the regulation, control and monitoring of facilities which provide accommodation and care for well or sick animals and the burial or cremation of animals, including monitoring of adherence to any standards and registration required.
Fencing and fences	The provision and maintenance and/or regulation of any boundary or deterrents to animals and pedestrians along streets or roads.
Licensing	The control over the number and health status of dogs through a licensing mechanism.

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Licensing and control of undertakings that sell food to the Public	Ensuring the quality and the maintenance of environmental health standards through regulation, a licensing mechanism and monitoring of any place that renders in the course of any commercial transaction, the supply of refreshments or meals for consumption
Local Amenities	The provision, management, preservation and maintenance of any municipal place, land, and building reserved for the protection of places or objects of scenic, natural, historical and cultural value or interest and the provision and control of any such or other facilities.
Local Sports Facilities	The provision, management and/or control of any sporting facility within the municipal area.
Markets	The establishment, operation, management, conduct, regulation and/or control of markets other than fresh produce markets including market permits, location, times, conduct etc.
Municipal Abattoirs	The establishment; conduct and/or control of facilities for the slaughtering of livestock.
Municipal parks and recreation	The provision, management, control and maintenance of any land, gardens or facility set aside for recreation, sightseeing and/or tourism and include playgrounds but exclude sport facilities.
Municipal roads	The construction, maintenance, and control of a road which the public has the right to and includes, in addition to the roadway the land of which the road consists or over which the road extends and anything on that land forming part of and/or connected therewith.
Noise pollution	The control and monitoring of any noise that adversely affects human health or well-being or the ecosystems useful to mankind, now or in the future.
Pounds	The provision, management, maintenance and control of any area or facility set aside by the municipality for the securing of any animal or object confiscated by the municipality in terms of its by-laws.
Public places	The management, maintenance and control of any land or facility owned by the municipality for public use.
Refuse removal, refuse dumps and solid waste disposal	The removal of any household or other waste and the disposal of such waste in an area, space or facility established for such purpose, and include the provision, maintenance and control of any infrastructure or facility to ensure a clean and healthy environment.
Street lighting	The provision and maintenance of lighting for the illuminating of streets in a municipal area.
Traffic and parking	The management and regulation of traffic and parking within the area of the municipality, including but not limited to, the control over operating speed of vehicles on municipal

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	roads.
Municipal Public Works	Any supporting infrastructure or services to empower a municipality to perform its functions

The table below depicts the distribution of population by Sex and Age Group:

Age group	Male	Female	Total
0 – 4	17 855	17 952	35 807
5 – 9	18 058	18 391	36 449
10 – 14	17 828	17 796	35 624
15 – 19	19 831	20 557	40 388
20 – 24	18 746	19 346	38 092
25 – 29	16 287	18 688	34 975
30 – 34	12 648	16 532	29 180
35 – 39	8 059	10 393	18 452
40 – 44	6 887	9 324	16 211
45 – 49	6 323	8 965	15 288
50 – 54	5 141	7 983	13 124
55 – 59	4 352	7 304	11 656
60 – 64	3 917	6 541	10 458
65 – 69	2 491	4 978	7 469
70 – 74	1 473	3 398	4 871
75 – 79	709	1 930	2 639
80 – 84	365	1 007	1 372
85 – 120	304	1 092	1 396
TOTAL	161 274	192 177	353 451

Table 1: Population by Sex and Age Group

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1.4 SERVICE DELIVERY OVERVIEW

In meeting its Constitutional obligation in delivering basic services to its communities, MAP is guided by Schedule 4 Part B and Schedule 5 Part B of the powers and functions as defined in terms of the Local Government: Municipal Structures Act as amended. For the year under review, MAP in delivering basic services focused on upgrading of paved roads; upgrading of storm water drainage; construction of unpaved roads; sewer reticulation; collection of refuse removal; provision of free basic service to qualifying beneficiaries; construction of sports fields; construction of child care facilities; and creation of jobs through the municipality's LED initiatives, infrastructure and EPWP. MAP has, during the year under review, spent 100% of its capital budget on capital projects for the year under review.

In meeting the objects of Local Government as dictated by the Constitution of the Republic of South Africa, for the year under review MAP managed to create 2 476 job opportunities through its Expanded Public Works Program. MAP has also during the year under review provided free basic services to a total 24 000 indigent households.

1.5 FINANCIAL HEALTH OVERVIEW

This section has been presented in Chapter 5 of the document.

1.6 ORGANISATIONAL DEVELOPMENT OVERVIEW

MAP's main political and administrative offices are situated in Phuthaditjhaba with two administrative units in Harrismith and Kestell. The municipality is busy with the review of its Organogram in line with the prescripts of the Municipal Staff Regulation 2021. Currently the municipality has a total staff compliment of 1 227. The table below depicts the status quo of employee per department for the 2022/2023 financial year:

Table 2: Vacancies and Filled Positions

DEPARTMENT	NO. OF POSTS	NO. OF FILLED POSITIONS	VACANCIES	% of Vacancies
Legislative Authority	33	33	-	-
MM's Office	61	62	-	-
Infrastructure Planning	908	417	491	54.1%
Financial Services	116	130	-	-
Community Services and Sports	23	207	-	-
Corporate Services	113	113	-	-
Local Economic Development	20	13	7	35%
Spatial Planning, Land Use Management, Human Settlements, and Traditional Affairs	87	37	50	57.5%
Public Safety, Transport and Protection Services	1 122	215	907	80.8%
TOTAL	2 483	1 227	1 455	58.6%

CHAPTER 2 - GOVERNANCE

COMPONENT A: POLITICAL AND ADMINISTRATIVE GOVERNANCE

2.1. POLITICAL GOVERNANCE

In terms of Section 151 (2) of the Constitution of the Republic of South Africa, 1996, the executive and legislative authority of a municipal council is vested in its municipal council. Section 11 (1) of the Local Government: Municipal Systems Act (Act No 32 of 2000), stipulates that the executive and legislative authority of a municipality is exercised by the council of MAP, and the council takes all the decisions of MAP subject to Section 59. In terms of Section 59 of the Municipal Systems Act, a municipal council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances and, in accordance with that system, may: -

- a) Delegate appropriate powers, excluding a power mentioned in section 160 (2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b) and to approve or amend MAP's integrated development plan, to any of MAP's other political structures, political office bearers, councillors and staff members;
- b) Instruct any such political structure, political office bearer, councillor, or staff member to perform any of MAP's duties; and
- c) Withdraw any delegation or instruction.

The MAP is a collective executive system combined with a ward participatory system. The original powers of the executive committee are outlined in section 44 of the Local Government: Municipal Structures Act (Act No 117 of 1998). MAP has, in terms of Section 53 of the Municipal Systems Act, defined the role and area of responsibility of each political structure, political office bearer and the municipal manager. In terms of MAP's Policy on Roles and Responsibilities and the Delegation of Power, as well as the delegations' register, Council has devolved certain decision making powers (apart from those directly assigned by legislation) to the Mayoral Committee, the Executive Mayor, the Speaker and the Municipal Manager. The Speaker is the chairperson of the municipal council, the Executive Mayor is the chairperson of the Mayoral Committee and the Municipal Manager is the head of administration.

After the Local Government elections that were held in November 2021, the political party representation in the MAP Municipal Council is as depicted in the table below:

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Table 3: Political Party Representation

Political Party representation	During the year under review	
	Number	% representation
African National Congress (ANC)	28	40%
MAP 16	20	28.6%
Economic Freedom Fighters (EFF)	7	10%
Democratic Alliance (DA)	5	7.1%
Dikwankwentla Party of South Africa (DPSA)	3	4.3%
African Content Movement (ACM)	2	3%
African Independent Congress (AIC)	1	1.4%
African Transformation Movement (ATM)	1	1.4%
Freedom Front Plus (FF+)	1	1.4%
All Unemployment Labour Alliance (AULA)	1	1.4%
South African Royal Kingdoms Organization (SARKO)	1	1.4%
TOTAL	70	100%

The Mayoral Committee is the principal committee of the Council. It is the Committee which receives reports from Portfolio Committees of Council and must forward these reports together with their recommendations to the Council when it cannot dispose of matters in terms of its delegated authority.

The following councillors served as members of the Mayoral Committee during the term under review:

Table 4: Mayoral Committee Members

COUNCILLOR	PORTFOLIO
Cllr G.T Mokotso	Executive Mayor
Cllr T. Mofokeng-Tsoeu	MMC: Community Services
Cllr S. Motaung	MMC: Infrastructure Planning
Cllr M. Naledi	MMC: Corporate and Legal Services
Cllr A. Nhlapo	MMC: Financial Services
Cllr B. Lebesa	MMC: Local Economic Development and Tourism
Cllr T. Mohlekwa	MMC: IDP & PMS
Cllr N. Ramohlaki	MMC: Public Safety, Transport and Protection Services
Cllr H. Mdakana	MMC: Spatial Planning, Land Use Management, Human

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	Settlements, and Traditional Affairs
Cllr K. Molete	MMC: Sports, Arts, Culture and Recreation
Cllr E. Mofokeng	MMC: Special Programmes, Women, Children, and People Living with Disabilities

The Council has defined the following roles for the Speaker as the chairperson of the Council (over and above the roles assigned by the Municipal Structures Act): -

- ✓ Leader of council in respect of the oversight function;
- ✓ Custodian of the interests of the members of the municipal council;
- ✓ Politically in charge of the community development workers' program;
- ✓ Responsible for public participation; and
- ✓ Responsible for the training and development of ward committees

The MAP established 10 (10) Section 80 Committees portfolio committees to assist the Mayoral Committee and they are:-

- ✓ Corporate and Legal Services Portfolio Committee
- ✓ Financial Services Portfolio Committee
- ✓ Infrastructure Planning Portfolio Committee
- ✓ Local Economic Development Portfolio Committee
- ✓ Community Services Portfolio Committee
- ✓ IDP & PMS Portfolio Committee
- ✓ Public Safety, Transport and Protection Services Portfolio Committee
- ✓ Spatial Planning, Land Use Management, Human Settlements, and Traditional Affairs Portfolio Committee
- ✓ MMC: Sports, Arts, Culture and Recreation
- ✓ MMC: Special Programs, Women, Children, and People Living with Disabilities

These portfolio committees are chaired by members of the Mayoral Committee.

The MAP has established the following section 79 committees:

- ✓ Audit Committee
- ✓ Municipal Public Accounts Committee

During the year under review, these section 79 committees have had varying levels of functionality, but were also active.

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2.2. ADMINISTRATIVE GOVERNANCE

The MAP's executive management structure consists of the Municipal Manager, appointed in terms of Section 54 (A) of the Local Government: Municipal Systems Act, and seven managers appointed by the Municipal Council in terms of Section 56 of the Municipal Systems Act and one non-section 56 senior manager. All these managers are directly accountable to the municipal manager. The macro organisational structure of MAP, for the year under review, consists of the following departments:

Table 5: Administrative Departments and Head of Departments

	DEPARTMENT	HEAD OF DEPARTMENT
1.	Acting Municipal Manager	Mr. Sam Makhubu (Acting)
2.	Public Safety, Transport and Protection Services	Mr. Sello Malimabi (Acting)
3.	Local Economic Development and Tourism	Mr. T. Makhele (Acting)
4.	Corporate Services and Legal	Mr. Sam Makhubu
5.	Infrastructure Planning	Mr. Bassie Ungerer
6.	Financial Services	Mrs. Jemina Mazinyo
7.	Community Services	Mrs. Confidence Sepheka
8.	Human Settlements, Spatial Development Planning and Traditional Affairs	Mr. T. Mekomatsili (Acting)

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As can be depicted by the table below, the municipality employed two employees, one female and one male:

Table 6: New employees

NEW EMPLOYEE RECRUITS																
EMPLOYMENT SECTION	FEMALE				MALE				TOTAL				PWD	AGE GROUPS		
	A	C	I	W	A	C	I	W	A	C	I	W		<35	35-55	>55
Community and Social Services	1								1						1	
Corporate Services					1				1							1
Finance																
Administration																
Electricity																
Environmental Protection																
Health																
Infrastructure Planning																
Office of the Municipal Manager																
Public Safety																
Road Maintenance																
Sport and Recreation																
Waste Management																
Waste Water Management																
Water and Sanitation																
Strategic Planning																
TOTALS	1				1				2						1	1

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NEW LABOUR MARKET ENTRANTS

For the year under review the municipality did not employ any new entrants in the labour market

LABOUR TURNOVER

The table below depicts that there were 33 terminations during the year under review, of which 5 were resignations, 9 were cases of deaths, 19 were retirements and no dismissals:

Table 7: Labour Turnover

EMPLOYMENT SECTION	FEMALE				MALE				TOTAL				RESIGNED		RETIRED		DISMISSED		DEATH	
	A	C	I	W	A	C	I	W	A	C	I	W	F	M	F	M	F	M	F	M
Community and Social Services					1										1					
Corporate Services	4														3				1	
Finance					1									1						
Administration																				
Electricity					1									1						
Environmental Protection																				
Planning & Economic Development																				
Public Safety	1				6										3				1	3
Infrastructure Planning	4				9									2	4	4				3

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Road Transport																				
Sport and Recreation	3				3									1	3	1				1
Waste Management																				
Waste Water Management																				
Water and Sanitation																				
TOTALS	12				21								–	5	10	9	–	–	2	7

COMPONENT B: INTERGOVERNMENTAL RELATIONS

2.3. INTERGOVERNMENTAL RELATIONS

The MAP is represented and participates in various cooperative and intergovernmental forums through its Executive Mayor and Municipal Manager. At a district level, the Executive Mayor is a member of the District Mayor's Forum (DIMAFO) established in terms of sections 24 and 25 of the Intergovernmental Relations Framework Act (Act No 13 of 2005), whilst the Municipal Manager serves in the technical committee/s that support the DIMAFO. At a provincial level, MAP participates directly in the MUNIMEC, which is a meeting of the provincial government of the Eastern Cape with all the Mayors of the province, which is convened by the MEC for Corporative Governance and Traditional Affairs. These meetings sit quarterly and are preceded by the Technical MUNIMEC at which the Superintendent General of Department of Cooperative Governance and Traditional Affairs convenes all the Municipal Managers of the province to discuss service delivery and cooperative governance matters.

At a local level the MAP has convened four (04) IDP & Budget Representative Fora that discussed, among other things, the review and adoption of IDP and budget and other related service delivery issues. Other local IGR platforms that were coordinated effectively by their relevant municipal departments were Local Communicators' Forum, Local AIDS Council and Roads Forum to share service delivery information and progress.

COMPONENT C: PUBLIC ACCOUNTABILITY AND PARTICIPATION

The MAP is enjoined by Section 152 of the Constitution of the Republic of South Africa, 1996, to, inter alia:-

- ✓ Provide democratic and accountable government to the local community
- ✓ Encourage the involvement of communities and community organisations in the matters of local government
- ✓ Ensure the provision of services to communities in a sustainable manner

2.4. PUBLIC MEETINGS

2.4.1.1. *Ward Committee Meetings*

Since the inauguration of the current municipal council in 2021, MAP successfully established 35 ward committees to promote public participation in the affairs of the municipality. Ward Committees in all the 35 Wards differed in degrees in terms of their functioning.

2.4.1.2. *Ward based planning stakeholder meetings*

The municipality has not developed its Ward-based Plans and it is something that the municipality has to consider.

2.6. IDP PARTICIPATION AND ALIGNMENT

The table below depicts the alignment of the IDP participation process:

Table 8: IDP Participation and Alignment

IDP Participation and Alignment Criteria*	Yes/No
Does MAP have impact, outcome, input, output indicators?	Yes
Does the IDP have priorities, objectives, KPIs, development strategies?	Yes
Does the IDP have multi-year targets?	Yes
Are the above aligned and can they calculate into a score?	Yes
Does the budget align directly to the KPIs in the strategic plan?	Yes
Do the IDP KPIs align to the Section 57 Managers	Yes
Do the IDP KPIs lead to functional area KPIs as per the SDBIP?	Yes
Do the IDP KPIs align with the provincial KPIs on the 12 Outcomes	Yes
Were the indicators communicated to the public?	Yes
Were the four quarter aligned reports submitted within stipulated time frames?	Yes

COMPONENT D: CORPORATE GOVERNANCE

2.7. RISK MANAGEMENT

MAP continuously reviews its risk register to deal with all emerging risks that could hamper the municipality in providing services to its communities. For the year under review, risk management function has been operational and effective and Risk Management Committee was established and its members were in terms of MAP's Risk Management Policy and Risk Management Committee Charter formally appointed by the Accounting Officer to serve on the Committee.

2.8. ANTI-CORRUPTION AND FRAUD

As part of its endeavours in minimizing fraud and corruption occurrences within the institution, the municipality continuously highlights to staff members and community members issues of corruption and fraud activities.

2.9. SUPPLY CHAIN MANAGEMENT

2.9.1. EXECUTIVE SUMMARY

The Local Government: Municipal Finance Management Act requires the municipality to implement a Supply Chain Management Policy which gives effect to the provisions of Part 1 of Chapter 11 of the Act that deals with Supply Chain Management.

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MAP's SCM Policy has been adopted in line with Municipal Finance Management Act, Section 111 & 112 that deal with supply chain management policy. It is important to note that in terms of the Municipal Finance Management Regulation 3, our reviewed policy has been adopted by the council on 28 June 2022 with Council Resolution 13.2.3.

The role of the Council of a Municipality in maintaining oversight on implementation of its supply chain management policy is included in this policy and the Accounting Officer pursuant to Regulation 6 of the MFMA, prepares and submit a draft a supply chain management report complying with regulation 2 (a) & (3) to the council of the municipality for noting and adoption.

The purpose of this report is to provide an overview of the SCM process in terms of Council's Supply Chain Management Policy (as amended). Section 9.3.1 of said Policy states that the Accounting Officer must, within 30 days of the end of each financial year, submit a report on the implementation of the policy to the Council. The role of the Accounting Officer, in line with Regulation 6 of the MFMA, is to prepare and submit a draft a SCM report complying with regulations 2 (a) & (3) to the council of the municipality for noting and adoption.

2.9.2. LEGAL REQUIREMENTS

- ✓ The Constitution of the Republic of South Africa (No. 108 of 1996), Section 217;
- ✓ Local Government: Municipal Finance Management Act (No. 56 of 2003) (MFMA);
- ✓ Municipal Systems Act (Act 32 of 2000), Section 21A (MSA);
- ✓ Municipal Supply Chain Management Regulations (Government Gazette 27636 dated 30 May 2005) (SCM Regulations);
- ✓ Maluti-a-Phofung's Municipality Supply Chain Management Policy (SCM Policy)

2.9.3. BACKGROUND

The Council must oversee the implementation of the Supply Chain Management Policy, and as such the accounting officer must within 30 days following the end of a financial year submit to the Council a report on the implementation of the Supply Chain Management Policy as required by regulation 6(2) of the Municipal SCM Regulations.

Supply Chain Management functions include ensuring that goods and/or services that are procured are strictly in accordance with the authorised processes, and that the system of Demand Management is in good order so as to ensure that the resources required to support the strategic and operational commitment of the Municipality are delivered at the correct time, at the right location, and that the quantity and quality satisfy the municipality.

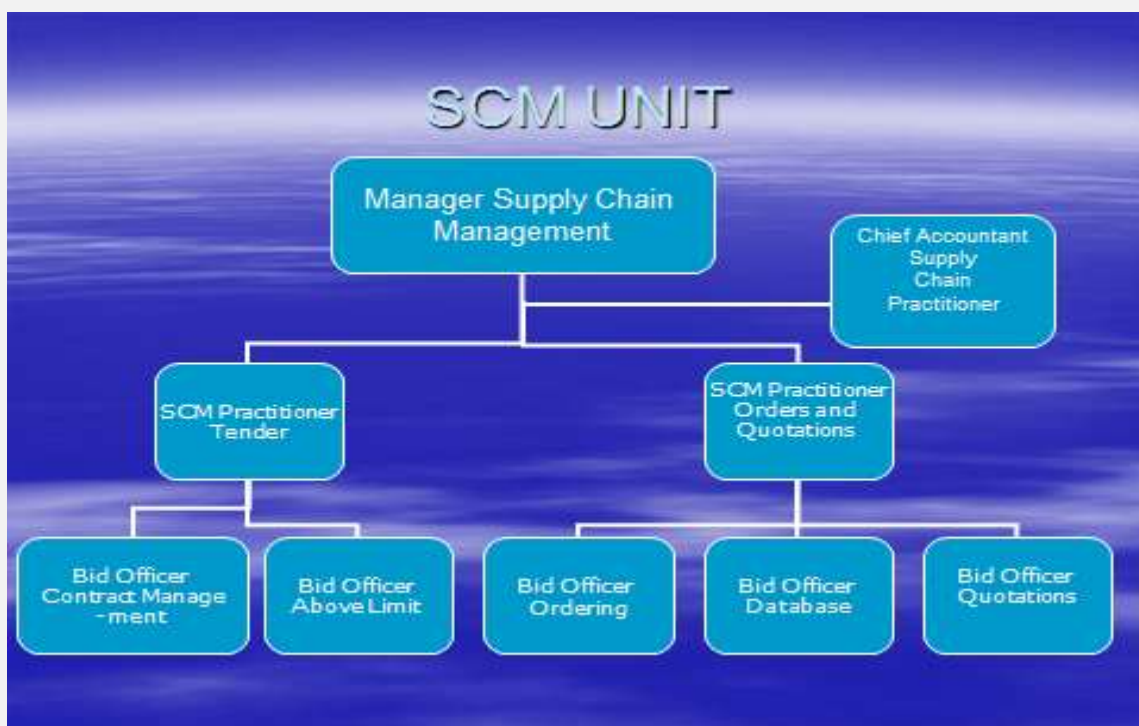
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The municipality has developed and reviewed a Supply Chain Management Policy which complies with both the requirements of Section 111 of the Municipal Finance Management Act and Model Policy that were developed by the National Treasury. The Policy has been implemented and proven to be effective with some reservations and room for improvement. Progress has been made in reference to complying with the contents of the Supply Chain Management Policy, Preferential Procurement Policy together with other legislations that are responsible for regulating Municipal Supply Chain Management environment.

The municipality has approved Preferential Procurement policy as required by regulation 2(3) which stipulates that an organ of state must determine and stipulate in the tender documents the preferential point system applicable to the tender as envisaged in regulation 6 and 7 of the regulation.

2.9.4. Establishment of SCM Section

The Supply Chain Management Unit of Maluti-A-Phofung Local Municipality is operating under the supervision of the Chief Financial Officer and is led by the Senior Manager Supply Chain Management. Supply Chain Management is a centralised unit and the Supply Chain Management structure was reviewed and adopted by Council on the 30th of October 2017 and is as depicted below:



In total the Supply Chain Management Unit consists of sixteen (16) posts of which only eleven (11) posts are occupied, resulting in a 69% occupancy rate. All Supply Chain Management officials signed code of conduct together

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with a declaration of interest to ensure good governance and to mitigate possible acts of fraud and corruption. Senior officials in the Supply Chain Management Unit meet the stipulated minimum competency levels as set out in regulation 11 and 12 of the Municipal Regulations on Minimum Competency Levels by completing Municipal Finance Management Programme.

For the year under review the following trainings were attended:

- ✓ Bid Committee members training offered by the Provincial Treasury
- ✓ Infrastructure Procurement offered by MISA

2.9.5. Challenges

❖ Contract Management

In accordance with section 116(2) the municipal accounting officer should on a monthly basis monitor the performance of the contractor under the contract. Monitoring is done independently and on a departmental level, the Supply Management Unit therefore need not be involved, this presents a challenge for we cannot attest that the goods/services were indeed delivered in terms of the contractual obligation entered into with service providers. A level of enforcement is required to ensure that user departments report on the implementation of contracts procured through competitive bidding process.

❖ Deviation and minor breaches from procurement processes

Though there is a significant decrease on deviations as compared to previous year, the municipality can still able to reduce it to a normality should all relevant department can work together in ensuring compliance. This needs to be mitigated by appointing service providers and encouraging proactive planning. Secondly, departments must be advised to finalise their procurement plans on time and adhered to so that procurements can be properly executed to avoid deviations and irregular expenditure.

2.9.6. Demand & Acquisition Management

❖ CENTRAL SUPPLIER DATABASE (CSD)

The Central Supplier Database (CSD) is a single database that serves as the source of all supplier information for all spheres of government and was introduced by the National Treasury. The purpose of centralising the government supplier database is to reduce duplication of effort and cost for both the supplier and the government while enabling electronic procurement processes. The CSD is operational and regularly monitored to ensure that local suppliers are registered. Procurement in the municipality is only conducted with suppliers that are registered on the CSD and this is verified from time to time.

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❖ COMMITTEE SYSTEM FOR COMPETITIVE BIDS

The tendering procurement processes is functional and complies with the Supply Chain Management policy and all three bid committees, namely Bid Specification, Bid Evaluation and Bid Adjudication have been established in line with regulation 26,27,28,29 of the Supply Chain Management Regulations and Supply Chain Management Policy. It should be noted that the Supply Chain Management Unit officials serves as secretariats in all of the bid committees.

❖ BUYERS SECTION (QUOTATIONS AND ORDERS)

This section is specifically tasked to perform all procurement related functions for the procurement of goods and services with a value of up to R30 000.00 as well as formal written quotations from R30 001 up to R200 000 as required by regulation 12 of the Municipal SCM Regulations.

For the year under the review the total quantity of orders that were generated amounted to R29 640 762.83 of which formal written quotations amounted to R2 068 029.76, that is quotes that range between R30 001 to R200 000. It is worth noting that of the forty-one (41) formal written quotations issued, twenty-six (26) were finalised in the 2022/23 financial year which constitutes 63% of the tenders that were issued, this is decline, compared to the previous financial year's performance of 75%.

COMPETITIVE BIDDING REGISTER

Competitive bidding represents acquisition of goods and services through the public competitive bidding process for values exceeding the R200 000.00 (VAT inclusive) formal quotations threshold. The municipality has advertised a total of nineteen (19) bids of which none were awarded.

2.9.7. Contract Management & Vendor Performance

In terms of regulation 116 (2) (a-d), the municipal accounting officer must take all reasonable steps to ensure that contracts or agreements that the municipality entered into through the municipal supply chain management policy are properly enforced and the performance is to be monitored on a monthly basis. The municipality therefore has a contract management register that is maintained by Supply Chain Management Unit, there are, however, still challenges regarding performance monitoring that ensures that expenditure incurred is in accordance with the actual performance of the contract.

2.9.8. DEVIATIONS

In terms of Regulation 36 of Municipal SCM regulations, the Accounting Officer may dispense with the official procurement processes established by the policy to procure any required goods or services through any convenient processes which may include direct negotiations, but only –

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- i. in an emergency;
- ii. if such goods or services are produced or available from a single provider only;
- iii. for the acquisition of special works of art or historical objects where specifications are difficult to compile;
- iv. acquisition of animals for zoos and/or nature and game reserves; or
- v. in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

The Municipal Supply Chain Management Policy requires that the Accounting Officer records such deviations and report them to the Council Meeting as stipulated in the Supply Chain Management Regulation 36(2). All deviations that were approved by the Accounting Officer were budgeted for under the respective votes. Procurement through deviation process for the year under review amounted to R102 938 456.61 which is lower by 50% as compared to last financial year's deviation of R205 227 580.71.

2.9.9. RELATED PARTIES

There were no related party transactions recorded in the year under review.

2.9.10. IRREGULAR EXPENDITURE

Irregular expenditure is defined as "expenditure that is contrary to the Municipal Finance Management Act (Act No. 56 of 2003), the Municipal Systems Act (Act No. 32 of 2000), and the Public Office Bearer's Act (Act No. 20 of 1998); or is in contravention of the Municipality's Supply Chain Management Policy. Irregular expenditure excludes unauthorised expenditure. All irregular expenditure is recognised as an expense in the Statement of Financial Performance in the year that the expenditure was incurred.

The Irregular Expenditure for 2022/2023 financial year totals R94 576 486.13 which is lower by 17% as compared to previous year's irregular expenditure of R111 519 572.23.

2.10. BY-LAWS

There were no new by-laws that were developed nor current by-laws reviewed for the year under review.

2.11. COMMUNICATION

2.11.1. Development of Communication and Social Media Policies

The development of the policy has not started due to the instability in the Municipal Manager's Office as this process requires total buy-in of the incumbent to reach proper finalisation by the Council.

2.11.2. Establishment and performance of social media platforms

This process has also not started as it is dependant on the Communication and Social Media Policies.

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2.11.3. Development of Internal Communication Publication

This process has also not started as it is dependant of the Communication and Social Media Policies.

2.11.4. Websites Uploads

The website is still not operational as the developer was seconded from MAP Water to the IT Department and left having not completed the process. IT should be able to provide an update.

Table 9: Website Content Upload

Municipal Website: Content and Currency of Material		
Documents published on MAP's / Entity's Website	Yes / No	Publishing Date
Draft IDP and Budget 2022 – 2023	N	
MAP Final IDP 2022 – 2023	N	
MAP Final Budget 2022 – 2023	N	
MAP Institutional SDBIP 2022/23	N	
All current performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act (2014) and resulting scorecards	N	
Final Annual Report for Year Ended 30 June 2022	N	
Oversight Report on the Annual Report for the year ended 30 June 2022	N	
IDP and Budget Process Plan 2023/24	N	
MAP Amended SDBIP 2022/23	N	
Disposed of vehicle	N	

2.12. PUBLIC SATISFACTION ON MUNICIPAL SERVICES

For the year under review, MAP did not conduct any Community Satisfaction Survey.

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CHAPTER 3: SERVICE DELIVERY PERFORMANCE (PERFORMANCE REPORT PART I)

COMPONENT A: BASIC SERVICES

For the year under review, MAP has managed to spend 100% of its capital budget on capital projects identified for this financial year in terms of the municipality's IDP. For the basic services key performance area, the following was achieved during the year under review:

3.1 ELECTRICITY

The provision of electricity in the municipality remains a challenge. This is exacerbated by both the high number of illegal electricity connections and electricity distribution losses. The other main electricity challenge facing the municipality is the huge ESKOM debt that the municipality owes.

As can be seen on the table below, the electricity section had 112 posts during the year under review:

Table 10: Electricity Services Employment

Employees: Electricity Services					
	2022	2023			
Job Level	Employees	Posts	Employees	Vacancies (fulltime equivalents)	Vacancies (as a % of total posts)
	No.	No.	No.	No.	%
0 to 3	2	2	2	-	-
4 to 6	7	7	7	-	-
7 to 9	25	25	25	-	-
10 to 12	54	54	54	-	-
13 to 15	27	23	23	-	-
16 to 18	N/A	-	N/A	-	-
19 to 20	N/A	-	N/A	-	-
Total	116	163	112	-	-

The table below is the capital expenditure in the electricity division during the year under review:

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Table 11: Electricity Capital Expenditure

Capital Expenditure 2022/23: Electricity Services					
R' 000					
Capital Projects	2022/23				
	Budget	Adjustment Budget	Actual Expenditure	Variance from original budget	Total Project Value
Total All					
Total All	32 000 0000	32 000 000	32 000 0000	0%	

3.2 Waste Management

The municipality's Waste Management function is located within the Infrastructure department and is headed by the Manager: Waste Management who was also designated as a Waste Management Officer (WMO) in terms of Section 10 of the NEMWA Act.. The collection and disposal of both domestic and commercial waste of waste by the municipality is done through an approved collection and disposal schedule although the function is sometimes halted as a resulted breakages in the collection equipment.

3.3 Housing

Section 26 of the Constitution of South Africa says that "everyone has the right to have access to adequate housing". In this regard the "State must take reasonable legislative and other measures within its available resources to achieve the progressive realization of this right." Thus the Constitution creates obligations for government to take all reasonable actions to ensure that all its people have the opportunity to acquire a home. Schedule 4 of our Constitution stipulates what functions each sphere of government is responsible for. It states that housing is a function of our National and Provincial Governments. Although the finance for housing development is provided by National Government, through Provincial Government, through the process of co-operative governance our municipality has become involve in the roll-out of housing projects.

Municipalities are responsible for setting housing delivery goals. To set feasible and reasonable targets, municipalities need to have a good overview of the housing demand. This does not only include the number of houses that are needed, but also the types of houses, their locations etc. To get a good overview, the municipality needs to collect information that can assist them in providing the kind of housing that the people need. Although MAP is a rural municipality there is a demand for housing in the rural areas but there is also a call for housing

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projects in the urban areas which require the municipality to coordinate and delivery of housing to ensure that housing projects are delivered at the right time, the agreed price and the specified quality.

Municipalities are responsible for ensuring sound public participation for all forms of housing development. Such public involvement begins with the development of a Housing Sector Plan which can meet the needs of all parties. In order to reach all involved interest groups, it is often necessary to use a variety of methods for communication and consultation.

3.4 Free Basic Services and Indigent Support

The MAP annually reviews its Indigent Support Policy whose basic principles are captured by indicating that the policy ensures that poor households are not denied their constitutional right of access to services. The MAP implements an indigent support policy that makes adequate financial provision to ensure the provision of efficient and sustainable services to all residents within the area of jurisdiction. For the year under review MAP managed to provide free basic services to 24 000 qualifying beneficiaries.

The indigent support policy is an integral part of the Maluti-a-Phofung's Tariff Policy that is developed and implemented in a transparent manner to ensure the sustainability of local public services to all of its citizens at an affordable cost. The table below indicates the number of households with access to free basic services:

Table 12: Free Basic Services

Free Basic Services To Low Income Households						
	Number of households					
	Total	Households earning less than R2,800 per month				
		Free Basic Electricity			Free Basic Refuse	
		Total	Access	%	Access	%
2021	14 343	14 343	10 428	72.7%	3 915	27.3%
2022	14 204	14 204	10 837	76.3%	4 030	28.4%
2023	36 698	36 698	36 698	100%	4 228	11.5%

The table below depicts the expenditure incurred in the provision of the free basic services:

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Table 13: Financial Performance

Account Description	2018/2019 YEAR		2019/2020 YEAR		2020/2021 YEAR		2021/2022 YEAR			2022/2023 YEAR		
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Adjustment budget	Actual budget	Budget	Adjustment budget	Actual budget
WATER: SALE - CONVENTIONAL						-	1 470 000	1 470 000	864 325	1 556 730	1 874 598	1 694 995
WATER: SALE - CONVENTIONAL	3 326 383	2 932 023	3 525 965	4 177 574	4 427 176	268 135			-	-	-	-
TOTAL WATER	3 326 383	2 932 023	3 525 965	4 177 574	4 427 176	268 135	1 470 000	1 470 000	864 325	1 556 730	1 874 598	1 694 995
WASTE WATER MANG: SANITATION CHARGES						-	3 432 000	3 432 000	1 661 960	3 634 488	4 270 851	3 920 681
WASTE WATER MANG: SANITATION CHARGES	6 072 074	5 799 627	6 436 398	6 427 205	7 814 782	684 954			-	-	-	-
TOTAL WASTE WATER	6 072 074	5 799 627	6 436 398	6 427 205	7 814 782	684 954	3 432 000	3 432 000	1 661 960	3 634 488	4 270 851	3 920 681
WASTE MANGEMENT: REFUSE REMOVAL						-	2 724 000	2 724 000	2 123 807	2 884 716	5 184 250	4 763 555
WASTE MANGEMENT: REFUSE REMOVAL	7 500 323	6 537 105	7 950 342	7 075 315	8 203 184	687 201			-	-	-	-
WASTE MANGEMENT: REFUSE REMOVAL						25 699			-	-	-	-
TOTAL WASTE	7 500 323	6 537 105	7 950 342	7 075 315	8 203 184	712 900	2 724 000	2 724 000	2 123 807	2 884 716	5 184 250	4 763 555
ELEC SALES: DOMESTI LOW HOME LIGHT 1 60A	11 508 000	1 926	12 198 480	3 464	12 959 665	2 529	7 440 000	7 440 000	-	-	-	-
ELEC SALES: DOMESTI LOW HOME LIGHT 1 60A						-			3 863	7 878 960	4 200 000	5 531
OC: INDIGENT RELIEF	2 500 000	2 339 146	4 000 000	1 833 251	3 600 000	1 663 509	3 600 000	-	275 847			
OC: INDIGENT RELIEF								3 100 000	677 606	3 100 000	3 300 000	2 365 101
TOTAL ELECTRICITY	14 008 000	2 341 072	16 198 480	1 836 715	16 559 665	1 666 038	11 040 000	10 540 000	957 316	10 978 960	7 500 000	2 370 632

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COMPONENT B: ROAD TRANSPORT

3.5 ROADS

The municipality has a huge backlog of roads construction and maintenance. The construction and maintenance of municipal roads remains a challenge due to a number of reasons, viz, lack of machinery, lack of funding and continuous breakdown of machinery. The achievement of roads section for the year under review is depicted by the table below:

Table 14: Gravel Road Infrastructure

	Kilometres					
	Total gravel roads	New gravel roads constructed	Gravel roads upgraded	Gravel roads upgraded to tar	Gravel roads graded/maintained	Surfaced Road
2018/19	2 716	0	3 km	0	33km	3 km
2019/20	2 716	0	2.5km	0	46km	2.5km
2020/21	2 716	0	4km	0	50km	4km
2021/22	2 716	0	3.5km	0	69km	3.5km
2022/23	2 716	0	4.5km	0	82km	4.5km

The table below depicts the capital expenditure on infrastructure projects for the year under review:

Table 15: Infrastructure Capital Expenditure

Capital Expenditure : 2023 Infrastructure projects					
Capital Projects	2023				
	Budget	Adjustment Budget	Actual Expenditure	Variance from original budget	Total Project Value
Total All	248 593 000	268 593 000	268 593 000	8%	
Intabazwe Ext 3 Paved Roads Phase 3	10 453	7852	7852	25%	R 15 000 000.00
Namahadi Construction of 5 km Road	11 174	7889	7989	21%	R 16 771 000.00

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Phase4					
Makholokweng Bulk and Sewer Network	-	19 399		100%	R 77 000 000.00
Tlholong Ext 5 Water project	-	3 950		100%	R 24 000 000.00
Water Project	-	35 545		100%	R 35 600 000.00
Fika Patso Purification Project	38 896			0%	R 38 896 000.00
Chris Hani Park: Water Reticulation 500 stands	15 578	16419	16419	0%	R 29 000 000.00
Intabazwe Ext: Construction of Water Reticulation	4 107	0		100%	
Thaba Bosiu Pipeline	26 579	0		100%	R 77 000 000.00
Ha Sethunya: Water Retic 500 stands	2 731	0		100%	R 29 000 000.00
Upgrading of Water Pump station	14 81	0		100%	R 31 000 000.00
Matebeleng 3 ml reservoir	11 905	16 046	16 046	34%	R 20 232 980.00
Wilger 6 ml reservoir		394		100%	R 21 000 000.00
Intabazwe Ext 3: Construction of waterborne sewer network	12 572	11 863	11 863	6%	R 23 693 178.00
Namahadi: Construction of Sewer Network	10 029	1 469	1 469	82%	R 14 994 836.00
Refurbishment of Sewer pump station	12 438	8 416	8 416	33%	R 28 200 553.00
QwaQwa Construction 24 000 VIP toilets Phase 13A	20 000	87 420	87 420	100%	R 104 597 000.00
Phuthadijhaba: Upgrading of Town Hall	21 583	15 265	15 265	29%	R 31 635 000.00
Upgrading : Bluegumbosch Stadium		4 470	4 470	100%	R 12 000 000.00
Refurb Charles Mopeli Phase 2		230	230	100%	R 15 000 000.00
Upgrading of E Ross Substation Phase 1		32 000		0%	R 159 000 000.00
Map: Highmast light in 4 Town phase 2`		514		100%	R 13 000 000.00

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3.5.1 WASTE WATER (STORMWATER DRAINAGE)

MAP is susceptible to high rainfalls resulting in the erosion of municipal roads. Therefore, the construction and maintenance of storm water drainages is done as part of the roads construction and maintenance.

3.6 TRANSPORT (INCLUDING VEHICLE LICENSING & PUBLIC BUS OPERATION)

The municipality does not provide any public transport services including licensing of vehicles.

COMPONENT C: PLANNING AND DEVELOPMENT

3.7 PLANNING

Table 16: Applications for Land Use Development

Applications for Land Use Development								
Detail	Formalisation of Townships		Rezoning		Built Environment		Sub Divisions	
	2022	2023	2022	2023	2022	2023	2022	2023
Planning application received	-	-	14	21	68	45	-	-
Determination made in year of receipt	-	-	-	-	-	-	-	-
Determination made in following year	-	-	-	-	-	-	-	-
Applications withdrawn	-	-	-	-	-	-	-	-
Applications outstanding at year end	-	-	-	-	-	-	-	-
Subsidised housing	-	-	-	-	-	-	-	-

3.8 LOCAL ECONOMIC DEVELOPMENT

The municipality has a functional LED Department that deals with SMME Development, Agricultural Development and Tourism Development/Promotion. What has been the challenge though for the municipality's LED Department in discharging its responsibilities, is the lack of funding thus merely playing a facilitation role in all its units.

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COMPONENT D: COMMUNITY & SOCIAL SERVICES

3.9 LIBRARIES; ARCHIVES; MUSEUMS; COMMUNITY FACILITIES; OTHER (THEATRES, ZOOS, ETC)

Libraries are a function of the Department of Sport, Recreation, Art and Culture and MAP runs them on an agency basis. In total, there are six functional libraries in the municipality.

The table below depicts the expenditure incurred in constructing/refurbishment of community halls:

Table 17: Capital Expenditure for Community Halls

Capital Expenditure Year 2023: Community Halls					R' 000
Capital Projects	Year 2023				
	Budget	Adjustment Budget	Actual Expenditure	Variance from original budget	Total Project Value
Total All	21 583	15 265	17 002	4 581	
Upgrading of Phuthaditjhaba town hall	21 583	15 265	17 002	4 581	

3.10 CEMETERIES AND CREMATORIUMS

The state of municipal cemeteries was not a pleasing one for previous years and the year under review especially considering that most used cemeteries are by now almost running out of burial space. Also, the municipality is not running a crematorium.

3.11 SPECIAL PROGRAMS

The Special Program Unit is responsible for Women empowerment; Youth development, and Mayor's Social Investment; People with disabilities (PWD) and HIV & AIDS coordination functions.

COMPONENT E: ENVIRONMENTAL PROTECTION

3.12 POLLUTION CONTROL

The municipality does not have an Air Quality Management Plan and air pollution bylaws in place and will have to consider developing these to primarily comply with the Air Quality Act, of 2004 as well as to ensure regular monitoring and management of air pollution in the area.

3.13 COMPONENT F: HEALTH

In terms of the powers and functions, Environmental Health Services is a function of the TMDM while Primary Health Care services have been provincialized. MAP's responsibilities with regard to Municipal Health Services are in the area of issuing of business licenses to food handling premises as well as registration of general dealers, control of nuisances, overgrown erven, enforcement of related by-laws and National regulations as well as other issues which may affect public health.

In all Mayoral Outreach Programs held by the Executive Mayor in all the 35 Wards, the issue of health facilities always came up as a need because the ones that are available are either not having enough equipment and are under-staffed and are not enough to accommodate all community members they are supposed to service.

3.13.1 CLINICS

MAP does not run any clinics and the functioning of clinics is the competency of the Department of Health.

3.13.2 AMBULANCE SERVICES

MAP does not perform any ambulance services and this function is the competency of the Provincial Department of Health.

3.13.3 HEALTH INSPECTION; FOOD AND ABATTOIR LICENSING AND INSPECTION; ETC

As guided by Schedule 5 Part B of the powers and functions as defined in terms of the Local Government: Municipal Structures Act as amended, MAP is only responsible for issuing licenses to businesses who trade by selling food and to street traders. Health inspection of these businesses is the responsibility of the district municipality. At the current moment MAP does not operate any abattoir and the existing abattoir applied for its operating license from the Department of Rural Development and Agrarian Reform (DRDAR) and Department Health.

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COMPONENT G: SECURITY AND SAFETY

3.13.4 POLICE, TRAFFIC AND LAW ENFORCEMENT

MAP does not have municipal police as yet and policing function is still a competency of the SAPS. The form of policing for the prevention of security and safety is rendered through traffic and law enforcement services. Currently the municipality has 16 traffic officers. The table below depicts staff compliment within the traffic section:

Table 18: Traffic Officers

Employees: Traffic Officers					
Job Level	Year 2022	Year 2023			
Police	Employees	Posts	Employees	Vacancies (fulltime equivalents)	Vacancies (as a % of total posts)
Administrators	No.	No.	No.	No.	%
Chief Traffic & Law Enforcement	2	2	2		
Other Police Officers	17	34	17	17	50%
0 – 3	2	3	2	1	33.3%
4 – 6	13	11	13	-	-
7 – 9	1	20	1	19	95%
10 – 12	N/A	-	N/A	-	-
13 – 15	N/A	-	N/A	-	-
16 – 18	N/A	-	N/A	-	-
19 – 20	N/A	-	N/A	-	-
Total	16	34	16	19	55.9%

3.13.5 FIRE

MAP has fire services which at present are not responsive enough to meet current demands especially considering the geographic spread of the areas needing to be serviced. Such impact heavily on response times in the event of a fire breaking out. This often leads to responses however which do not effectively ensure the fire is extinguished before much destruction and threats to lives. Notwithstanding these challenges MAP embarked on an intensive further training of fire officers to ensure they were competent in their work. MAP also upgraded its fire engines by purchasing an additional skid unit for the two fire officers. The challenge for now related to procurements delays in securing proper protective clothing for fire fighters.

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COMPONENT H: SPORT AND RECREATION

3.13.6 SPORT AND RECREATION

The maintenance of sports fields recreational facilities is performed within Community Services department. Annually, the municipality facilitates sporting codes of both the abled and disabled people.

The table below depicts the expenditure the municipality incurred in constructing and or upgrading of sports fields during the year under review:

Table 19: Capital Expenditure on Sports Fields

Capital Expenditure Year 2023: Sports Field					R' 000
Capital Projects	Year 2023				Total Project Value
	Budget	Adjustment Budget	Actual Expenditure	Variance from original budget	
Total All	8 417	4 700	1 554	6 863	
Upgrading of Platberg stadium Phase 1	8 417	–	–	8 417	
Upgrading of Bluegumbosch Stadium	–	4 470	1 554	(1 554)	
Refurbishment of Charles Mopeli stadium phase2	–	230	–	–	

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COMPONENT I: CORPORATE POLICY OFFICES AND OTHER SERVICES

3.13.7 EXECUTIVE AND COUNCIL

This section deals with the function of the executive office that includes the Offices of the Executive Mayor, the Speaker and the Municipal Manager. The table below depicts the number of employees and vacancies in each level:

Table 20: Executive and Council

Employees: The Executive and Council					
Post Level	Year 2022	Year 2023			
	Employees	Posts	Employees	Vacancies (fulltime equivalents)	Vacancies (as a % of total posts)
	No.	No.	No.	No.	%
0 – 3	22	22	22	-	-
4 – 6	24	24	26	-	-
7 – 9	18	19	15	4	21.1%
10 – 12	0	0	01	-	-
13 – 15	6	6	-	-	-
16 – 18	-	-	-	-	-
19 – 20	-	-	-	-	-
Total	70	71	64	4	5.6%

3.13.8 FINANCIAL SERVICES

The financial services department has six (6) functions, viz. Financial Accounting, Supply Chain Management; Assets Management, Budget Planning, Monitoring and Reporting, Expenditure & Payroll and Revenue Management. The overall objective of the department is to ensure that the municipality remains financial viable.

3.13.9 HUMAN RESOURCE SERVICES

Critical to the survival of any institution is the development and functioning of its human resources. MAP as a medium-sized rural municipality constantly finds itself competing with the private and public sector for limited human capital resources as a result MAP at times find it difficult to attract and retain competent and critical skills. The human resources department is an integral part of Corporate Services and is mainly responsible for the following functions as contained within the municipal IDP:

- ✓ Effective and efficient Recruitment and Selection of personnel.
- ✓ Effective administration of staff benefits.

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- ✓ Maintain sound Labour Relations.
- ✓ Ensure Occupational Health and Safety of employees.
- ✓ Wellness
- ✓ Training and development of staff and unemployed.
- ✓ Employment Equity development; implementation and reporting.
- ✓ Organizational design and development.

MAP has not cascaded its performance management system to levels below section 56/7 managers and will do so once it has finalized the review of its Organogram.

3.13.10 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SERVICES

The function of municipal ICT Unit is located within the Corporate Services Department and is headed by the Manager: ICT. The staff compliment of the ICT section consists of the ICT Manager; 1 x Sytstem Administrator; 1 x Systems User Support; 3 x ICT Technicians, and 2 x Data Capturers. The following are the vacant positions that exists within the Unit are the following and when filled could improve the funtioning of the Unit:

- ✓ 1 x Network Administrator
- ✓ 2 x Network Technicians
- ✓ 1 x Database Administrator
- ✓ 1 x Server Specialist
- ✓ 1 x Cloud Engineer
- ✓ 1 x Snr ICT Technician
- ✓ 2 x Helpdesk Technicians
- ✓ 1 x Service Desk Administrator
- ✓ 1 x Assest Officer
- ✓ 1 x Office Clerk
- ✓ 1 x Web Administrator
- ✓ 1 x Web Developer
- ✓ 1 x Information Security Officer

The Unit managed to developed the following policies, although they are at the draft stage:

- ✓ ICT Governance
- ✓ ICT Steering committee
- ✓ Firewall
- ✓ IT Master plan

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- ✓ IT Security
- ✓ DRP Policy
- ✓ ICT Infrastructure

The challenge that the municipality is faced with with regards to its ICT is that most of its ICT infrastructure is very old and need to be phased out and its network upgraded and also to its Financial Management System to SOLAR.

The following are the projects that the municipality needs to embark on in order to improve its ICT functioning:

- ✓ Upgrading of network to fibre.
- ✓ Upgrading of mail system to MS Exchange
- ✓ Move to cloud based solutions

3.13.11 PROPERTY; LEGAL; RISK MANAGEMENT AND PROCUREMENT SERVICES

a) Legal

During the year under review, the municipality's legal section facilitated the following litigation matters:

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1. SUMMONS

NO	MATTER	NATURE OF CLAIM	Attorney	USER DEPT	CONTINGENT	REMARKS
1	Event AV Direct Propriety	-High Court Bloemfontein Dipontsho 2015-2017	Radebe	LED	R8 257 145.32 (Extended scope). R5 815 414.55 (Loss of profit).	Awaiting Plaintiff to set down
Notes: <ul style="list-style-type: none"> Plaintiff was appointed through tender process to organise Dipontsho for the project amount of R7 028 000.00. The SLA indicated the project to be for 12 months. Summons were issued on the 31/10/2017 in the High Court: Bloemfontein under Case Number: 5657/2017. In the Summons it is alleged that the scope was extended verbally hence the claim for R8.2 million. It is also alleged that the adjudication Committee recommended the period of the project to be 3 years hence claim for loss of profit (2016 & 2017). We defended the matter. They applied for a summary judgement which we opposed and it was dismissed. The matter is ready for Rule 17 (pre-trial conference) 						
2.	WDF Viljoen // Maluti- a-Phofung & Thabo Mofutsanyana District Municipality.	-High Court Bloemfontein - Claims for farms that were destroyed by fire: Kestell	Niemann Grobbelaar	Public Safety, Transport & Security Services	R633 331.45	Awaiting trial date.
3.	D W Wessels // Maluti- a-Phofung & Thabo Mofutsanyana District Municipality.	-High Court Bloemfontein Claims for farms that were destroyed by fire allegedly by fire from our dump site: Kestell.	Niemann Grobbelaar	Public Safety, Transport & Security Services	R1 391 559.94	Awaiting trial date.
4.	P.J.H Lourens // Maluti- a-Phofung & Thabo	-High Court Bloemfontein - Claims for farms that were destroyed by	Niemann Grobbelaar	Public Safety, Transport & Security Services	R304 754.06	Awaiting trial date.

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	Mofutsanyana District Municipality.	fire allegedly by fire from our dump site: Kestell.				
5.	J.P & A.C Du Plooy // Maluti- a-Phofung & Thabo Mofutsanyana District Municipality.	-High Court Bloemfontein -Claims for farms that were destroyed by fire allegedly by fire from our dump site: Kestell	Niemann Grobbelaar	Public Safety, Transport & Security Services	R900 415.01	Awaiting trial date..
6.	P.J Swart // Maluti- a-Phofung & Thabo Mofutsanyana District Municipality.	-High Court Bloemfontein . Claims for farms that were destroyed allegedly by fire from our dumping site: Kestell	Niemann Grobbelaar	Public Safety, Transport & Security Services	R402 336.79	Awaiting trial date..
7.	E.G Cilliers // Maluti- a-Phofung & Thabo Mofutsanyana District Municipality.	-High Court Bloemfontein - Claims for farms that were destroyed by fire allegedly by fire from our dump site: Kestell	Niemann Grobbelaar	Public Safety, Transport & Security Services	R326 682.94	Awaiting trial date.

Notes:

- Summons issued in the High Court: Bloemfontein in 2017 under different case numbers.
- Filed special plea of non-compliance with the provisions of Section 3(2)(a) of the Institution of Legal proceedings against certain organs of the State Act 40 of 2002.
- Received Application for Condonation, which was opposed and argued in the High Court but it, was granted.
- Ready for Rule 37 (pre-trial conference).

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8.	TNA Media t/a The New Age Newspaper//MAP	Summons: Magistrate's Court- Phuthaditjhaba Service: Advertisements		Municipal Manager	R119 130.91	Agreed to hold the Summons in abeyance.
9.	Zime Nzimande Damages to vehicle: Pothole (Cnr. Motebang & Setai Streets: Phuthaditjhaba)	Summons: Magistrate Court - Phuthaditjhaba	Internal	Infrastructure	R20 571.42	Awaiting matter to be set down.
Notes: <ul style="list-style-type: none"> The claim is for damages to the vehicle allegedly due to the pothole at the Cnr of Motebang and Setai Streets, Phuthaditjhaba. Summons issued in the Magistrates Court, Phuthaditjhaba. Entered and appearance to defend. Requested further documents. Filed our special plea & plea. Awaiting the matter to be set down. 						
10.	Aqua Transport & Plant Hire (PTY) LTD	High Court: Bloemfontein Service rendered: 12 Water Tankers (April – August 2017)	Niemann Grobbelaar	Municipal Manager's Office	R7 184 600.35	Awaiting set down
Notes: <ul style="list-style-type: none"> Summons were issued on the 12th July 2018 and served in our office on the 21st August 2018. Verbal agreement. We appointed an attorney and defended the matter. We file our special plea and plea 						

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<ul style="list-style-type: none"> Special plea: <ul style="list-style-type: none"> Non-compliance with the SCM processes and policy and therefore in contravention with the provisions of Section 217 of the Constitution. Pre-trial conference conducted and ready for trial. 						
11.	Basfour 2944 (PTY) LTD t/a Hamba Nathi Travel	High Court: Bloemfontein Travelling Agency	Internal	Finance	R177 743.23	Agreed to hold the Summons in abeyance
Notes: <ul style="list-style-type: none"> The Municipality entered into a contract with the service provider with effect from 20 July 2015 for the provision of travelling agency services for the duration of 3 years. Simple Summons issued in the High Court, Bloemfontein on the 21 May 2018 for payment in the amount of R444 206.77 and no invoices were attached. Matter was set down for trial on the 30 August 2018. We agreed to hold Summons in abeyance while they furnish us with the invoices allegedly unpaid and the matter was removed from the roll. We were furnished with invoice and verified with Finance and some we found proof that they have been paid. We sent proof of payment to the Attorneys and they amended their Summons to R177 743.23. We communicated with the Plaintiff, Hamba Nathi directly requesting the outstanding pro forma invoices in November 2018 and agreed to suspend the legal proceedings. To date we have not received the outstanding pro forma invoices. 						
12.	A.J Mining and Industrial Supplies (PTY) LTD	High Court: Bloemfontein	Niemann Grobbelaar	MAP Water/	R5 176 637.40	Awaiting trial date
Notes: <ul style="list-style-type: none"> It is alleged that the Municipality entered into a verbal contract with AJ Mining to provide water tankers. Summons issued in the High Court, Bloemfontein. Filed our special plea and plea. Rule 37 (pre-trial conference) held. Matter ready for trial. 						

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13.	Aqua Transport & Plant Hire	High Court: Bloemfontein	Niemann Grobbelaar	MAP Water	R7 184 600.00	Awaiting trial date
Notes: <ul style="list-style-type: none"> The Municipality entered into a verbal agreement for hiring of 12 Water tankers. Summons issued in the High Court, Bloemfontein on the 12 July 2018 for payment in the amount of R7 184 600.00. Opposed the matter and filed our plea. Rule 37 (pre-trial conference conference) conducted. Matter ready for hearing. 						
14.	Ntiyiso Consulting CC // MAP Revenue Management & Enhancement	High Court: Bloemfontein 20/03/2019	Bokwa	Finance	R12 027 912.00 -Amended to R3 279 912.41	Finalised in the municipality's favour 24/08/2022
Notes: <ul style="list-style-type: none"> The Service provider, Ntiyiso Consulting was procured to render service billing support & debt collection. Summons were issued in the High Court: Bloemfontein. Defended the matter. There was an application for a summary judgement which we opposed and it was dismissed and were granted leave to defend. We received a request for further particulars. We received an application to amend. Matter went to court and it was dismissed on the bases of the unlawfulness of the contract. 						
15.	Bibi Cash & Curry (PTY) LTD	High Court: Bloemfontein Claim for damages & loss of income:	Ponoane	Human Settlement	R2 518 615.00	Awaiting matter to be set down by Plaintiff

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	05/03/2019	ERF 9091 (Portion 5 &6)			R8 155 861.32	
Notes: <ul style="list-style-type: none"> On the 04th March 2016 Municipality received an urgent Application in the High Court: Bloemfontein under Case Number: 1040/2016 filed by Bibi Cash & Carry Supermarket (Bibi) for an interim order interdict the Municipality from continuing with the project on Erven 10030 & 10031, Phuthaditjhaba. We opposed as the time the land did not belong to Bibi and the Municipality had a deed of donation on the same land. The Court made an order that the Municipality will file Summons for a declaratory order. The matter went to Court on the 12, 13, 14 & 15 February 2019 and after Municipality closed its case Bibi applied for an absolution from the instance. The application was dismissed. The matter proceeded on proceeded in November 2020 for the Defendants to present its case. The Court made an order that the land belongs to FDC which sold it to Bibi. While awaiting to finalise the declaratory order matter Bibi issued Summons on the 05 March 2019 <ul style="list-style-type: none"> Claim 1 Payment in the sum of R2 518 615.00 for damages as a result of the earthwork that was carried on the land. Payment of interest on the amount of R2 518 615.00 calculated at 10.25% per annum from the date of service of Summons until date of payment. <ul style="list-style-type: none"> Claim 2 Payment in the sum of R8 155 861.32 as damages for loss: Resulting from increased development costs - R 3 000 000.00 Loss of earnings from development calculated as at 31st January 2019 – R5 155 861.32 Payment of interest on the amount of R8 155 861.32 calculated at 10.25% per annum from the date of service of Summons until date of payment. The total amount claimed by Bibi is R10 674 476.32. We opposed and filed our plea on the basis that at the time of the earthworks, the land belonged to FDC and therefore they had not right. 						
16.	KN Smat JV Tshau Civil 01/04/2019	High Court: Bloemfontein MAP Water: Sewer blockages	Balden Vogel	MAP Water	R2 074 500.00	Awaiting matter to be set down.
Notes:						

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<ul style="list-style-type: none"> MAP Water around August 2017 entered into an oral agreement emergency plumbing service – unblocking and cleaning of sewer pipes Intabazwe, Harrismith, Tshiame & Kestel at a price of R3 500.00 per unblocked sewer. The service provider issued Summons in the High Court, Bloemfontein claiming payment in the sum of R2 074 500.00. Received Summons Defended the matter. Filed special plea and plea Matter is dormant since filing our plea in 2020. 						
17.	Urban Brew Studios (PTY) LTD 21/05/2019	High Court: Gauteng Division, Pretoria Broadcast on Dumisa TV & YO TV		MM	R540 783.33	Awaiting matter to be set down.
Notes: <ul style="list-style-type: none"> Municipality and Urban Brew Studios entered into a written agreement for broadcasting and advertising services on the 20 October 2017. The agreement was to broadcast on Dumisa & Yo TV. It is alleged that we made some payments and the amount outstanding is R525 783.33 and they also claimed R15000.00 as legal contributions (as per the letter of demand). Summons were issued in the High Court, Gauteng Division, Pretoria on the 07 May 2019 under case number 30730/19. We defended the matter. The service provider applied for a summary judgement, which we opposed. The application was dismissed. The matter is dormant. 						
18.	Khato Consulting Engineers (PTY) LTD 27/06/2019	High Court: Bloemfontein Alleged service rendered	Noge	-Infrastructure	R8 636 640.82	Awaiting matter to be set down.

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Notes:

- Simple Summons were issued in the High Court: Bloemfontein under case number 2465/19 on the 03 June 2019 for payment in the sum of R8 636 640.82.
- Discussed the matter with Mrs Mosokotso and Mr Ungerer and was provided with following information:

Kestell Upgrading of Water & New Reservoir (2008)

- ✓ Khato Consulting overpaid the Contractor.
- ✓ Project was not finished.
- ✓ Khato Consulting left site.
- ✓ Another company was appointed.
- ✓ Khato Consulting only entitled to 15% professional fee.

Ketell Bulk Water Line to Qwaqwa – Kestel Total Solution

- ✓ Khato did not submit the business plan, design or tender documents.
- ✓ Miletus submission was approved by Water Affairs and was appointed.
- The service provider's attorneys withdrew as attorneys of record for the second time.

19.	Khato Consulting Engineers (PTY) LTD 27/06/2019	High Court: Bloemfontein Alleged service rendered	Noge	Infrastructure	R5 678 901.69	Awaiting matter to be set down.
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Notes:

- Simple Summons were issued in the High Court: Bloemfontein under case number 2466/19 on the 03 June 2019 for payment in the sum of R5 678 901.69.
- Discussed the matter with Mrs Mosokotso and Mr Ungerer and was provided with following information:

-Bulk Sewer line Makhlokeng

- ✓ Khato Consulting provided poor monitoring of the Project.
- ✓ Plaintiff left the project unfinished.
- ✓ Flagg Consultant was appointed to finish the job.

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-Bluegumbosch Sanitation Network

- ✓ The project was never approved.
- ✓ The designs were never approved.

-Construction Bus Route

- ✓ Around 2009-2010
- The service provider's attorneys withdrew as attorneys of record for the second time.

20.	RNT Management Services CC	High Court: Bloemfontein	Bokwa	Finance	First claim: R20 470 034.96	Awaiting matter to be set down.
	22/10/2020				Second claim: R1 739 479.30	-Proclamation by President -SIU

Notes:

- Service provider was appointed for compilation of Indigent Register & Indigent register to collect meter numbers from urban registered indigents under SCM/BID42/2016/17.
- It was also appointed to Collection & capturing of Rural Data for implementation of flat rate under **SCM/BID18/2017/18**.
- Summons issued in the High Court on the 07/10/2020 under Case Number: 3806/2020 for payment of **R20 470 034.96** as 1st claim for compilation of indigent register and **R1 739 479.30** for collection and capturing of rural data.
- Appointed and defended the matter.
- Filed 2 special pleas and a plea.
- The matter is under investigation by Special Investigation Unit (SIU) in terms of Proclamation R27 of 2020.
- Matter is ready for Rule 37 (pre-trial conference).

21.	Palesa Events and Fuel (PTY) LTD 10/12/2020	High Court: Bloemfontein Alleged Events management Services rendered	Noge	LED/ Office of Executive Mayor	R17 141 832.00	Awaiting matter to be set down. - Proclamation by President
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						-SIU
Notes: <ul style="list-style-type: none"> The service provider was appointed for events management services. The appointment was for 3 years and the costs of the project was R2 117 000.00. Simple Summons issued in the High Court on the 03rd December 2019 under case number 5585/2019 for payment in the sum of R17 141 832.00. Appointed and defended the matter. The matter is under investigation by Special Investigation Unit (SIU) in terms of Proclamation R27 of 2020. Matter is ready for Rule 37 (pre-trial conference). 						
22.	Rospa Trading 289 CC 07/04/2021	High Court: Bloemfontein Alleged Service rendered + storage	Niemann Grobbelaar	Public Safety, Transport and Security Services	R10 219 883.00	Postponed <i>sine die</i> (without a date)
Notes: <ul style="list-style-type: none"> The application was filed in the High Court Bloemfontein on the 12th July 2019 for a declaration that we owe Applicant an amount of R6 093 372.00. We appointed and opposed the matter and the matter was before court on the 25th July 2019 and was struck of the roll. Summons were issued on the 13th March 2021 claiming an amount of R10 219 883.00 (R5 943 083.00 income & storage R4 276 800.00). Applied for summary judgement and was dismissed. Special plea: <ul style="list-style-type: none"> <i>Lis pendens</i> (still pending before court on the same cause of action and subject matter) The amount claimed exceed the R7 609 850.00 as per the appointment and SLA which was on a quotation basis. Minutes of the pre-trial conference filed. Matter set down for hearing on 07/08 & 10 March 2023. The previous Counsel has passed and the matter postponed <i>sine die</i>. 						
23.	Configen CC t/a Zero Tolerance	High Court: Bloemfontein Alleged Service rendered	Tsotetsi	Public Safety, Transport and Security Services	R10 129 812.20	Awaiting a declaration from Applicant

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Notes:

- The service provider was appointed in terms of Regulation 32 from Dihlabeng Local Municipality to provide security service.
- Summons issued in the High Court Bloemfontein on the 06/05/2021 under Case Number:1999/2021.
- The matter has been defended.
- There was a criminal case open against the service provider and some of the officials of the municipality. The matter was finalised on the basis of Section 174 of the criminal Procedure Act (state failed to prove its case beyond reasonable doubt)

24.	MV Specialised (PTY) LTD	High Court: Bloemfontein	Radebe	Infrastructure	R5 552 277.50	Finalised
		2018: Repair of transformer, substation, replacement and repair of switchgear and cables				28/02/2023

Notes:

- Summons were issued on the 09th September 2021 and served in our office on the 13th September 2021.
- We appointed an attorney and defended the matter.
- We file our special plea and plea
- Special pleas:
 - Non-compliance with Section 3 of Act 40 of 2002 (Notice to organs of state before instituting an action).
 - Prescription.
 - Non-compliance with the SCM processes.
- Matter before Court on the 28 February 2023 before Deputy Judge President Mbhele.
- The court ordered
 - The invoices are invalid and no proof of compliance with Section 36 of the SCM Regulations.
 - However ordered us to pay R5 552 277.50 as a just and equitable remedy in terms of Section 172(1)(b) of the Constitution.
 - The defence of prescription was dismissed.

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<ul style="list-style-type: none"> Requested Plaintiff's Attorneys to allow us to make a deferred payment (repayment plan). 						
25.	Bohlokong Computers Solutions (PTY) LTD	High Court: Bloemfontein Provision of information, communication & technology services	Noge	IT	R1 801 549.75	File open
Notes: <ul style="list-style-type: none"> The service provider was appointed in terms of Regulation 32 from Dihlabeng Local Municipality. There were invoices submitted and we did not pay. An application was filed in the High Court: Bloemfontein for payment in the sum of R1 801 549.75. We opposed the application and the contract was declared unlawful. The service provider filed an application for leave to appeal. The application was dismissed. The Summons has been issued on the basis of undue enrichment. We have defended the matter. 						
26.	Mamohau Augustina Mofokeng	Magistrate Court: Phuthaditjhaba Damage to vehicle as result of accident caused by our employee	Internal	Public Safety, Transport and Security Services	R41 326.62	Finalised 09/09/2022 Less amount of R37 436.19
Notes: <ul style="list-style-type: none"> Summons were issued in the Magistrate Court: Phuthaditjhaba We internally filed an appearance to defend filed. Filed our special plea and plea on the basis of the principle of subrogation. 						

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<ul style="list-style-type: none"> Matter set down: 12/08/2022. The attorney clarified that they are acting on behalf of the insurance and we settled. 						
27.	Petronella Sibeko	Magistrate Court: Harrismith Damage to vehicle as result of pothole (Industriqwa- Tshame)	Internal	Infrastructure	R19 262.82	Finalised 12/09/2022 Repudiation
Notes: <ul style="list-style-type: none"> The Plaintiff's vehicle allegedly damaged a result of a pothole around Industriqwa-Tshame. Summons issued in the Magistrate Court: Harrismith. Repudiated the claim on the basis that the road where the accident occurred is under the Provincial jurisdiction. 						
28.	Lateral Unison Insurance Brokers (PTY) LTD	High Court: Bloemfontein Insurance: Risk Management Services	Ponoane	Finance	R3 000 000.00	Finalised
Notes: <ul style="list-style-type: none"> The service provider was appointed by the municipality to provide a short term insurance for a period of 6 months starting from the 1 June 2020 at a cost of R2 338 938.40 per month including VAT. The Service Level Agreement (SLA) was signed by the Municipality on the 28 May 2020 and by the service provider on the 3 June 2020. Summons were issued in the High Court, Bloemfontein on the 12 November 2021 praying for judgement against the Defendant for payment of R300 000 000.00 (Three Million Rand) which as a balance of the Risk Management Services. The letter of appointment and the SLA does not mention a risk management services which only appears on the separate document termed Annexure A Executive Summary of Short Period Payments. From their own papers (Summons) the following is notable: <ul style="list-style-type: none"> Par 9: On the 03 June 2021 the Plaintiff, Lateral Unison Insurance Brokers in writing provided the Municipality with the Executive Summary. The Plaintiff discharged all its obligations under the Letter of Appointment and SLA and the Executive Summary inclusive of providing the risk management services at an agreed 						

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amount of R6 000 000 000.00.

- **Par 11 & 12:** In terms of the Letter of Appointment, SLA and the Executive Summary the Municipality was obliged to pay R7 016 815.20 by no later than 1 June 2020 and another R7 016 815.21 by no later than the 1 September 2020.
- **Par 13 & 14:** As at the 1 September 2020 the Municipality failed to pay the balance of R7 016 815.21 and the underwriter cancelled the insurance.
- **Par 15:** As at the 15 September 2021 the Plaintiff only received R3 000 000.00 from the Municipality in respect of the Risk Management Service.
- On the letter of demand, it has been indicated that the Municipality paid an amount of R7 016 815.21 on the 31 August 2020.
- **Points:** The Municipality paid to the Plaintiff as follows:
 - R7 016 815.21 on the 31 August 2020.
 - R3 000 000.00 on the as at the 15 September 2021.
- Despite receiving the over R 10 million the Plaintiff still claims another R3000 000.00 for Risk Management Service.
- The Risk Management Service (R6 000 000.00) was not part of the Appointment Letter and the signed SLA.
- The Municipality never got any claim honoured by the Plaintiff.
- The matter was defended and we filed our plea.
- Informed that the amount has been paid.

29.	Ithemba Lethu Consulting	High Court: Bloemfontein Service rendered: Structural repair- Main Office & Harrismith	Kaibe	Human Settlement	R5 033 304.66	-File Open
Notes: <ul style="list-style-type: none"> The service provider was appointed to provide a service of structural repair in Main Office and Harrismith. Summons issued in the High court: Bloemfontein. We defended the matter and we filed a special plea & our plea on the basis that no proper work was done as we had to acquire other service provider to redo or finalise the work and non-compliance with Section 3 of Act 40 of 2002 (Notice to organs of state before instituting an action). 						
30.	Makedibone Fihlo	Magistrate's Court: Phuthaditjhaba Pothole claim: 2013 Honda Accord 2.4, due to pothole at Mampoi Road next to	Internal	Infrastructure	R14 320.87	Finalised 01/08/2022

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		Covision Mortuary, Phuthaditjhaba.				Settled for half the amount
Notes: <ul style="list-style-type: none"> Summons were issued in the Magistrate's Court: Phuthaditjhaba. Determined liability. Applied 50/50% apportionment. Settlement agreement signed and matter settled. 						
31.	Re-Yakgona Transport CC	High Court: Bloemfontein Supply: Tyres, rims, batteries, studs & nuts.	Noge	Public Safety, Transport and Security Services	R2 123 222.00	File Open.
Notes: <ul style="list-style-type: none"> Summons were issued in the High Court: Bloemfontein on the 14th June 2022 claiming payment in the sum of R2 123 222.00. Oral agreement without SCM process Memo written requesting further information around the matter. Attorney instructed to enter an appearance to defend. Due to non-payment the plea was not filed. Notice of bar and an application for a default judgement. We filed an application for the upliftment of the bar and our plea and was granted. We filed the plea. 						
32.	Kill Crime Security Services (PTY) LTD	High Court: Bloemfontein Supply: Security Services	Peyper	Public Safety, Transport and Security Services	R33 711 995.50	File Open
Notes:						

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<ul style="list-style-type: none"> • Summons issued in the High Court: Bloemfontein on the 27th July 2022. • Claim is for the Security Services rendered to the municipality pursuant to 4 different contracts and in the alternative filed an undue enrichment claim in the same amount. The 1st contract was through a tender process and was for the duration of 12 months for 22 sites which came to an end on the 17th December 2018. • 2nd contract was verbal and started on 15th December 2018 on a month-to-month basis on the same terms as the first. • 3rd contract was through a tender process which is alleged to have taken place around 2020 for a period of 3 months. • 4th contract around November 2020 which was verbal starting from the 12 November 2020 on a month-to-month basis. • The matter is defended. • Settlement agreement entered into. 						
33.	Daniel Zwane	Magistrate's Court: Phuthaditjhaba Pothole claim: 2013 GWM STEED5 2.2 MPI, due to pothole at Motebang Road, Phuthaditjhaba.	Internal	Infrastructure	R21 453.37	Finalised 13/03/2023
Notes: <ul style="list-style-type: none"> • Summons issued in the Magistrate's court Phuthaditjhaba for a claim in the sum of R21 453.37. • Agreed to hold the Summons in abeyance. • Awaiting the exact place in Motebang Road where the accident took place to verify jurisdiction. • Settled the matter on apportionment of 60/40%. • Matter finalised. 						
34.	Elegant Line Trading 785 CC	High Court: Bloemfontein	-	Finance	R1,800,000.00	File open
Notes: <ul style="list-style-type: none"> • The Plaintiff, Elegant Line Trading issued Summons in the High Court, Bloemfontein on the 25 October 2022 under Case Number: 5307/2022 alleging that: <ul style="list-style-type: none"> - The Plaintiff entered into an oral agreement to cleanse, fumigate and sanitize the municipal offices and facilities of the Municipality at Phuthaditjhaba on an urgent basis. 						

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<ul style="list-style-type: none"> - Payment would be effected upon completion of the services and within 30 days of receipt of invoice. - The service was performed at Phuthaditjhaba HQ, Phuthaditjhaba Multipurpose, Fire Department, Refuse Department, Infrastructure, Environmental Centre, Bluegumbosch Stadium, Traffic and Jim's Place, Agricultural Office, RJR Masia Library, Children's Library, Map Water Main Offices, Wilge Sewerage Plant and Tshiame Sewerage Plant. • Matter discussed with AMM and the possibility of payment. Agreed to discuss with ACFO, which we did and she undertook to draft a repayment plan. • We prepared the repayment plan which was agreed but could not be signed on time. • Court order obtained an order but the attorney gave us an opportunity to sign the 6 months' repayment plan. (Still to be signed) 						
35.	Teboho John Rampheng	Regional Court: Phuthaditjhaba	Internal	Human Settlement	R300,000.00	File Open
Notes: <ul style="list-style-type: none"> • The Plaintiff, Teboho John Rampheng issued Summons in the Regional Court, Phuthaditjhaba on the 14/09/2022 which were only received by the Municipality on the 09/11/2022 alleging that: <ul style="list-style-type: none"> - He was in lawful occupation of the property situate next to Traffic Department since June 2020. - On the 09 December 2020, the Municipality demolished the brick and devils fork fencing and demolished the steel structure erected on the premises. • Discussed the matter with Human Settlement and was provided with information, amongst others, that the Plaintiff has been given an alternative next to Corobricks. • Received a notice of bar. • Filed our plea. 						
36.	Tjamoza Trading (PTY) LTD	High Court: Bloemfontein	Internal	Finance	R7 404 540.00	Finalised. 10/01/2023
Notes: <ul style="list-style-type: none"> • The Plaintiff, Tjamoza Trading issued Summons in the High Court under Case Number: 5473/22 claiming payment in the sum of R7 404 540.00. • Discussed the matter with the Director of the Plaintiff, Mr Thebele and agreed to hold the Summons in abeyance while we are discussing the amicable solution. • Discussed the matter with AMM and CFO. • CFO undertook to work out the payment plan. • Payment in full made. 						
37.	Tshitso Mathe	Regional Court: Phuthaditjhaba		Public Safety, Transport	R300 00.00	File Open

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		Claim for damages: Wrong & Unlawful arrest		and Security Services		
Notes: <ul style="list-style-type: none"> Plaintiff, Tshitso Mathe issued Summons in the Regional Court, Phuthaditjhaba and claims that he was arrested by Mr Manyoni on or about the 8 February 2023 in the presence of Police Officers without a warrant. He alleges that he was detained and on the 09 appeared in Court and the prosecutor issued a certificate of <i>nolle prosequi</i>. 						

2. APPLICATIONS

NO	MATTER	NATURE OF CLAIM		USER DEPT.	CONTINGENT	REMARKS
1.	AFGRI Operations (PTY) LTD & 15 others	High Court: Gauteng Division, Pretoria Application to set aside NERSA decision -Revocation MAP Electricity Distribution Licence.	Mokoena	Infrastructure	-	File is still open
Notes: <ul style="list-style-type: none"> Application opposed Order granted to appoint Eskom as agent but we still to finalise the terms & conditions Council resolution to appoint Eskom. We have signed the DAA and awaiting Eskom to sign and once done we will close the file. MFMA Circular 123 & 124 (Municipal Debt Relief) 						
2.	Dept. of Labour: Director General	Labour Court: Johannesburg Failure to comply with the provisions of Employment Equity Act.	Internal	Corporate Services Agreed to hold the Application in abeyance	R1 500 000.00	To comply with provisions of EEA. Plan and the EE policy submitted
3.	Samwu obo Mamokete Sethunya	Labour Court: Johannesburg	Noge	Corporate		Finalised

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		Review Application: Dismissal				15/02/2023
Notes: <ul style="list-style-type: none"> Disciplinary hearing was conducted on allegation of fraud. The employee was found guilty and dismissal. Employee referred the matter to Bargaining Council and the dismissal was confirmed. The employee filed a review application in the Labour Court: Johannesburg. Opposed the application and filed the papers. Matter was argued in Court on the 27 January 2023. Judgement delivered on the 15th March 2023: <ul style="list-style-type: none"> Review Application dismissed. 						
4.	T Mopeloa	High Court: Bloemfontein Application challenging the report of the Section 32 Committee	Bokwa	Council	-	Exchanging pleadings
Notes: <ul style="list-style-type: none"> The Municipal Council on the 26 March 2020 appointed a Council Committee under the provisions of Section 32(2) of the MFMA, to investigate the irregular, or fruitless and wasteful expenditure involving the then then Acting Municipal Manger, Mr T Mopeloa for the payment to service provider, DOTS in the sum of R1 370 105.61 for the alleged service rendered at MAP Water. A report was compiled by the Committee. The Applicant, T Mopeloa filed an application in the High Court, Bloemfontein under case number 4641/2020 seeking relief contending, amongst others that: <ul style="list-style-type: none"> his rights to procedural fairness in the process of compiling the report were violated. the second respondent was biased or unreasonably suspected of biasness when the adverse findings, remarks and/or conclusions were made. the findings in the report are irrational. The Applicant therefore sought 2 declaratory orders: <ul style="list-style-type: none"> he was entitled to an opportunity to be heard during the investigation phase; and 						

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<ul style="list-style-type: none"> - he had a right to procedural fairness prior to the release of the report. • We are awaiting a full report from the attorneys. 						
5.	Shashapa Joshua Motaung & 14 others	High Court: Bloemfontein Cllrs claiming payments	Sebeko	Council	R5 497 849.50	File Open
Notes: <ul style="list-style-type: none"> • The 15 Applicants were the Councillors of the ANC (Referred as Applicants). • The Councillors were expelled by the ANC. • Application filed in the High Court, Bloemfontein on the 06 May 2021 under case number 2006/2021 for an order in the following terms: <ul style="list-style-type: none"> - Declaration that the Respondents owe the said Councillors salaries which were erroneously stopped by the Respondents, Maluti-a-Pgofung Municipality and Thabo Mofutsanyana District Municipality (Respondents). - The Respondents to pay the Applicants the sum of R5 497 849.50 and interests thereon. • It was agreed that the same attorney representing the District should represent the Municipality in the matter. • Meeting was also held with few of the applicants and the attorneys from both side at our offices to try and settle the matter. • No solution so far. 						
6.	Oxy Trading 541 CC	High Court: Bloemfontein Toilet services & maintenance	arrington	Infrastructure	R15 595 452.49	Finalised
Notes: <ul style="list-style-type: none"> • Oxy Trading was appointed in terms of Regulation 32 around July 2017. • It is alleged that the Municipality extended the contract on a month to month basis. • There is an allegation of Regulation 36 for the period starting 1 May 2020 to September 2020 (5 months). • An application was filed in the High Court, Bloemfontein on the 02 September 2021 for payment in the total of R15 585 452.49. • We opposed the application which was set for unopposed hearing on the 30 September 2021. 						

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- A meeting was held and a tentative agreement was to consider the invoices during the period 1 May 2020 to September 2020.
- Settlement offer was signed for an amount of R5 250 555.00 and first payment in the sum of R2 250 555.00 was made.

7.	Mohapi Kutoane	Labour Court, Johannesburg	Ponoane	Political Office	-	File Open
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Notes:

- The Applicant, Mr Kutoane was appointed as the Secretary to the then Chairperson of the MPAC.
- The Council on its sitting of the 14 August 2018 resolved that the Chairperson of MPAC be replaced by another Cllr.
- Subsequently the letter of termination was sent to the Applicant but we continued to pay the Applicant up until November 2018.
- Upon stoppage of salary he referred the matter to Bargaining Council on the 6 December 2018 the Commissioner ruled that the matter was referred prematurely as the Applicant at the time of referral he was still drawing money from the Municipality.
- The Applicant filed a review application in the Labour Court, Johannesburg on the 15 August 2019 without application for condonation. (Application for review should be filed within 6 weeks)
- Application for condonation was only filed around September 2021.
- We opposed the condonation application and filed the answering affidavit on the basis that the period is excessive.
- We have recently received a notice of substitution of attorney of record (he is represented by the new attorney).
- Papers filed as well as the heads of argument.

8.	SAMWU obo Manyoni & others	Labour Court: Cape Town 1 traffic in one level up -Arbitration ad was finalised -They are now on same level.		-Application for Warrant of Execution. -Opposed	R307,718,004.	Dormant
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Notes:

- The unfair labour dispute was referred to Bargaining Council on the basis that 1 traffic officer was selectively elevated 1 level above the rest.
- The rest of the traffic officers (13 in number) wanted to be promoted from level 7 to level 5.
- The Commissioner made a ruling on the 23 August 2016 and dismissed the application but we were ordered to compensate the 13 traffic officers an amount of R27 187.76 each.

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- Before the payment of the R27 thousand we received a review application.
- The employees applied for certification of the award to the CCMA and it was opposed.
- The amount was paid on the 7 September 2021 to avoid the writ of execution
- The employees applied to Labour Court, Cape Town for a writ of execution in the amount of **R307,708,004**.
- The application was opposed and we filed our answering affidavit.
- To date we have not received any reply.

9.	Rich Soil Resources (Pty) LTD	High Court: Bloemfontein Challenging the appointment of service provider: Landfill sites.	Radebe	MM/ Finance	-	File Open
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Notes:

- Application filed in the High Court, Bloemfontein on the 18 November 2021 for an order in the following terms:
 - That the decision by the Municipality not to award Tender No SCM/BID15/2020/21 pertaining to Maintain and manage Harrismith and Qwaqwa Landfill Sites for the period of 2 years to the Rich Soil (Applicant), be declared constitutionally invalid, reviewed and set aside.
 - That any SLA concluded between the 1st and any service provider pursuant to the tender be declared unconstitutional, be reviewed and set aside.
- The tender was awarded to Khabokedi Waste Management.
- We filed the Bid documents.
- Matter is investigated by the Hawks.

10.	SAMWU obo Jeminah Mazinyo	High Court: Bloemfontein Declaratory order: Suspension to be declared unlawful.	Peyper	MM	-	File Open
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Notes:

- Application filed in the High Court, Bloemfontein on the 26 November 2021 under case number 5527/2021 for an order that the suspension of the CFO was and is unlawful and or that the suspension be reviewed and set aside.

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<ul style="list-style-type: none"> Matter opposed. 						
11.	SAMWU obo Jeminah Mazinyo	High Court: Bloemfontein Delegation of power	Peyper	MM		
Notes: <ul style="list-style-type: none"> Application filed in the High Court, Bloemfontein on the 17 June 2022 under case number 2774/2022 for an order reviewing and setting aside the decision to withdraw the delegation or removal of powers and duties assigned to the CFO in terms of Local government: Municipal Finance Management Act 56 of 2003 especially the powers and duties referred to in Section 81(1) of the said MFMA. Matter opposed. 						
12.	Sipho Mbuyiselo Godfrey Tshabalala	High Court: Bloemfontein Order: Appointment as Director LED	Peyper	-Application for an order. -Opposed	-	Finalised 08/06/2023
Notes: <ul style="list-style-type: none"> On the 20 September 2020, the Municipality advertised the position of Director: LED. Interviews were conducted on the 3 March 2021 and a competency assessment on the 12 and 13 March 2021. The Applicant, Mr Tshabalala was amongst the three candidates that attended the interview and competency assessment. An item was placed on the Council agenda of 21 July 2021 for the resolution on appointment and the Council resolved not to appoint any applicant in the position. On the 24 January 2022, Mr Tshabalala launched a review application in the High Court, Bloemfontein under case number 260/2022, in terms of Section 6 of the Promotion of Administrative Justice Act 3 of 2000 (PAJA) requesting court review the Council's decision not to appoint any candidate and that the Court orders the Municipality appoint him as the suitable candidate. The municipality opposed the matter and filed the records of the recruitment process on the 17 May 2022. Matter proceeded in Court on the 8 May 2023. Court ordered that the matter should go to Council within 30 days for Council to take a decision on the appointment. Court order 08/05/2023: <ul style="list-style-type: none"> - Municipal Council to take a decision on the appointment within 30 days. 						

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- Council resolved to appoint Mr Tshabalala.						
13.	Sipho Mbuyiselo Godfrey Tshabalala	High Court: Bloemfontein Urgent Application for a interdict: Director LED	Peyper	Council	-	Finalised July 2022
Notes: <ul style="list-style-type: none"> On the 4 April 2022, Mr Tshabalala filed an urgent application in the High Court, Bloemfontein under case number 1537/2022 for the Court to interdict the Municipality from making any appointment with regard to the post of the Director: LED. The application was opposed and pleadings were filed. An order was granted by the Court not to appoint until the application above is finalised. 						
14.	Imatu obo S Nkosi	Labour Court: Johannesburg Contempt of court: Long service bonus	Internal	Corporate		Finalised 22/07/2022
Notes: <ul style="list-style-type: none"> Employee referred the matter to Bargaining Council for appointment in a permanent position. An agreement was entered into. The terms were that he is appointed into permanent position with effect from 01 December 2010 and that he is entitled to benefits. The agreement was made the arbitration award. The appointment letter was issued but the remaining issue the long service bonus. A contempt of court application was filed and the settlement agreement was entered into and long service bonus was paid and matter finalised. 						
15.	Imatu obo RMR Malatsi	Labour Court: Johannesburg Contempt of court: Appointment in line with Section 198B of the LRA	Internal	Corporate	-	Finalised 16/02/2023
Notes: <ul style="list-style-type: none"> The employee was an intern and was given a contract after the end of the internship. 						

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- The employee approached the Bargaining Council to issue a compliance order to clause 18.1 of the collective agreement.
- The Free State Conditions of Service Collective Agreement, Clause 18.1: *All appointments into positions that are by their very nature permanent positions below Sections 54A and 56 shall be on permanent basis except for the position that are linked to the term of office of the political office bearers, section 54A and 56 managers.*
- The Secretary issued a compliance order. The matter was referred to Arbitration.
- The award made was that, amongst others, we appoint the employee permanently into the position of Legal Clerk with effect from 1 June 2021.
- Application for contempt of court was filed in the Labour Court, Johannesburg and rule nisi was granted and has been extended to the 4 November 2022.
- The employee is now appointed as Legal Clerk as of 01 July 2022.
- He wants to be paid retrospectively from the 1 June 2021 (Rough estimation is R130 000.00).
- Memo submitted to MM's office.
- Matter withdrawn.

15.	The South African Human Rights Commission & others	High Court: Bloemfontein	Radebe	Human Settlement	-	File Open
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Notes:

- Declaratory order: MAP & MEC Cogta & Premier to comply with Human Rights remedial action as per report of 8 September 2014.
- Respondents to pay R15 000.00 as compensation for the destruction of their properties.
- Opposed the application.
- We filed the answering affidavit.

17.	Twala MB & 1 other	Labour Court: Johannesburg	Noge	Internal Audit	263 605.60	Finalised
		Application for Writ of Execution on settlement: Municipality will advertise.				Applicant to pay 10% of our costs

Notes:

- The employees referred an unfair labour practice in that they are performing a job of the internal audit whereas they are appointed as general workers.
- The employees were initially under internship programme and beyond the internship were given rolling contracts.

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- There was a settlement entered into in the CCMA that the positions will be advertised and due process will follow.
- The Municipality failed advertise as per the agreement.
- The employee applied for writ of execution on settlement.
- Wrote letter requesting Applicants to withdraw as they followed the wrong process as the agreement did not have monetary value but for a specific performance of advertising and following the process.
- We eventually advertised and the employee did not apply.
- We opposed and applied for the costs order.
- The employees and SAMWU ordered to pay 10% of the wasted costs.
- (Full report submitted to the Office of MM).
- The employees were appointed.

18.	Conlog (PTY) LTD	High Court: Bloemfontein Supplied 10 000 meter boxes	Internal	Finance/ Infrastructure	R7 350 061.70 The municipality received a claim for R303,372.73 which is for interest and legal costs	Finalised Capital fully paid after attachment.
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Notes:

- Conlog supplied us with split meters.
- We acknowledged the debt and submitted the payment plan, which we failed to honour on several occasion.
- Application in the High Court: Bloemfontein under Case Number: 2100/2022.
- We made another payment plan and again failed to honour.
- Judgement obtained and received the warrant of execution and part payment was done -R1 977 208.80 was paid on 07/07/22
- The municipal properties (fleet) was attached and the balance was paid on 11/08/22.

19.	Katoka Services & Projects and another (7)	Arbitration	Nieman Grobbelaar	Infrastructure/ Finance	R160 000 000.00	Open
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		Contractor Development: Payment for duration of agreement				
Notes: <ul style="list-style-type: none"> The Arbitration process filed with the statement of claim. Claim for a recovery of payments for the duration of the agreement. 						
20.	Rampusi & 259 others	Labour Court: Johannesburg Employment terminated- Application: Section 189A(13) of the LRA	Bokwa	Council/ Corporate	-	Finalised 27/02/2023
Notes: <ul style="list-style-type: none"> The Applicants (260) were employed with effect from the 01 December 2017. Their contract of employment was terminated on or about May 2018. They referred the matter to South African Local Government Bargaining Council (SALGBC). The Commissioner issued a jurisdictional award: The SALGBC does not have jurisdiction arbitrate over the dispute. The Applicants filed a review application in the Labour Court: Braamfontein on the 23 September 2019 under Case Number: JR2131. The application was opposed and papers were filed but the matter just became stale. The Applicants have now filed a fresh application in terms of section 189A (13) of the Labour Relations Act (LRA). Section 189A deals with large scale retrenchment which under section 189A (13) a party can apply for an order to compel employee comply with a fair procedure. Section 189A (17) prescribe that application must be brought no later than 390 days after the employer has given notice to terminate. We have opposed the application for condonation. The period is excessive (way over 3 years later). (Full report submitted to the Office of MM). Matter was before court on the 07/02/2023 and judgement is reserved. Application for condonation is dismissed. 						
21.	Samwu obo Khiba & 155 others	Labour Court: Johannesburg	Noge	Corporate	R42 727 648.62	Finalised.

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		Contempt of Court: In regard to back pay.				
Notes: <ul style="list-style-type: none"> The employees referred the matter to Bargaining Council. On the 24 April 2018 an agreement was entered into where it was agreed: <ul style="list-style-type: none"> The permanent engagement date of the employees on the list is 1 April 2016 Back pay all employees on the list is effective from 1 July 2017. By 7 May 2018, new post levels and corresponding salary scales must be complete including the calculations of the back pay. All employees on the list will receive 2 years' bonus (March 2016/2017 on old salary scale and 2017/2018 on the new salary scale). The attorney calculated the amount to be R42 727 648.62. The Municipality and SAMWU had several meeting to discuss this matter and others. On the meeting of the 22 April 2021, it was agreed that the placement letter should be issued and they were indeed issued with effect from 1 July 2021. We received an application in the Labour Court, Johannesburg for a contempt of court. We opposed on the basis that we have substantially complied. The matter was removed from the roll by the Applicants. Matter was re-enrolled for the 15 March 2023. Application was dismissed 						
22.	TP Khasebe & 189 others`	Labour Court: Cape Town Payment of shift allowances	Radebe	-		Awaiting the date for quantification.
Notes: <ul style="list-style-type: none"> Payment of shift allowances. The employees want the allowance to be back paid. Received an application filed in the Labour court, Cape Town. We opposed the application, as is our view that we have been paying the allowances. Court ordered that parties attempt to quantify and if it fails the matter should go back to Arbitration. 						

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<ul style="list-style-type: none"> The municipality raised a point <i>in limine</i> on jurisdiction. The Commissioner ruled that the Bargaining Council has jurisdiction to quantify. This matter has huge financial implications to the Municipality. 						
21.	IMATU obo M S Moloi	Labour Court: Johannesburg -Review application. -Promotion	Ponoane	Compliance order: To appoint employee on level 6/3	-	Finalised 22/03/2023
Notes: <ul style="list-style-type: none"> The employee was appointed as an intern. Like other interns he was given a contract after the expiry of the internship. The employee was appointed firstly as Assistant General Worker in December 2017 and all they were converted to General Workers. The employee requested to be transferred to Communications Unit. Municipal Manager approved and indicated that the letter of transfer should be written by HR- No letter The employee filed a grievance for payment of acting allowance. Referred the matter to Bargaining Council for compliance order for compliance with clauses 8.3 (acting allowance) and 18.1 (to be appointed permanently) Compliance order was granted and matter was taken to Arbitration for confirmation. Commissioner issued an award stating, amongst others, that the employee should be appointed permanently as Communication & Profiling Officer on PL 6. Filed a review application in the Labour Court under case number JR189/2022. (Full report prepared and submitted to the office of Acting MM on 20 October 2022). Award implemented 						
22.	Maximum Profit Recovery (PTY) LTD	High Court: Bloemfontein	Internal	Finance	-	
Notes: <ul style="list-style-type: none"> Application filed in the High Court on the 06th June 2022 for an order setting aside our refusal to provide records and setting aside the dismissal of their application in our internal appeal. The Service provider has been appointed on full risk. 						

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- Telephone discussion held with the CEO, Mr Bernard Saayman.
- Received a call from Attorneys, Mr Jaco and agreed that the documents should be send.
- The municipality sent the documents to attorneys.

23.	Mabolela Construction & Mechanical CC	High Court: Bloemfontein -Storage of municipal vehicles		Public Safety, Transport & Security Services	R600 000.00	Finalised
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Notes:

- Application for a payment order filed on the 15th September 2022 and served on us on the 21st September 2022.
- The Municipality has entered into a settlement agreement for payment of the R600 000.00 in 3 equal instalments.
- Settlement agreement made order of Court.
- We failed to pay and the Sheriff attached.

24.	Joseph Rabbie Tshabalala	Labour Court: Johannesburg -Contempt of Court	Noge Attorneys	Sports	-	File Open
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Notes:

- There is a settlement agreement dates the **05th May 2015**.
- In terms of which it was agreed that the employee will be appointed on the post level 4 as the Sports Officer with effect from **01st June 2015**.
- The settlement was made the settlement award on the 08th July 2015.
- The LLF resolved to subject this award and others to a discussion and resolution.
- The employee through the Sheriff attached the movable assets of the Municipality and the Municipality filed an urgent application for stay or set aside of the warrant of execution.
- Which the matter was still before Labour Court, Durban, the administrator launched an application in an attempt to set aside a number of settlement and awards and the RJ Tshabalala matter was included. The application was unsuccessful based on condonation and subsequent leave to appeal was dismissed.
- Pursuant to the decision of the LLF the employees' post levels were adjusted as per the award with effect from the 01st July 2021.
- The employee filed an application to the Bargaining Council for quantification of back pays which they computed to amount **R1 675 703.53**. This application was opposed and we raised our points *in limine*.

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- The Commissioner issued a ruling that the Bargaining Council does not have jurisdiction to entertain the matter.
- the awards was: "The Default award dated the 08th September 2015 cannot be further quantified as the amount stipulated in paragraph 25 of the default award was paid by the Respondent, Maluti-a-Phofung Local Municipality, to the Applicants after leave to appeal was dismissed in October 2019".
- The municipality received a contempt application filed in the Labour Court: Braamfontein on the 24th June 2022 and served on us on the 21st September 2022.
- The Municipality has complied hence the contempt application has to be opposed.
- (Full report submitted to the Office of Acting MM).
- Matter will be before Court on the 19/04/2023.
- Matter consolidated as per Judge Van Wyk directive.

25.	Mathoto Midred Selepe & 13 others	Labour Court: Johannesburg -Contempt of Court	Noge Attorneys	Housing	R7 128 018.54	Finalised 27/01/2023
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Notes:

- We received a contempt application filed in the Labour Court: Braamfontein on the 24th June 2022 and served on us on the 21st September 2022.
- There was a default award issued by the SALGBC under case number FSD051510 on the 08th September 2015 adjusting the post levels of the employees (promotion) and also awarding payment to respective employees varying amounts totalling R559 394.48.
- The LLF resolved to subject this award and others to a discussion and resolution.
- The award was certified on or about the 20th September 2017 and the employees through the Sheriff attached the movable assets of the Municipality.
- The Municipality filed an urgent application to have the attachment and execution stayed pending the rescission application in the SALGBC which was filed simultaneously with an application to the Labour Court Durban and the parties agreed to await the outcome of the rescission application.
- Our rescission application was dismissed and the Labour Court was then approached to review and set aside the rescission ruling by SALGBC.
- We paid the security in the sum of R559 394.48.
- Upon filing the review application, the municipality learnt that the SALGBC has misplaced the audio and further explained that there were no hand written notes. We attempted to reach an agreement with SAMWU to have the matter remitted to Bargaining Council.
- SAMWU filed a Rule 11 application for lack of prosecution, which we opposed. We then had to file heads of argument.
- While awaiting the date to argue the Rule 11 application, the administrator launched an application in an attempt to set aside a number of settlement and awards and the Selepe & 13 others

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<p>matter was included. The application was unsuccessful based on condonation and subsequent leave to appeal was dismissed.</p> <ul style="list-style-type: none"> The Attorneys for the employees filed a notice to compel the release of the security, which was released to the attorneys. The employees filed an application to the Bargaining Council for quantification of back pays which they computed to amount R7 128 018.54. This application was opposed and the awards was: <i>"The Default award dated the 08th September 2015 cannot be further quantified as the amount stipulated in paragraph 25 of the default award was paid by the Respondent, Maluti-a-Phofung Local Municipality, to the Applicants after leave to appeal was dismissed in October 2019"</i>. Pursuant to the decision of the LLF the employees' post levels were adjusted as per the award with effect from the 01st July 2021. The Municipality has complied hence the contempt application has to be opposed. (Full report submitted to the Office of Acting MM). The matter was argued in court. Dismissed. 						
26.	SAMWU obo Matholase Jemena Mazinyo	Labour Court: Cape Town	Bokwa	MM	-	Finalised
<p>Notes:</p> <ul style="list-style-type: none"> The Council took a resolution on the 13th October 2022 to place the CFO on a precautionary suspension. The letter to that effect was received by the CFO on the 19th October 2022. CFO filed an Application in the Labour Court, Cape Town for an order in following terms: <ul style="list-style-type: none"> That the suspension of the Applicant, CFO be reviewed and/ or set aside. That the Respondent, and any other party opposing the application be ordered to pay costs. Council took a resolution to uplift the suspension and the court ordered a reinstatement. 						
27.	Matholase Jemena Mazinyo	Supreme Court of Appeal: Bloemfontein	-	MM	-	File Open
<p>Notes:</p> <ul style="list-style-type: none"> MEC: CoGTA, Free State filed an application in the High Court, Bloemfontein on the 05/01/2021 under Case Number 23/2021 for order around the contracts of employment of the MM and CFO and the salary drawn in excess of what is authorised by the Administrator be paid back. The Council took a resolution that the municipality not to oppose the application and the MM & CFO will oppose on their own. 						

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<ul style="list-style-type: none"> • The Court ordered: <ul style="list-style-type: none"> - The contracts in March 2020 an salary of R1,987,402.00 and R1,596,747.00 for MM and CFO respectively is declared unlawful and irregular and set aside. - The excess in the salary earned by the MM and CFO pursuant to the contract in March 2020 are recoverable in full and to be paid in 90 days from the date of the order. • The MM & CFO filed an application for leave to appeal which was dismissed. • The municipality received petition to the President of the Supreme Court of Appeal for an order in the following terms: <ul style="list-style-type: none"> - That leave to appeal be granted. - That the order dismissing the application for leave to appeal be set aside. • Informed that the matter is still proceeding 						
28.	Motlalepula David Moleli	Labour Court: Braamfontein	-	MM & CFO	R1,006,539.83	File Open
Notes: <ul style="list-style-type: none"> • The Applicant, Mr Motlalepula Moleli was appointed as a Protector in the Office of the CFO for a period of 26 months reckoned from 01 March 2022 to 31 March 2025. • The Council took a resolution that the appointment / contract should be terminated and both MM, Acting MM and CFO be suspended. • The application has been filed in the Labour Court, Braamfontein under Case Number: JS765-22 for a declaration that the termination was unlawful and to be awarded a compensation for the month of July to October 2022 or to be awarded compensation for the remainder of the contract. • The matter is withdrawn in Labour Court and referred to Bargaining Council 						
29.	MAP // PK FOKA: Sheriff Makwane	High Court: Bloemfontein	Bomela Attorneys R114 335.00	MM/Public Safety	-	Finalised 11/01/2023
Notes: <ul style="list-style-type: none"> • Sheriff Makwane attached and removed Municipal property on a writ of execution by Mabolela Construction & Mechanical CC (the Company). • The Company was paid and the Sheriff refused to return the removed property until his account is paid. • The Municipality filed an urgent application in the High Court, Bloemfontein under Case Number: 5800/2022. 						

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<ul style="list-style-type: none"> The matter was ruled in our favour and the Municipal property were returned. 						
30.	Modiehi Rebecca Molefe & Thabiso Stephen Moloi	Labour Court: Johannesburg	Noge			File Open
Notes: <ul style="list-style-type: none"> We received a contempt application filed in the Labour Court: Braamfontein on the 23 August 2022 as an <i>ex parte</i> application. An interim order was obtained and served on the 14th October 2022. To file papers and appear in court on the 17/02/2023. There is an agreement entered into on the 07 October 2015 under FSD 081524 – Applicants being SAMWU obo HH Lebuso & 12 others. The employees attempted to enforce the award by attaching the Municipal properties on the 21 September 2016 for an amount in the sum of R752 794.08. The Municipality filed an urgent application for the warrant of execution to be declared unlawful and set aside. The Court ordered that the warrant of execution is unlawful and the Municipal properties were returned. Subject to the LLF conclusive agreement, the levels of the employees were adjusted with effect from the 01 July 2021. We opposed the application for contempt of court. Matter was before Court on the 17 February 2023 and the Applicant applied for substitution and to be afforded an opportunity to file a replying affidavit, which the Court granted. Matter consolidated as per Judge Van Wyk directive 						
31.	Thabo Piet Khasebe & 124 others	Labour Court: Johannesburg	Noge			File Open
Notes: <ul style="list-style-type: none"> TP Khasebe & 124 others filed a contempt of court application in the Labour Court. We opposed the application. Matter was before Court on the 17 February 2023 and the Applicant applied for substitution and to be afforded an opportunity to file a replying affidavit, which the Court granted. Matter was before Court on the 17 February 2023. Matter consolidated as per Judge Van Wyk directive. 						
32.	Hazekiel Thuso Selepe &	Labour Court: Johannesburg			-	File Open

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	12 others					
Notes: <ul style="list-style-type: none"> Hezekiel Selepe & 12 others filed a contempt of court application in the Labour Court. We opposed the application. Matter was before Court on the 10 March 2023 and they requested postponement to file a substitution. Matter consolidated as per Judge Van Wyk directive 						
33.	KB Khiba & 75 others	Labour Court: Johannesburg	Noge		-	Finalised Court on 15/3/2023
Notes: <ul style="list-style-type: none"> KB Khiba & 75 others resubmitted the contempt of court application in the Labour Court. We opposed the application. Matter was before Court on the 15 March 2023 and the application dismissed. 						
34.	MAP Water (Board) & others	High Court: Bloemfontein	Internal	Executive Mayor	-	Court on 7/3/2023 Finalised
Notes: <ul style="list-style-type: none"> Maluti-a-Phofung Water (SOC) LTD interim board and SAMWU filed an application in the High Court, Bloemfontein on the 23/02/2023 under Case Number: 991/2023 for an order in the following declarations (amongst others): <ul style="list-style-type: none"> That Mr Lefora is the duly appointed Acting CEO. That the Executive Mayor has no authority to remove Mr Lefora as the Acting CEO. That the memorandum written by the Executive Mayor appointing Mr Peter Lephuthing as the Acting CEO be reviewed and set aside. That the Executive Mayor be ordered to refrain from interfering with the duties of the elected Board and the Board to access the premises. Letters were written to the Board and the Applicants attorneys to withdraw the matter. The matter went to Court on the 7/3/2023 in the main regarding costs. 						

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<ul style="list-style-type: none"> Court made an order including costs. 						
35.	Rampusi & 259 others	Labour Court: Johannesburg Application for leave to appeal	Bokwa	Council/ Corporate	-	Finalised 07/06/2023
Notes: <ul style="list-style-type: none"> The Applicants (260) were employed with effect from the 01 December 2017. Their contract of employment was terminated on or about May 2018. The Application in terms of section 189A(13) of the Labour Relations Act (LRA) as well as condonation was heard on the 07/02/2023. Application for condonation is dismissed. The Applicants have now file an Application for leave to appeal. We have opposed the Application. Application for leave to appeal dismissed. 						
36.	Samwu obo Mamokete Sethunya	Labour Court: Johannesburg Application for Leave to Appeal	Noge	Corporate	-	Finalised 15/06/2023
Notes: <ul style="list-style-type: none"> The employee filed a review application in the Labour Court: Johannesburg. Opposed the application and filed the papers. Matter was argued in Court on the 27 January 2023. Judgement delivered on the 15th March 2023: <ul style="list-style-type: none"> Review Application dismissed. We have now received an Application for leave to Appeal. We have opposed the Application. Application for leave to Appeal is dismissed. 						
37.	Tsietsi Isaac Rampa & 18	Labour Court: Johannesburg	Ponoane			

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	others	Review Application.				
Notes: <ul style="list-style-type: none"> The employees wanted to be paid 6% shift allowance and transport allowance over and above the 72%/ 48% that we are paying. Matter referred to Bargaining Council and was dismissed. Received a Review Application filed in a Labour Court Johannesburg under Case Number: JR534/23 Application is opposed. 						
38.	Lehlohonolo Dumisi	Labour Court: Cape Town		Public Safety / MM	R645 264.52	
		Review Application.				
Notes: <ul style="list-style-type: none"> Employee was transferred to Manager Security in MM's office and he wanted reinstatement and payment of compensation in the sum of R645 264.52. Referred the matter to Bargaining Council and the Application was dismissed. Received a Review Application and Application for Condonation filed in a Labour Court Cape Town under Case Number: JR534/23 We are currently attempting to settle the matter. 						

3. LETTER OF DEMAND

NO	MATTER	NATURE OF CLAIM	STATUS	CONTINGENT	REMARKS
1.	Bulezania (PTY) LTD t/a Gold Protection Services	VIP Protection Services Service: VIP protection to the former Exec Mayor	-Received letter of demand. -Acknowledged receipt and denied liability	R986 534.56	File Open
2.	Rospa Trading 289 CC 07/10/2019	Supply of container & renovations	-Received letter of demand. -Responded and denied liability	R163 673.30	File open

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3.	Wamesa Civil Construction	Service rendered: Hired TLB for digging of graves	-Received letter of demand.	R21 085.79	File Open
4.	M.E Maseko	Damages to the vehicle: REJOYC FS, due to unattended ditch across the road in Lusaka Rd next to Standard shop, Lusaka.	-Received letter of demand. -Sent a letter to attorneys requesting further information and documents. -Still awaiting reply	R59 220.00	File open
5.	SS Mahoa	Collision Chev Spark 1.2 LS & FFR984FS	-Received letter -Responded. The vehicle does not belong to the Municipality	-R46 459.22	Finalised Repudiated liability
6.	JN Christou	Pothole claim: At R74 - 25 km from Bergville from Harrismith.	-Received letter of demand. -Responded to the letter	R47 221.28	Finalised Repudiated liability
7.	MJ Mahlaba	Pothole claim: R712 near UFS Qwaqwa Campus	-Received a letter of demand. -Responded	R66 639.00	Finalised October 2022 Repudiated liability
8.	Joery Fanyane Nkabinde	Hump claim- Vehicle DHL 7772 GP: Dithotaneng Main Road next to Motshoeneng Shop	-Received a letter of demand. -Responded	R59 188.80	Finalised October 2022 Repudiated liability
9.	Setjhaba Malloyi	Pothole claim: 2021 Mercedes- Benz V300D- Thinamane Street, Industriqwa, Harrismith	-Received a letter of demand.	R12 732.78	File Open
10.	King Price Insurance	Accident allegedly caused by our driver's negligence	-Received a letter of demand. -Memo to Directorate for more info.	R113,400.00	File Open

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11.	Juny Trading (Pty) LTD t/a JT Auto	Alleged mechanical & repair services to Municipal vehicles	-Received a letter of demand. -Letter written to attorneys to request information	R2 468 189.20	File Open
12.	T.I Nhlapo & 5 others	Labour matter. Employees claim they are doing duties of a Senior Technicians and want to be place on level 4.	-Received a letter of demand. -Memo to Director: Infrastructure -Letter written to attorneys.	Levels	File Open
13.	Manna Holdings (PTY) LTD	Evaluation	-Received a letter of demand.	R1 464 708, 32	File Open

4. CRIMINAL MATTERS

NO	MATTER	Case Number	Attorney	Charge	STATUS	REMARKS
1.	Cllr Moeketsi Lebesa, Vuyisile Msweni & Khutlane Mofokeng	Phuthaditjhaba	Noge	Assault		-File Open
Notes: <ul style="list-style-type: none"> Appeared on 14th August 2020 and was postponed to 14th September 2020. Postponed again. Counsel did not attend due to non-payment of his fees. 						
2.	Ntsane Mopeli & 5 others	Phuthaditjhaba	Kaibe	Electricity employees Alleged assault	-	Finalised

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Notes:

- The employees were called to the police station and were charged on an allegation of assault of 1 resident of Beirut.
- First appearance on 28/07/2021.
- Appeared again and postponed for mediation.
- Complainant never pitched up and matter has been postponed to April 2022.
- Matter was withdrawn

3.	S Mkhize & other	Harrismith Case Number: 1348/2021	Kaibe	Electricity employees Alleged Corruption		Finalised 21/02/22
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Notes:

- Arrested 25/11/2021 on the allegation of corruption.
- Released on bail on the 26/11/2021.
- Appeared on 07/12/2021.
- Appeared again on 14/01/2022.
- Matter struck off the roll.

4.	S v Zandile Gladys Maduna	Harrismith Case Number: 52/2022	Kaibe	Alleged Assault	-Matter withdrawn	Finalised 21/02/22
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Notes:

- We are at this stage not been placed with the full information as to exactly what happened but the long story short is there is an allegation of an employee assaulted by a Councillor.
- It has been reported that the employee opened a criminal case against the Councillor and the Councillor also opened a criminal case under case number 52/2022.
- The employee was arrested on the 20 January and was released on warning.
- The first appearance was on the 21/01/2022 and the charge against the employee was withdrawn on the 21 February 2022.

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5. FOR MUNICIPALITY

NO	MATTER	NATURE OF CLAIM	ATTORNEY	USER DEPT	AMOUNT	REMARKS
1.	MAP// Kwane Capital	Rental Agreement- Yellow Fleet We made an advance payment in the sum of R6 000 000.00	Niemann Grobbelaar	Municipal Manager's office	R6 000 000.00	Requested a date for pre-trial conference.
Notes: <ul style="list-style-type: none"> The Service Provider was appointed in terms of Regulation 32 for the lease of yellow fleet. We paid R6000 000.00 Only 3 yellow fleet was delivered (2x Caterpillar Excavator & Caterpillar Padfoot Roller). BLC Plants filed an application in the High Court in 2017 demanding the return of the 3 yellow with proof that they are the owner. The Court ordered that we return the 3 plants which happened on the 15/03/2018. The Municipality issued Summons to recover the R6000 000.00 plus costs and has been defended. The matter is investigated by DPCI-Serious Corruption Investigation under Case Number: CAS 06/04/2018. We awaiting date for Rule 37 (pre-trial). 						
2.	MAP// Traescho Industries	High Court: South Gauteng: Johannesburg Cession: Namahadi paved Road	Peyper	Infrastructure	R2 649 386.80	File Open Liquidation
Notes: <ul style="list-style-type: none"> Municipality signed a cession in favour of Traescho Industries to supply paving bricks and was paid R2 684 860.60. Traescho Industries only supplied brick worth R51 136.80, which did not meet the specifications. We issued Summons and we obtained judgement in our favour in the amount of R2 649 386.80 						

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<ul style="list-style-type: none"> We attached the account but there was nothing and there is no property (in the owner's name to attach (Windeed). We have filed an application for a liquidation in an effort to recover the money paid and costs. 						
3.	MAP// Auctioneers	SSS	Auction: 02/08/2019	Noge	Letter of demand served. -Acknowledged debt for R143 000.00	R210 149.49 Summons
Notes: <ul style="list-style-type: none"> The service provider was appointed to conduct an action at our pounds, Harrismith and Tseseng. There was a shortage: Deposited R225 600.00 instead of R435 749.49.\ Letter of demand was served. The service provider has acknowledged debt for R143 000.00 but still has not paid. We are issuing Summons to recover the money. 						
4.	Baleni T.I & 17 others	Electricity Vendors		Noge	Finance	R705 144.00 To reconcile
		Shortages				
Notes: <ul style="list-style-type: none"> Letters of demand written and served to different vendors. Some acknowledged the debt and made arrangements. Awaiting the full report from the attorney for further persuasion and recovery of the outstanding. 						
5.	Lesedi Khanya	Supply of transformers:			Infrastructure	R1 634 155.00 File Open
		Only supplied 3 & 15 outstanding Paid in full				
Notes: <ul style="list-style-type: none"> The service provider was appointed to supply and deliver 19 transformers and only supplies 3 were supplied and delivered. Service provider was paid full amount in the sum of R1 940 560.00. 						

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- Meeting was held with service provider on the 06 October 2021 and he undertook to supply the remaining transformers within 7 day calculated from the 06 October to 13 October 2021.
- The information is we still have not received the transformers.
- Letter of demand sent to service provider.
- Matter is still investigated by the Hawks.

6.	Auction 24	Auction	Internal	Finance	R1 086 426.69	
<ul style="list-style-type: none"> • The service provider was appointed to conduct and manage the action of Municipal plant and vehicles. • The total amount made on the day was R1 274 200.00 less 3.45% (R43 959.00) and expenses amounting to R143 815.41. • The service provider failed to pay over the net amount in the sum of R1 086 426, 69. • Served a letter of demand. • The service provider requested a meeting and subsequently received a letter from attorney indicating that they will revert to us. 						

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CHAPTER 4: ORGANISATIONAL DEVELOPMENT PERFORMANCE (PERFORMANCE REPORT)

COMPONENT A: 2022/2023 TOP LAYER ANNUAL PERFORMANCE REPORT

The table below depicts the overall top layer 2022/2023 annual performance:

4.1.1. Institutional/Top Layer Performance

Directorate	KPI	Annual Target	Overall Performance for 01 July 2022 to 30 June 2023		
			Planned Target	Actual	R
Infrastructure Services	Construction of Sterkfontein Water Treatment Works - Phase 2	100%	100%	0	R
Infrastructure Services	% Installation of Water meters	100%	100%	0	R
Infrastructure Services	Drilling of boreholes in Intabazwe Informal settlement	100%	100%	100%	G
Infrastructure Services	% Upgrading of Phuthaditjhaba Town Hall	1 (100%)	1 (100%)	82%	O
Infrastructure Services	% Upgrading of E-Ross Substation- Phase 1	100%	100%	100%	G
Infrastructure Services	Intabazwe Ext 3: Sewer reticulation 1 020 stands	1 020 Stands	1 020 Stands	1 020 stands	G
Infrastructure Services	Construction of 2km paved roads and storm water in Namahadi - Phase 4	2 km	2 km	2 km	G
Infrastructure Services	% Monontsha: Construction of footbridge	20%	20%	0	R
Infrastructure Services	% of domestic and commercial waste collected and disposed	100%	100%	100%	G
Budget and Treasury Office	Number of Households registered for Free Basic Services	27 000	27 000	24 000	O
Budget and Treasury Office	Average number of days taken to pay creditors	30 Days	30 Days	There are creditors who are 120 days	R
Infrastructure Services	Number of Expanded Public Works Programme (EPWP) job opportunities created	2 476	2 476	2 476	G
Corporate Services	% of the municipality's budget for training and development actually spent	100%	100%	20%	R







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Budget and Treasury Office	% expenditure on all infrastructure grants	100%	100%	100%	G
Budget and Treasury Office	Current Ratio	1.5:1	1.5:1	0.1	R
Budget and Treasury Office	Cost Coverage Ratio	1-3 months	1-3 months	3 months (1:1)	G
Corporate Services	The number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan	1	1	2	B
Corporate Services	Number of Organizational Structure reviewed and adopted	1	1	0	R
Municipal Manager's Office	% Implementation of the Turnaround Strategy	100%	100%	50%	R
Municipal Manager's Office	% Implementation of activities in the Funding Plan	100%	100%	80%	O
Municipal Manager's Office	Number of Circular 88 reports developed and submitted	4	4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	G
Municipal Manager's Office	Number of IDP & PMS projects implemented	5 (IDP Review; IDP Roadshow; IDP Process Plan; Annual Report; IDP Rep Forum	5 (IDP Review; IDP Roadshow; IDP Process Plan; Annual Report; IDP Rep Forum	4	O

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Municipal Manager's Office	% of Audit Committee resolutions implemented	100%	100%	100%	G
Municipal Manager's Office	% Implementation of External and Internal Audit findings as per audit action plans.	100%	100%	50%	R
Municipal Manager's Office	% Implementation of MAYCO and Council Resolutions	100%	100%	100%	G
Municipal Manager's Office	Number of municipal Websites developed	1	1	0 (The Website has been developed but is not fully functional as yet)	O
Municipal Manager's Office	% Implementation of MPAC/PROPEC Resolutions	100%	100%	100% (There were no PROPEC Resolutions)	G
Municipal Manager's Office	Number of reviews conducted for Institutional Strategic and Operational risk registers to identify emerging risks.	4	4	4	G

Summary of Results

	KPI Not Yet Measured	-
	Unacceptable Performance	8
	Performance not fully effective	5
	Fully effective	14
	Performance significantly above expectations	-
	Outstanding Performance	1
Total KPIs		28

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The tables below depict the institutional (top layer) performance per Key Performance Area (KPA):

4.1.1.1 Basic Service Delivery and Infrastructure

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Construction of Sterkfontein Water Treatment Works - Phase 2	Not achieved	Project was stopped. Bloem Water is now busy with SCM processes	100%	0	R
Installation of Water meters	Not achieved	Still awaiting the appointment of a contractor which will happen in the 1 st quarter of 2023/2024 financial year	100%	0	R
Drilling of boreholes in Intabazwe Informal settlement	Achieved	N/A	100%	100%	G
% Upgrading of Phuthaditjhaba Town Hall	Partially achieved	Awaiting maintenance budget approval and will be finalized in 2023/24 financial year	1	82%	O
% Upgrading of E-Ross Substation- Phase 1	Achieved	N/A	100%	100%	G
Intabazwe Ext 3: Sewer reticulation 1020 stands	Achieved	N/A	1 020 Stands	1 020 stands	G
Construction of 2km paved roads and storm water in Namahadi - Phase 4	Achieved	N/A	2 km	2 km	G
% Monontsha: Construction of footbridge	Not achieved	EIA was received late. The project will be implemented in the 2 nd quarter of 2023/24 financial year	20%	0	R
% of domestic and commercial waste collected and disposed	Achieved	N/A	100%	100%	G
Number of Households registered for Free Basic Services	Partially achieved	Installation of electricity meter boxes and registration of indigents is underway	27 000	24 000	O

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Summary of results: Basic Services

KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
Unacceptable Performance	0% <= Actual/Target <= 74.999%	3
Performance not fully effective	75.000% <= Actual/Target <= 99.999%	2
Fully effective	Actual meets Target (Actual/Target = 100%)	5
Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
Outstanding Performance	150.000% <= Actual/Target	-
TOTAL KPIs		10

4.1.1.2 Local Economic Development

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Average number of days taken to pay creditors	Achieved	N/A	30 Days	There are creditors are 120 days	R
Number of Expanded Public Works Programme (EPWP) job opportunities created	Achieved	N/A	2 476	2 476	G

Summary of results: Local Economic Development

KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
Unacceptable Performance	0% <= Actual/Target <= 74.999%	1
Performance not fully effective	75.000% <= Actual/Target <= 99.999%	-
Fully effective	Actual meets Target (Actual/Target = 100%)	1
Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
Outstanding Performance	150.000% <= Actual/Target	-
TOTAL KPIs		2

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4.1.1.3 Financial Management & Viability

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
% of the municipality's budget for training and development actually spent	Not achieved	Training budget could not be spent and was redirected to other things due to other priorities	100%	20%	R
% expenditure on all infrastructure grants	Achieved	N/A	100%	100%	G
Current Ratio	Not achieved	The ESKOM bill exceeds the municipal collection rate and income received. The municipality has entered into a payment plan with ESKOM which will see current ratio of the municipality increasing	1.5:1	0.1	R
Cost Coverage Ratio	Achieved	N/A	1-3 months	3 months (1:1)	G

Summary of results: Financial Management & Viability

KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
Unacceptable Performance	0% <= Actual/Target <= 74.999%	2
Performance not fully effective	75.000% <= Actual/Target <= 99.999%	-
Fully effective	Actual meets Target (Actual/Target = 100%)	2
Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
Outstanding Performance	150.000% <= Actual/Target	-
TOTAL KPIs		4

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4.1.1.4 Municipal Transformation and Organizational Development

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
The number of people from employment equity target groups employed in the three highest levels of management in compliance with a municipality's approved employment equity plan	Achieved	N/A	1	2	B
Number of Organizational Structure reviewed and adopted	Not achieved	The appointment of the Service Provider to review the municipal Organogram was made in June 2023. The expected date for the finalization of the Organizational Structure is end September 2023	1	0	R

Summary of results: Good Governance and Public Participation

KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
Unacceptable Performance	0% <= Actual/Target <= 74.999%	1
Performance not fully effective	75.000% <= Actual/Target <= 99.999%	-
Fully effective	Actual meets Target (Actual/Target = 100%)	
Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
Outstanding Performance	150.000% <= Actual/Target	1
TOTAL KPIs		2

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4.1.1.5 Good Governance & Public Participation

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
% Implementation of the Turnaround Strategy	Not achieved		100%	50%	R
% Implementation of activities in the Funding Plan	Partially achieved		100%	80% (refer to soft copy report)	O
Number of Circular 88 reports developed and submitted	Achieved		4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	G
Number of IDP & PMS projects implemented	Partially achieved	The development of the Annual Report was not done due to the late submission of the Annual Financial Statements	5 (IDP Review; IDP Roadshow; IDP Process Plan; Annual Report; IDP Rep Forum	4	O
% of Audit Committee resolutions implemented	Achieved		100%	100%	G

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% Implementation of External and Internal Audit findings as per audit action plans.	Not achieved		100%	50%	R
% Implementation of MAYCO and Council Resolutions	Achieved		100%	100%	G
Number of municipal Websites developed	Partially achieved		1	0 (The Website has been developed but is not fully functional as yet)	O
% Implementation of MPAC/PROPEC Resolutions	Achieved		100%	100% (There were no PROPEC Resolutions)	G
Number of reviews conducted for Institutional Strategic and Operational risk registers to identify emerging risks.	Achieved		4	4	G

Summary of results: Good Governance and Public Participation

KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
Unacceptable Performance	0% <= Actual/Target <= 74.999%	2
Performance not fully effective	75.000% <= Actual/Target <= 99.999%	3
Fully effective	Actual meets Target (Actual/Target = 100%)	5
Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
Outstanding Performance	150.000% <= Actual/Target	-
TOTAL KPIs		10

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ANNUAL 2022/2023 INSTITUTIONAL/TOP PERFORMANCE ANALYSIS REPORT

INSTITUTIONAL ANALYSIS OF TARGETS ACHIEVED

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
28	14	9	5	50%	17.9%	32.1%

2022/2023 INSTITUTIONAL PERFORMANCE ACHIEVEMENT ANALYSIS PER KPA

Maluti-a-Phofung Local Municipality	National KPA					
	Institutional Performance	Basic Service Delivery	Local Economic Development	Municipal Financial Viability and Management	Municipal Transformation and Institutional Development	Good Governance and Public Participation
KPI Not Yet Measured	-	-	-	-	-	-
KPI Unacceptable Performance (0% <= Actual/Target <= 74.999%)	9	3	1	2	1	2
KPI Performance not fully effective (75.000% <= Actual/Target <= 99.999%)	5	2	-	-	-	3
KPI Fully effective Actual meets Target (Actual/Target = 100%)	11	5	1	-	-	5
KPI Performance significantly above expectations (100.001% <= Actual/Target <= 149.999%)	-	-	-	-	-	-
KPI Outstanding Performance (150.000% <= Actual/Target)	3	-	-	2	1	-
Total	28	10	2	4	2	10

From the table above, it can be noticed that MAP had 28 planned top layer targets for the year under review. Of these planned targets, **14** targets were achieved translating into **50%**, **5** targets translating to **17.9%** were partially achieved and **9** targets translating to **32.1%** were not achieved. The are various reason for either not fully achieving the targets or not achieving them at all and the reasons for those variances and remedial actions have been provided in the table above.

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2022/2023 ANNUAL DEPARTMENTAL PERFORMANCE ANALYSIS REPORT

DEPARTMENTAL ANALYSIS OF TARGETS ACHIEVEMENT

4.1.2. Departmental Performance Analysis

4.1.2.1. Municipal Infrastructure Services

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
% Construction of Sterkfontein Water Treatment Works - Phase 2	Not achieved	Project was stopped. Bloem Water is now busy with SCM processes	100%	0	R
% Construction of Sterkfontein/Tshiame/ Makgolokweng Bulk Pipeline	Not achieved	Service Provider was procured late. The project will roll over to the 2023/24 financial year	100%	0	R
% Installation of Water meters	Not achieved	Still awaiting the appointment of a contractor which will happen in the 1 st quarter of 2023/2024 financial year	100%	0	R
% Drilling of boreholes in Intabazwe Informal settlement	Achieved	N/A	100%	100%	G
Construction of Internal Water Reticulation with Water Meters 200 stands	Not achieved		200 stands	0	R
% Construction of Matebeleng 3ML Reservoir	Achieved	N/A	40%	40%	G
% Construction of Qholaqwe: 4ml Reservoir	Not achieved	Project will be implemented in 2024/25 financial year	20%	0	R
Installation of 6 km Thaba Bosiu Water Pipeline	Not achieved	Busy with SCM processes and will be implemented in the 1 st quarter of	6 km	0	R

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		2023/2024 financial year			
Number of water pump stations upgraded - Phase 1	Not achieved	Busy with SCM processes and will be implemented in the 1 st quarter of 2023/2024 financial year	2	0	R
% Upgrading of Phuthaditjhaba Town Hall	Partially achieved	Awaiting maintenance budget approval and will be finalized in 2023/24 financial year	100%	82%	O
% Upgrading of Platberg Stadium Phase 1	Not achieved	There were delays in the approval of the projects and will be implemented in the 2 nd quarter of 2023/24 financial year	10%	0	R
% Upgrading of E-Ross Substation- Phase 1	Achieved	N/A	100%	100%	G
Number of stands in Intabazwe Ext 3 with sewer reticulation	Achieved	N/A	1 020 Stands	1 020	G
Makgolokweng: Sewer reticulation	Achieved	N/A	1	1	G
% Construction of Sewer Network	Achieved	N/A	20%	20%	G
VIP Toilets Project (5 000) - Phase 13A	Achieved	N/A	1 300	1 300	G
Refurbishment of 2 Sewer Pump Stations - Phase 1	Achieved	N/A	2 pump stations	2	G
Construction of 2km paved roads and storm water in Namahadi - Phase 4	Achieved	N/A	2 km	2 km	G
% Construction of Monontsha footbridge	Not achieved	EIA was received late. The project will be implemented in the 2 nd quarter of 2023/24 financial year	20%	0	R
Number of new KM of surface roads constructed in Intabazwe/ Harrismith: Ext 3 - Phase 3	Achieved	N/A	1.8 km	1.8km	G
Management of landfill sites	Achieved	N/A	2 (Non-Cumulative)	2	G
Number of landfill sites fenced	Not achieved	The project could not be done due to	1	0	R


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		budget constraints. It will only be included for implementation when there's available budget			
Number of Air Quality Management Plans developed	Not achieved	The project could not be done due to budget constraints. It will only be included for implementation when there's available budget	1	0	R
Number of IWMP Reviewed	Not achieved	The plan is still under review	1	0	R
% of domestic waste collected and disposed	Achieved	N/A	100%	100%	G
% of commercial waste collected and disposed	Achieved	N/A	100%	100%	G
Cleaning of illegal dumping sites	Achieved	N/A	100%	100%	G
Number of Cleaning Campaigns Conducted	Achieved	N/A	2	2	G
Number of Expanded Public Works Programme (EPWP) job opportunities created	Achieved	N/A	2 476	2 476	G
% expenditure on all infrastructure grants	Achieved	N/A	100% (cumulative)	100%	G
Average number of days take to process a bid submission of specification to adjudication	Achieved	N/A	65 days	45 days	B
Turnaround time for the submission of departmental performance reports	Not achieved	Will ensure timeous submission of reports	Within 10 working days after the end of each quarter	Submitted late	R
% Implementation of the Turnaround Strategy	Not achieved		100%	0	R
Number of Circular 88 reports developed and submitted	Achieved	Reporting was only as a pilot and not obligatory. Will start reporting in 2023/2024 financial year	4	The indicator was a pilot for 2022/23 financial	G

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				year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	
% Implementation of activities in the Funding Plan for own department	Not achieved	Not reported on	100%	0 (Not reported on)	R
% Implementation of Audit Committee Resolutions	Achieved	N/A	100%	100%	G
% of MAYCO and Council resolutions implemented	Achieved	N/A	100%	100%	G
% of A-G matters addressed as per the audit action plan	Not achieved		100%	0 (evidence not attached)	R
% Implementation of Audit Action Plan and Internal Audit findings	Not achieved		100%	0 (evidence not attached)	R
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Not achieved		100%	0 (evidence not attached)	R
% Implementation of MPAC/PROPEC Resolutions relevant to the department	Achieved		100%	100% (there were no resolution)	G

Summary of Results

 KPI Not Yet Measured

KPIs with no targets or actuals in the selected -

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		<i>period.</i>	
R	Unacceptable Performance	$0\% \leq \text{Actual/Target} \leq 74.999\%$	18
O	Performance not fully effective	$75.000\% \leq \text{Actual/Target} \leq 99.999\%$	1
G	Fully effective	<i>Actual meets Target (Actual/Target = 100%)</i>	21
G2	Performance significantly above expectations	$100.001\% \leq \text{Actual/Target} \leq 149.999\%$	-
B	Outstanding Performance	$150.000\% \leq \text{Actual/Target}$	1
Total KPIs			41

4.1.2.2. Public Safety, Transport and Protection Services

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
100% impounding of stray livestock	Achieved	N/A	100%	100%	G
Number of road blocks conducted, stop and checks.	achieved	N/A	20	53	B
Number of bylaws Implemented	Not achieved	The department implemented only two by-laws, namely, Animal Impoundment and Traffic By-law	8 (animal impoundment, illegal dumping, liquor control, street trading, land invasion, road traffic bylaws, cemetery by law, waste management by law)	2	R
% of reported fire incidents responded to	Partially achieved		100%	96% (210 calls were received and 201 were attended to)	O
Number of points to be guarded at all times (Security)	Achieved	N/A	75 (non-cumulative)	75	G

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Number of fleet inspections conducted on municipal fleet	Not achieved		12	No evidence attached	R
Number of radios for emergency communication procured	Achieved		12	12 (donated by the district municipality)	G
Number of data capturing software procured for capturing emergency calls	Not achieved		1	0	R
Number of fire equipment repaired and maintained	Not achieved		4	1 (no evidence attached)	R
Number of rescue equipment procured	Partially achieved		4	4 (donated by the district municipality)	G
No. of fleet or machinery and fire engine procured	Not achieved		10	0	R
Number of fire stations renovated in Phuthaditjhaba	Partially achieved	An item has since been made for the upgrades of the Phuthaditjhaba Fire Station. The project has not started yet due to financial constraints	100%	75%	O
Establishment of Kestell Fire substation	Not achieved	The project has not started yet due to financial constraints	1	0	R
Establishment of Harrismith Fire Substation	Not achieved	The project has not started yet due to financial constraints	1	0	R
Number of vehicle exception reports generated with flagged areas for consequence	Achieved	N/A	4	4	G
Average number of days take to process a bid submission of specification to adjudication	Achieved	N/A	65 days	65 days	G

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Turnaround time for the submission of departmental performance reports	Not achieved		Within 10 working days after the end of each quarter	Submitted late	R
% Implementation of the Turnaround Strategy	Not achieved		100%	Not reported on	R
Number of Circular 88 reports developed and submitted	Achieved	N/A	4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	G
% Implementation of activities in the Funding Plan for own department	Not achieved		100%	No evidence attached	R
% Implementation of Audit Committee Resolutions	Achieved		100%	100% (No resolutions for the department)	G
% of MAYCO and Council resolutions implemented	Not achieved		100%	No evidence attached	R
% of A-G matters addressed as per the audit action plan	Not achieved		100%	100% (No	R

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				matters for the department)	
% Implementation of Audit Action Plan and Internal Audit findings	Not achieved		100%	100%	G
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Not achieved		4	4 (no evidence attached)	R
% Implementation of MPAC/PROPEC Resolutions relevant to the department	Not achieved		100%	(no evidence attached)	R

Summary of Results

	KPI Not Yet Measured	<i>KPIs with no targets or actuals in the selected period.</i>	-
R	Unacceptable Performance	<i>0% <= Actual/Target <= 74.999%</i>	14
O	Performance not fully effective	<i>75.000% <= Actual/Target <= 99.999%</i>	2
G	Fully effective	<i>Actual meets Target (Actual/Target = 100%)</i>	9
G2	Performance significantly above expectations	<i>100.001% <= Actual/Target <= 149.999%</i>	-
B	Outstanding Performance	<i>150.000% <= Actual/Target</i>	1
Total KPIs			26

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4.1.2.3. Local Economic Development and Tourism

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Number of infrastructure projects facilitated for construction	Partially Achieved	The municipality should prioritize the increase of electricity capacity in Bluegumbosch to accommodate the supply of electricity for the development	2	1 project was achieved and 3 were partially achieved	O
Facilitate the construction of new hawker stalls	Partially Achieved	The construction of 72 hawker stalls has been facilitated with the renovations of Setsing Plaza.	50	72 stalls are going to be constructed together with the renovations of Setsing Plaza	R
Number of SMMEs & Cooperatives benefitted from LED Programs	Achieved	N/A	24	287	B
% of budget spent through SMMEs and Cooperatives	Not achieved	The department to ensure that 5% of the municipal Infrastructure budget is spent on SMMEs and Cooperatives	5% of infrastructure budget	0	R
Number of SMMEs and Cooperatives trained.	Achieved	N/A	120	121	G2
Number of economic analysis and property development plans developed	Not achieved	N/A	1	2	B
% of businesses licensed (All submitted ones)	Achieved	The department is busy with the development of the database of all businesses	100%	100%	G
Number of Tourism Sector Plan Reviewed	Not achieved	MISA has developed the Plan which they	1	0	R

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		still has to submit to the municipality			
Number of Tourism Projects implemented	Achieved	N/A	2	2	G
Number of tourism initiatives supported	Not achieved	There were no initiatives/proposals submitted to the municipality	10	0	R
Number of new agriculture projects facilitated	Partially achieved	The 4yth project could not be implemented due to the delays in the SCM process	4	3	O
Number of SMMEs Incubation centres established	Not achieved	The indicator needs to be reviewed	200	0	R
Number of SMMEs assisted with funding applications	Not achieved		4	287	B
Number of trainings conducted for local contractors	Not achieved		4	0 (evidence submitted is for 2014)	R
Average number of days take to process a bid submission of specification to adjudication	Achieved		65 days	65 day (there was no bid for the department	G
Turnaround time for the submission of departmental performance reports	Not achieved	The department to ensure timeous submission of the report	Within 10 working days after the end of each quarter	Submitted late	R
% Implementation of the Turnaround Strategy	Partially achieved	The department submitted licensing and flat rate items to SMT for consideration after which it will be sent to various structures for final approval	100%	75%	O
Number of Circular 88 reports developed and submitted	Achieved	Reporting was only as a pilot and not obligatory. Will start reporting in 2023/2024 financial year	4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality	G

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				will report accordingly	
% Implementation of activities in the Funding Plan for own department	Not achieved	The department submitted licensing and flat rate items to SMT for consideration after which it will be sent to various structures for final approval	100%	75%	O
% Implementation of Audit Committee Resolutions	Achieved	N/A	100%	100% (there were no resolutions	G
% of MAYCO and Council resolutions implemented	Not achieved	5 By-laws were recommendation for public participation by Council and that has not happened	100%	50%	R
% of A-G matters addressed as per the audit action plan	Achieved	N/A	100%	100% (there were no matters for the department)	G
% Implementation of Audit Action Plan and Internal Audit findings	Achieved	N/A	100%	100% (there were no findings for the department)	G
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Achieved	N/A	4	4	G
% Implementation of MPAC/PROPEC Resolutions relevant to the department	Achieved	N/A	100%	100% (there were no resolutions)	G

Summary of Results

	KPIs with no targets or actuals in the selected period.	-
R	Unacceptable Performance	0% <= Actual/Target <= 74.999%
O	Performance not fully effective	75.000% <= Actual/Target <= 99.999%
G	Fully effective	Actual meets Target (Actual/Target = 100%)
G2	Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%
B	Outstanding Performance	150.000% <= Actual/Target
Total KPIs		25

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4.1.2.4. SPLUM, Human Settlements and Traditional Affairs

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Number of Land Audits reviewed	Not achieved		1	No evidence attached	R
% of residential sites packaged for sale	Not achieved		100%	Not reported on	R
Number of SDF reviewed	Not achieved		1	No evidence attached	R
Number of SPLUMA applications submitted to be processed though Municipal Planning Tribunal/ Authorized Official	Not achieved		20	5	R
Number of traditional areas assisted with spatial strategies	Not achieved	Tribal Authorities that requested assistance were only 2	5	2 (No evidence attached)	R
Number of property development agreements successfully completed	Not achieved		12	9 (No evidence attached)	R
% of title deeds issued (new registrations & Conversion Act 81 of 1988)	Not achieved		100%	100% (No evidence attached)	R
Number of Informal settlements formalized	Not achieved		3	1 (No evidence attached)	R
Number of building plans approved	Not achieved		100	57	R
Number of Outdoor advertisements signs approved	Achieved	N/A	60	255	B
Number of municipal building maintained	Not achieved		4	18 (No evidence attached)	R
Number of municipal GIS System reactivated	Not achieved		1	0	R
Land allocated for Commercial Development	Not achieved		4	12 (no evidence	R

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				attached	
Number of strategic land parcels packaged to support social and economic development	Not achieved		4	4 (no evidence attached)	R
% of sites put into market (Approved by the Council for selling)	Not achieved		100%	100% (no evidence attached)	R
Average number of days take to process a bid submission from specification to adjudication	Not achieved		65 days	Not reported on	R
Turnaround time for the submission of departmental performance reports	Not achieved		Within 10 working days after the end of each quarter	Submitted late	R
% Implementation of the Turnaround Strategy	Not achieved		100%	Not reported on	R
Number of Circular 88 reports developed and submitted			4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	G
% Implementation of activities in the Funding Plan for own department	Not achieved		100%	100% (no evidence attached)	R
% of Audit Committee resolutions implemented	Not achieved		100%	100% (no evidence attached)	R
% Implementation of external and internal Audit findings as per audit	Not achieved		100%	100% (no evidence attached)	R

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action plans.				attached)	
% Implementation of MAYCO and Council Resolutions	Not achieved		100%	100% (no evidence attached)	R
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Not achieved		4	Not reported on	R
% Implementation of MPAC/PROPEC Resolutions relevant to the department	Not achieved		100%	Not reported on	R

Summary of Results

	KPI Not Yet Measured	<i>KPIs with no targets or actuals in the selected period.</i>	-
R	Unacceptable Performance	<i>0% <= Actual/Target <= 74.999%</i>	23
O	Performance not fully effective	<i>75.000% <= Actual/Target <= 99.999%</i>	-
G	Fully effective	<i>Actual meets Target (Actual/Target = 100%)</i>	1
G2	Performance significantly above expectations	<i>100.001% <= Actual/Target <= 149.999%</i>	-
B	Outstanding Performance	<i>150.000% <= Actual/Target</i>	1
Total KPIs			25

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4.1.2.5. Corporate Services

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
% of the Municipality's budget for training and development actually spent.			100%	20%	R
Average number of days take to process a bid submission of specification to adjudication			65 days	More than 65 days	R
Number engagements with Labour			4	2	R
Number of employment equity reports submitted to the Department of Labour			1	0	R
Number of Workplace Skills Plan submitted to LGSETA			1	1	G
Turnaround time for the submission of departmental performance reports			Within 10 working days after the end of each quarter	Submitted late	R
Number of organizational structures reviewed			1	0	R
% of legal services projects implemented/ reduced			100%	100%	G
Number of reviewed employee wellness strategies			1	1 (Still in a draft form. Awaiting Council approval)	G
Number of OHS strategies reviewed			1	1	G
Number of reviewed HR policies reviewed			10	10 (Still in a draft form. Awaiting Council approval)	O
Number of Security Systems Master Plans developed			1	0	R

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% Implementation of Security Systems Master Plan (annual milestones)			100%	0	R
Number of document management Systems reviewed (File Plan, Records Management Policy & Registry Procedure Manual)			3	0	R
Turnaround time for MAYCO & Council resolutions to be circulated to departments			7 days	7 days	G
Number of offices upgraded to cat 6e			3	0	R
Number of applications migrated to cloud based solutions			1	0	R
% of remote backup on municipal systems conducted			100%	0	R
Number feasibility study done for fiber optic rollout throughout MAP			1	0 (No evidence attached)	R
Number ICT security applications monitored (Anti-virus, Firewall, encryption)	Partially achieved		3	2	O
Number of Updated ICT Asset Registers Annually.			1	1	G
% of ICT Governance framework reviewed	Partially achieved		100%	1 (Still in a draft form and awaits Council approval)	O
Number of Security System Master Plan Developed			1	1	G
% Implementation of the Turnaround Strategy	Not achieved		100%	Not reported on	R
Number of Circular 88 reports developed and submitted			4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024	G

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				financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	
% Implementation of activities in the Funding Plan for own department	Partially achieved		100%	80%	O
Number of Electronic Document and Records Management System Implemented.			4	0	R
Number of Council meetings coordinated	Achieved	The municipality has been having more special council meeting than the ordinary ones	4	16	B
Number of MAYCO meetings coordinated	Not achieved	The municipal council needs to adhere to the approved council calendar of events	10	2	R
Turnaround time for MAYCO and Council resolutions to be circulated to all departments			Within 7 working days from the date of the meeting	Within 7 working days	G
Turnaround time in circulation of MPAC/PROPEC Resolutions			7 days	100% (There were no resolutions)	G
% Implementation of MPAC/PROPEC Resolutions relevant to the department			100%	100% (There were no resolutions)	G
% Implementation of external and Internal Audit findings as per audit			100%	Not reported on	G

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action plans.					
% of AG matters addressed as per the audit action plan			100%	100%	G
% Implementation of Audit Action Plan and Internal Audit findings			100%	100% (there were no findings)	G
Number of reviews conducted for departmental operational risk registers to identify emerging risks.			4	4	G

Summary of Results

	KPI Not Yet Measured	<i>KPIs with no targets or actuals in the selected period.</i>	-
R	Unacceptable Performance	<i>0% <= Actual/Target <= 74.999%</i>	16
O	Performance not fully effective	<i>75.000% <= Actual/Target <= 99.999%</i>	4
G	Fully effective	<i>Actual meets Target (Actual/Target = 100%)</i>	15
G2	Performance significantly above expectations	<i>100.001% <= Actual/Target <= 149.999%</i>	-
B	Outstanding Performance	<i>150.000% <= Actual/Target</i>	1
Total KPIs			36

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4.1.2.6. Community Services

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Turnaround time in processing of pauper burials	Achieved	N/A	3 days	3 days	G
Turnaround time in processing of indigent burials	Achieved	N/A	3 days	3 days	G
% burial sites provided	Achieved	N/A	100%	100%	G
Number of functional libraries managed through the SLA with Department of Sports, Recreation, Arts and Culture.	Not achieved		6	6 (No evidence attached)	R
Number of new cemetery layouts developed.	Not achieved	Needs to source finding for it	2	0	R
Average number of days take to process a bid submission of specification to adjudication	Achieved	N/A	65 days	There were no bids for the quarter	G
Turnaround time for the submission of departmental performance reports	Not achieved	The department needs to endure timeous submission of the reports	Within 10 working days after the end of each quarter	Submitted late	R
% Implementation of the Turnaround Strategy	Achieved	N/A	100%	There were no issues for the department	G
Number of Circular 88 reports developed and submitted	Achieved	N/A	4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be	G

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				obligatory and the municipality will report accordingly	
% Implementation of activities in the Funding Plan for own department	Achieved	N/A	100%	No activities for the department in the Funding Plan	G
% Implementation of Audit Committee Resolutions	Achieved	N/A	100%	No Audit Committee Resolutions for the department	G
% of MAYCO and Council resolutions implemented	Achieved	N/A	100%	No MAYCO and Council Resolutions for the department	G
% of A-G matters addressed as per the audit action plan	Achieved	N/A	100%	No A-G matters for the department	G
% Implementation of Audit Action Plan and Internal Audit findings	Achieved	N/A	100%	There were no findings for the department	G
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Achieved	N/A	4	4	G
% Implementation of MPAC/PROPEC Resolutions relevant to the department	Achieved	N/A	100%	There were no resolutions for the department	G

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Summary of Results

	KPI Not Yet Measured	KPIs with no targets or actuals in the selected period.	-
	Unacceptable Performance	0% <= Actual/Target <= 74.999%	3
	Performance not fully effective	75.000% <= Actual/Target <= 99.999%	-
	Fully effective	Actual meets Target (Actual/Target = 100%)	13
	Performance significantly above expectations	100.001% <= Actual/Target <= 149.999%	-
	Outstanding Performance	150.000% <= Actual/Target	-
Total KPIs			16

4.1.1.6. Budget and Treasury Office

KPI Name	Annual Performance		Overall Performance for 01 July 2022 to 30 June 2023		
	Performance Comment	Corrective Measures	Annual Target	Actual	R
Number of Households registered for Free Basic Services	Partially achieved	Installation of electricity meter boxes and registration of indigents is underway	27 000	24 000	O
Average number of days taken to pay creditors	Achieved	N/A	30 Days	There are creditors who are 120 days	R
Current ratio	Not achieved	The ESKOM bill exceeds the municipal collection rate and income received. The municipality has entered into a payment plan with ESKOM which will see current ratio of the municipality increasing	1.5:1	0.1	R
Cost coverage ratio	Achieved	N/A	3 months	3 months (1:1)	G
Capital vs Total Expenditure ratio	Not achieved	The ESKOM debt and none payment of services by both consumers and business still makes the	20%	1:2	R

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		municipality not to be able to generate enough revenue. Revenue enhancement needs to be strengthened.			
Average number of days to receive payment from debtors	Not achieved	The municipality needs to enforce its credit control measures	150 days	+ 1 830 days	R
Percentage collection on billed revenue	Not achieved	The municipality needs to issue customer invoices on time and enforce its credit control policy	95%	39%	R
Percentage Reduction in level of historical Debt owed	Not achieved	The municipality needs to improve its delivery of services thus encouraging customers to pay for their and this will also improve the municipal revenue	90%	1%	R
Number of Quarterly Asset Verifications Conducted	Not achieved	The Assets Verification only started in May 2023 and the process is not yet finished.	4	0.5	R
% of transactions accurately recorded to the General Ledger	Achieved	N/A	100%	100%	G
Percentage update and reconciliation of asset register to GL	Not achieved	The Assets Verification only started in May 2023 and the process is not yet finished.	100%	0	R
Number of quarterly reports on the implementation of supply chain management policy	Achieved	N/A	4	4	G
Percentage of contracts for capital projects monitored against a set criterion	Partially achieved		100%	98%	O
Average number of days take to process a bid submission of specification to adjudication	Achieved	N/A	65 days	65 days (There's no sufficient evidence attached)	R
Turnaround time for the submission of departmental performance reports	Not achieved	The department needs to ensure timeous submission of its reports	Within 10 working days after the end of	Submitted late	R

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			each quarter		
% Implementation of the Turnaround Strategy	Not achieved		100%	50%	R
% Implementation of activities in the Funding Plan for own department	Partially achieved		100%	80% (refer to soft copy report)	O
Number of Circular 88 reports developed and submitted	Achieved	N/A	4	The indicator was a pilot for 2022/23 financial year and as from 2023/2024 financial year, reporting on Circular 88 will be obligatory and the municipality will report accordingly	G
% Implementation of Audit Committee Resolutions	Not Achieved		100%	40%	R
Number of AFS compiled and submitted to A-G	Achieved	N/A	1	1	G
% of MAYCO and Council resolutions implemented	Achieved		100%	100%	G
% Implementation of External and Internal Audit findings as per audit action plans.	Not achieved	Audit Action Plan to be implemented after the Audit has been finalized	100%	50%	R
% of AG matters addressed as per the audit action plan	Not achieved	Audit Action Plan to be implemented after the Audit has been finalized	100%	50%	R
% Implementation of Audit Action Plan and Internal Audit findings	Not achieved	Audit Action Plan to be implemented after the Audit has been finalized	100%	20%	R
Number of reviews conducted for departmental operational risk registers to identify emerging risks.	Achieved	N/A	4	4	G

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% Implementation of MPAC/PROPEC Resolutions relevant to the department	Achieved	N/A	100%	100%	G
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Summary of Results

	KPI Not Yet Measured	<i>KPIs with no targets or actuals in the selected period.</i>	-
R	Unacceptable Performance	<i>0% <= Actual/Target <= 74.999%</i>	15
O	Performance not fully effective	<i>75.000% <= Actual/Target <= 99.999%</i>	3
G	Fully effective	<i>Actual meets Target (Actual/Target = 100%)</i>	8
G2	Performance significantly above expectations	<i>100.001% <= Actual/Target <= 149.999%</i>	-
B	Outstanding Performance	<i>150.000% <= Actual/Target</i>	-
Total KPIs			26

4.2. 2022/2023 ANNUAL PERFORMANCE ANALYSIS REPORT

4.2.1. DEPARTMENTAL ANALYSIS OF ALL PLANNED TARGETS

4.2.1.1. Budget and Treasury

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
26	8	15	3	30.8%	11.5%	57.7%

4.2.1.2. Local Economic Development and Tourism

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
25	13	8	4	52%	16%	32%

4.2.1.3. Corporate Services

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
36	16	16	4	44.4%	11.2%	44.4%

4.2.1.4. Community Services

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
16	13	3	-	81.25%	-	18.75%

4.2.1.5. Infrastructure Services

Targets Planed	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
41	22	18	1	53.7%	2.4%	43.9%

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4.2.1.6. Public Safety, Transport and Protection Services

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
26	10	14	2	38.5%	7.7%	53.8%

4.2.1.7. SPLUM, Human Settlements and Traditional Affairs

Targets Planned	Targets Achieved	Targets not achieved	Targets partially achieved	% Achieved	% partially achieved	% not Achieved
25	2	23	-	8%	-	92%

4.3. DEPARTMENTAL ANALYSIS OF TARGETS ACHIEVED

TOTAL TARGETS	TOTAL TARGETS ACHIEVED	TOTAL TARGETS NOT ACHIEVED	TOTAL TARGETS PARTIALLY ACHIEVED	% ACHIEVED	% PARTIALLY ACHIEVED	% NOT ACHIEVED
195	83	98	14	42.6%	7.2%	50.2%

In developing the 2022/2023 SDBIP, the municipality developed it as per the MFMA Circular 13 and other legal prescripts. In ensuring that targets met the SMART principle and there is alignment between the IDP, Budget and the SDBIP, the municipality submitted its SDBIP to both the Office of the Auditor-General and the municipality's Internal Audit Unit for them to perform the "SMARTness" test of the indicators and to check its alignment with the IDP and Budget.

The continued none-filling of section 56/57 managers by the municipality continues to affect negatively the performance of the municipality as it can be seen that the municipality had **195** indicators for the year under review. Of those, only **83 (42.6%)** were achieved, **98 (50.2%)** were not achieved and **14 (7.2%)** were partially achieved.

Of great concern in the achievement of targets, is the continued non-achievement of both the Current and Cost Coverage Ratios of the municipality which are both way below the industry norm posing the risk on the survival of the municipality and on its ability to delivering services as per its Constitutional obligation.

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4.4 ORGANISATIONAL DEVELOPMENT PERFORMANCE (PERFORMANCE REPORT PART II)

As part of the IDP review process, MAP is busy with the review its Organogram to ensure that it is able to deliver on its constitutional obligations. In terms of the current Organogram, MAP during the year under review had **2 483** positions and employed **1 198** employees and had **1 285** vacancies equalling **51.8%** vacancy rate.

4.5. COMPONENT B: INTRODUCTION TO THE MUNICIPAL PERSONNEL

4.2.1 EMPLOYEE TOTALS, TURNOVER AND VACANCIES

Of the **1 198** filled positions during the year under review, **574** are female employees, constituting **47.9%** of the total workforce and male employees are **624** making **52.1%** of the total workforce. Given these figures, the municipality has not yet achieved the 50/50 streak in terms of Employment Equity it is envisaging to achieve. Below is the gender breakdown of staff compliment, including employees living with disabilities, of MAP per occupational level:

Table 21: All employees

Occupational Levels	Male				Female				Foreign Nationals		Total
	A	C	I	W	A	C	I	W	Male	Female	
Top management	1			1	2						4
Senior management	24			1	7						32
Professionally qualified and experienced specialists and mid-management	39				76						115
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents	24				13						37
Semi-skilled and discretionary decision making	85				90						173
Unskilled and defined decision making	06				03						09
Technicians and associates professionals	05				01						6
Clerks	09				18						27
Service and sales workers	07				28						35
Skilled agricultural and fishery	01				2						3
Crafts and related trade workers	01				1						2
Plant and machine operators	07				5						12
Elementary occupations	379				311						690
Temporary employees	34				17						51
TOTAL PERMANENT	588			2	557						1 147
GRAND TOTAL	622			2	574						1 198

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The tables below depict the number of employees, the rate of turnover and the vacancy rate:

Table 22: Number of Employees

Employees					
Description	Year -1 2021/2022	Year 0 2022/2023			
	Employees No.	Approved Posts No.	Employees No.	Vacancies No.	Vacancies%
Water	-				-
Waste Water (Sanitation)	-				-
Electricity		150		43	29%
Waste Management					
Housing		87		39	45%
Waste Water (Stormwater Drainage)					
Roads					
Transport					
Planning					
Local Economic Development		20		1	
Planning (Strategic & Regulatory)		87		39	45%
Community & Social Services		23		21	
Environmental Protection					
Health					
Security and Safety		1122		902	80%
Sport and Recreation		211		11	5%
Corporate Policy Offices and Other		133		11	8.27%
Totals		1 833		1 067	

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Table23: Vacancy Rate

Vacancy Rate: 2022/2023			
Designations	*Total Approved Posts No.	*Vacancies (Total time that vacancies exist using fulltime equivalents) No.	*Vacancies (as a proportion of total posts in each category) %
Municipal Manager	1	1	100%
CFO	1	1	0
Other S57 Managers (excluding Finance Posts)	7	1	20%
Other S57 Managers (Finance posts)	116	50	43%
Police officers	0	0	0
Fire fighters	43	42	20%
Senior management: (excluding Finance Posts)	30	-	
Senior management: (Finance posts)	03	-	
Highly skilled supervision: (excluding Finance posts)	45	-	
Highly skilled supervision: (Finance posts)	68	-	
Total	314	95	30.3%

Table24: Staff turnover

Turn-over Rate : 2022/2023			
Details	Total Appointments as of beginning of Financial Year No.	Terminations during the Financial Year No.	Turn-over Rate*
Year -2	-	-	-
Year -1	-	-	-
Year 0	2	33	-

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COMPONENT C: MANAGING THE MUNICIPAL WORKFORCE

4.6. POLICIES

The table below illustrates the list of HR related policies available in MAP:

Table 25: HR Plans and Policies

HR Policies and Plans				
	Name of Policy	Completed	Reviewed	Date adopted by council or comment on failure to adopt
		%	%	
1	Affirmative Action/ Employment		40%	
2	Attraction and Retention		40%	
3	Code of Conduct for employees		60%	
4	Delegations, Authorisation & Responsibility		60%	
5	Disciplinary Code and Procedures		60%	
6	Essential Services		50%	
7	Employee Assistance / Wellness		60%	
8	Employment Equity		70%	
9	Exit Management		60%	
10	Grievance Procedures		80%	
11	HIV/Aids		40%	
12	Human Resource and Development		70%	
13	Information Technology		60%	
14	Job Evaluation		90%	
15	Leave		70%	
16	Occupational Health and Safety		60%	
17	Official Housing		70%	
18	Official Journeys		70%	
19	Official transport to attend Funerals		80%	
20	Official Working Hours and Overtime		70%	
21	Organisational Rights		70%	
22	Payroll Deductions		60%	
23	Performance Management and		70%	

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	Development			
24	Recruitment, Selection and Appointments	70%		
25	Remuneration Scales and Allowances	80%		
26	Resettlement	80%		
27	Sexual Harassment	70%		
28	Skills Development	70%		
29	Smoking	60%		
30	Special Skills	60%		
31	Work Organisation	60%		
32	Uniforms and Protective Clothing	60%		
33	Other:			

4.4 INJURIES, SICKNESS AND SUSPENSIONS

Below is the list of disciplinary actions that took place during the year under review:

Table 26: Cases of Misconduct

Disciplinary Action Taken on Cases of Financial Misconduct			
POSITION	Nature of Alleged Misconduct and Rand value of any loss to MAP	Disciplinary Action taken	Date Finalized

Table 27: Number of Suspension

Number and Period of Suspensions				
Position	Nature of Alleged Misconduct	Date of Suspension	Details of Disciplinary Action taken or Status of Case and Reasons why not Finalised	Date Finalised

4.5 PERFORMANCE REWARDS

The municipality has not cascaded PMS to levels below section 57 managers. The municipal manager and all section 56/57 managers have signed their performance agreements. What has not happened, as yet, is the assessment of section 56/57 managers and therefore no performance bonuses have been paid.

COMPONENT D: CAPACITATING THE MUNICIPAL WORKFORCE

Another ingredient for the survival and productivity of any institution is the development and capacitation of its workforce. The tables below depicts the type of training initiatives benefited both councillors and employees and the expenditure incurred.

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4.6 SKILLS DEVELOPMENT AND TRAINING

The table below depicts the number and types of training that both councillors and employees benefited on during the year under review:

Skills Matrix														
Management level	Gender	Employees in post as at 30 June 2023	Number of skilled employees required and actual as at 30 June 2023											
			Learnerships			Skills programmes & other short courses			Other forms of training			Total		
		No.	Actual: End of 2022	Actual: End of 2023	2023 Target	Actual: End of 2022	Actual: End of 2023	2023 Target	Actual: End of 2022	Actual: End of 2023	2023 Target	Actual: End of 2022	Actual: End of 2023	2023 Target
MM and s56	Female	2												
	Male	3												
Councillors	Female	26												
	Male	44		1	1								1	1
Managers	Female	7		3	3	3						3	3	3
	Male	23		3	3	6						6	3	3
Senior Officials	Female	17		1	1								1	1
	Male	12		1	1								1	1
Technicians and associate professionals*	Female	15		6	6								6	6
	Male	5		14	14								14	14
Professionals	Female	12		17	19								17	19
	Male	14		7	8								7	8
Sub total	Female	79		27	29	3						3	27	29
	Male	101		26	27	6						6	26	27
Total		180		53	56	9						9	53	56

*Registered with professional Associate Body e.g. CA (SA)

T 4.5.1

Writing the Sub totals creates inaccuracy because the template formulas are set to count the sub totals plus the numbers that make them.

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COMPONENT E: MANAGING THE WORKFORCE EXPENDITURE

4.7 EMPLOYEE EXPENDITURE

The table below shows employees whose salaries exceeded the grade determined by the job evaluation:

Employees Whose Salary Levels Exceed The Grade/Level Determined By Job Evaluation				
Occupation	Number of employees	Job evaluation level	Remuneration level	Reason for deviation
PMS Co-ordinator	1	Post Level 5	Post Level 1	Appointment letter
Administrator	1	Post Level 5	Post Level 2	Appointment letter
Administrator	1	Post Level 5	Post level 1	Appointment letter
Skills Development Officer	1	Post Level 5	Post Level 1	Award
Chief Building Inspector	1	Post Level 5	Post level 2	Award
Leave Admin	1	Post level 5	Post level 3	Award
Health and safety	1	Post level 5	Post level 3	Award
Sports Office X3	3	Post level 12	Post level 4	Award
Secretary	2	Post level 8	Post level 4	Award
Secretary	2	Post level 8	Post level 4	Award
Housing Admin Officer X2	2	Post level 7	Post level 4	Award

CHAPTER 5 – FINANCIAL PERFORMANCE

COMPONENT A: FINANCIAL ANALYSIS

5.1. ANNUAL FINANCIAL STATEMENTS

MALUTI-A-PHOFUNG LOCAL MUNICIPALITY

ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED

30 JUNE 2023

(The 2022/2023 municipality's AFS are attached to the document as an Annexure)

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COMPONENT B: FINANCIAL OVERVIEW

5.2. Expenditure Management

Details	30 June 2023	30 June 2022
Creditors payment period	591	640

5.3. Revenue Management

Details	30 June 2023	30 June 2022
Debtor collection period (after impairment)	634	616
Debtor impairment provision as a percentage of accounts receivable	42.70	60.85
Percentage of electricity losses incurred	73.7%	71.2%

5.4. Asset and Liability Management

Details	30 June 2023	30 June 2022
Current ratio	0.30	0.24
Total assets to total liabilities	0.18	0.13

5.5. Cash Management

Details	30 June 2023	30 June 2022
Cash and cash equivalent as a percentage of operating expenditure	73.5	104.8

COMPONENT C: OPEATING RATIOS

Details	Expected norm	Actual	Variance
Employee costs	40%	72%	-32
Repairs and maintenance	8%	0.2%	7.8
Finance charges and depreciation	8%	12%	-4

CHAPTER 6: AUDITOR GENERAL AUDIT FINDINGS

COMPONENT A: AUDITOR – GENERAL OPINION OF FINANCIAL STATEMENTS YEAR -1 (PRIOR YEAR)

(The A-G's opinion on the prior year's financial statements will be attached to the document as an Annexure)

COMPONENT B: AUDITOR – GENERAL OPINION OF FINANCIAL STATEMENTS YEAR -0 (CURRENT YEAR)

(The A-G's opinion on the prior year's financial statements will be attached to the document as an Annexure)

COMPONENT C: AUDIT RESPONSE PLAN

MAP

AUDIT ACTION PLAN – 2023

(The Audit Action Plan will be attached to the document as an Annexure)

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APPENDIX A – COUNCILLORS; WARD AND/ OR PARTY REPRESENTED AND COUNCIL ATTENDANCE

The Council had 14 scheduled meetings, including both ordinary and special council meetings. The table below depicts the attendance of councillors to the council meetings:

Council Members	Full Time/Part Time	Ward/ Organization	No of Council meetings attended	No of apologies for non-attendance	% Council meetings attendance
Cllr Dlamini Mandlenkosi Wiseman	PT	Ward 01	14	None	100%
Moloi Kemelo Peace	PT	Ward 02	14	None	100%
Mokoena Japie Malehoma	PT	Ward 03	14	None	100%
Mahlambi Thembinkosi Josia	PT	Ward 04	14	None	100%
Motaung Aaron Neo	PT	Ward 05	13	1	92.9%
Quinta Eleanor	PT	Ward 06	12	2	86.7%
Mofokeng Tsoeu Matshidiso Augustina	PT	Ward 07	14	None	100%
Motaung Kgauta Lazarus	PT	Ward 08	14	None	100%
Mokoena Nthathi Phillip	PT	Ward 09	13	1	92.9%
Naledi Mojalefa Ishmael	PT	Ward 10	12	2	86.7%
Rantsane Joseph	PT	Ward 11	14	None	100%
Mopeloa Malefo Johannes	PT	Ward 12	14	None	100%
Mokoenihi Joseph Malemoha	PT	Ward 13	14	None	100%
Makae Pulane Grany	PT	Ward 14	13	1	92.9%
Moloi Mabitle Johannes	PT	Ward 15	13	1	92.9%
Hlalele Samuel	PT	Ward 16	12	2	86.7%
Moloi Mmadisemelo Elizabeth	PT	Ward 17	13	1	92.9%
Sesoai Lerato Bernard	PT	Ward 18	14	None	100%
Nhlapo Ditaba Johannes	PT	Ward 19	13	1	92.9%

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Ramohloli Isaak Nare	PT	Ward 20	13	1	92.9%
Sothoane Andries	PT	Ward 21	12	2	86.7%
Hlubi Bafana	PT	Ward 22	14	None	100%
Sefatsa Diphapang Elias	PT	Ward 23	14	None	100%
Motaung Shashapa Joshua	PT	Ward 24	13	1	92.9%
Mahamotsa Mathapelo Emily	PT	Ward 25	14	None	100%
Ramochela Alfred	PT	Ward 26	14	None	100%
Maboea Thuso Peter	PT	Ward 27	13	1	92.9%
Crocket Mary	PT	Ward 28	11	3	78.6%
Ralethohlane Mafole John	PT	Ward 29	14	None	100%
Dlamini Mosele Meriam	PT	Ward 30	14	None	100%
Malaoane Mongezi Jacob	PT	Ward 31	14	None	100%
Dlamini Hlabathe Desmond	PT	Ward 32	14	None	100%
Moloi Moses	PT	Ward 33	14	None	100%
Mohlekwa Teboho Rymond	PT	Ward 34	14	None	100%
Lakaje-Mosia Maria Mamotseare	PT	Ward 35	14	None	100%
Mokotso Tjopo Gilbert	FT	MAP 16	14	NONE	100%
Nhlapo Mohinya Azael	FT	MAP 16	13	1	92.9%
Molefe Khanyiswa Elsie	FT	MAP 16	14	None	100%
Lebusa Masekao Elizabeth		MAP 16	14	None	100%
Moloi Thabo Daniel	PT	MAP 16	13	1	92.9%
Mokoena Johannes Mbutana	PT	MAP 16	12	2	86.7%
Motlounng Paratlane Andries	FT	MAP 16	14	None	100%
Nthinya Twalanki Jerminah	PT	ANC	13	1	92.9%
Melato Malekula Julia	PT	ANC	13	1	92.9%

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Bohlale Mamorena Blantina	PT	ANC	14	None	100%
Nchocho Mapule Louisa	PT	ANC	11	1	92.9%
Mokoena Mmamaponesa Lucy	PT	ANC	13	1	92.9%
Khumalo Peter Khehla	PT	ANC	13	1	92.9%
Thebe Tumelo Raymond	PT	ANC	14	None	100%
Masobe Mohanuoa Letia	PT	EFF	14	None	100%
Mkhwanazi Mpotseng Shirley	PT	EFF	14	None	100%
Thesele / Sedikwe Dieketseng	PT	EFF	14	None	100%
Sefudi-Mollo Puleng Paulina	PT	EFF	13	1	92.9%
Mkhwanazi Shikoda	FT	EFF	14	None	100%
Ngozo Malebusa Francinah	PT	EFF	13	1	92.9%
Molisane Sekhohola Shadrack	PT	EFF	14	None	100%
Lefuma Moshe	PT	DA	12	2	86.7%
Oates Alison Mary	PT	DA	13	2	86.7%
Motaung Tlalane Ana	PT	DA	14	None	100%
Khumalo Siphamandla Richard	PT	DA	14	None	100%
Lebesa Moeketsi Jacob	FT	DPSA	14	None	100%
Mokoena Dieke J	PT	DPSA	14	None	100%
Bridget lebesa	FT	DPSA	11	3	78.6%
Thulo Tumelo Edison	PT	ACM	14	None	100%
Makhalemele Ntswaki Voilet	PT	ACM	13	1	92.9%
Titeli Pitso	PT	AULA	10 (Date of appointment: 13 October 2022)	None	100%
Mdakane Harry Festus	FT	AIC	13	1	92.9%
Mofokeng Ellen Mangaka	FT	ATM	14	None	100%

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Kalamer Charl	PT	FF Plus	10	4	71.4%
Letlala Napo	PT	SAKRO	14	None	100%

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APPENDIX B – COMMITTEES AND COMMITTEE PURPOSES

Below is the list of both Section 79 and 80 Committees that MAP had during the year under review:

Committees (other than Mayoral / Executive Committee) and Purposes of Committees		
Type of Committee	Municipal Committees	Purpose of Committee
Section 80	Corporate and Legal Services Portfolio Committee	The purpose is to provide the MAYCO and Council with reports on all Corporate Services functions
Section 80	Community Services Portfolio committee	The purpose is to provide the MAYCO and Council with reports on all Community Services functions
Section 80	Financial Services Portfolio Committee	The purpose is to provide the MAYCO and Council with reports on all Financial Services functions
Section 80	Infrastructure Planning Services Portfolio Committee	The purpose is to provide the MAYCO and Council with reports on all Infrastructure Planning and Development functions
Section 80	Local Economic Development and Tourism Portfolio Committee	The purpose is to provide the MAYCO and Council with reports on all Local Economic Development and SMME functions
Section 80	IDP and PMS Portfolio Committee	The purpose is to provide the MAYCO and Council with reports on all IDP and PMS functions
Section 80	Special Programmes, Women, Children, and People Living with Disabilities	The purpose is to provide the MAYCO and Council with reports on all Special Programmes, Women, Children, and People Living with Disabilities functions
Section 80	Sports, Arts, Culture and Recreation	The purpose is to provide the MAYCO and Council with reports on all Sports, Arts, Culture and Recreation functions
Section 80	Spatial Planning, Land Use Management, Human Settlement and Traditional Affairs	The purpose is to provide the MAYCO and Council with reports on all Spatial Planning, Land Use Management, Human Settlement and Traditional Affairs functions
Section 80	Public Safety, Transport and Security	The purpose is to provide the MAYCO and Council with reports on all Public Safety, Transport and Security functions
Section 79	Municipal Public Accounts Committee	The purpose is to exercise oversight over executive functionaries of Council and ensure good governance in MAP.
Section 79	Budget Steering Committee	The purpose of this committee is to provide technical assistance to the Mayor in discharging his or her duties as provided for in the Municipal Finance Management Act No 56 of 2003.
Section 79	Audit Committee	The purpose of this committee is to advise municipal council and the accounting officer on issues of sound financial controls, audit, risk management, performance

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		management and good corporate governance.
Section 79	Women Caucus	The purpose of this committee is to advance interests of women and to ensure that women are also mainstreamed in all governance programmes.

Below are the tables reflecting members of Section 79 and 80 Committees and their portfolios:

SECTION 79 COMMITTEES

COMMITTEE	MEMBERS	PORTFOLIO
AUDIT COMMITTEE	Ms Jane Masite	Chairperson
	Mr Sidwell Mofokeng	Member
	Mr Siyakhula Simelane	Member
	Mr Norman Baloyi	Member
	Mr Rendani Makhado	Member

COMMITTEE	MEMBERS	PORTFOLIO
MUNICIPAL PUBLIC ACCOUNTS COMMITTEE	Cllr S. Mkhwanazi	Chairperson
	Cllr C Kalamer (VFF+)	Member
	Cllr M Lefuma (DA)	Member
	Cllr T. Thulo (ACM)	Member
	Cllr M. Mopeloa (ANC)	Member
	Cllr M. Dlamini (ANC)	Member
	Cllr P. Khumalo (ANC)	Member
	Cllr M. Malaoane (MAP16)	Member
	Cllr M. Lebusa (MAP16)	Member
	Cllr J Rantsane (MAP 16)	Member

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SECTION 80 COMMITTEES

COMMITTEE	MEMBERS	PORTFOLIO
IDP & PMS	Cllr T. Mohlekwa	Chairperson
	Cllr A. Motaung (DA)	Member
	Cllr D. Sefatsa (MAP16)	Member
	Cllr P. Sefuthi (EFF)	Member
	Cllr P. Makae (ANC)	Member
	Cllr S. Hlalele (ANC)	Member
	Cllr N. Makgalemele (ACM)	Member

COMMITTEE	MEMBERS	PORTFOLIO
CORPORATE AND LEGAL SERVICES	Cllr M. Naledi	Chairperson
	Cllr M. Lefuma (DA)	Member
	Cllr T. Moloi (MAP16)	Member
	Cllr M. Crocket (ANC)	Member
	Cllr N. Motaung (ANC)	Member
	Cllr M. Nchoncho (ANC)	Member
	Cllr D. Thesele EFF	Member

COMMITTEE	MEMBERS	PORTFOLIO
MUNICIPAL INFRASTRUCTURE PLANNING	Cllr. S. Motaung	Chairperson
	Cllr S. Molisana (EFF)	Member
	Cllr K. Moloi (ANC)	Member
	Cllr T. Mahlambi (ANC)	Member
	Cllr E. Quinta (DA)	Member
	Cllr A. Sothoane (MAP16)	Member
	Cllr D. Nhlapo (ANC)	Member

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COMMITTEE	MEMBERS	PORTFOLIO
COMMUNITY SERVICES	Cllr. T. Mofokeng-Tsoeu	Chairperson
	Cllr A. Motaung (DA)	Member
	Cllr A. Sothoane (MAP16)	Member
	Cllr M. Lakaje (ANC)	Member
	Cllr M. Moloi (ANC)	Member
	Cllr M. Masobe (EFF)	Member
	Cllr T. Thulo (ACM)	Member

COMMITTEE	MEMBERS	PORTFOLIO
FINANCIAL SERVICES	Cllr. A. Nhlapo	Chairperson
	Cllr A. Oates (DA)	Member
	Cllr M. Dlamini (MAP16)	Member
	Cllr A. Ramochela (ANC)	Member
	Cllr M. Mahamotsa (ANC)	Member
	Cllr M. Melato (ANC)	Member
	Cllr N Makgalemele (ACM)	Member

COMMITTEE	MEMBERS	PORTFOLIO
LOCAL ECONOMIC DEVELOPMENT AND TOURISM	Cllr B. Lebesa	Chairperson
	Cllr R. Khumalo (DA)	Member
	Cllr M. Mokoena (MAP16)	Member
	Cllr T Thebe (ANC)	Member
	Cllr T. Mabuya (ANC)	Member
	Cllr J. Mokoena (ANC)	Member
	Cllr S. Mkhwanazi (EFF)	member

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COMMITTEE	MEMBERS	PORTFOLIO
SPORTS, ARTS, CULTURE AND RECREATION	Cllr K. Molete	Chairperson
	Cllr M. Masobe (EFF)	Member
	Cllr N. Mokoena (MAP16)	Member
	Cllr E. Quinta (DA)	Member
	Cllr L. Sesoai (ANC)	Member
	Cllr B. Hlubi (ANC)	Member

COMMITTEE	MEMBERS	PORTFOLIO
SPATIAL PLANNING, LAND USE MANAGEMENT, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS	Cllr H. Mdakana	Chairperson
	Cllr L. Thoabala (EFF)	Member
	Cllr D. Mokoena (DPSA)	Member
	Cllr T. Nthinya (ANC)	Member
	Cllr H. Dlamini (ANC)	Member
	Cllr M. Moloi (ANC)	Member
	Cllr M. Mokoena ((MAP16)	Member

COMMITTEE	MEMBERS	PORTFOLIO
PUBLIC SAFETY, TRANSPORT AND SECURITY	Cllr N. Ramohloli	Chairperson
	Cllr S. Mkhwanazi (EFF)	Member
	Cllr R. Khumalo (DA)	Member
	Cllr M. Ralethohlane (MAP16)	Member
	Cllr M. Mokoena (ANC)	Member
	Cllr J. Mokwinihi (ANC)	Member
	Cllr B. Sereni (ANC)	Member

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COMMITTEE	MEMBERS	PORTFOLIO
SPECIAL PROGRAMMES, WOMEN, CHILDREN, AND PEOPLE LIVING WITH DISABILITIES	Cllr E. Mofokeng	Chairperson
	Cllr M Lakaje-Mosia	Member
	Cllr M Moloji	Member
	Cllr P Mollo	Member

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APPENDIX C – FUNCTIONS OF MAP

Below is the list of functions performed by the MAP as defined in terms both Schedule 4 Part B and Schedule 5 Part B of the powers and functions in terms of the Local Government: Municipal Structures Act as amended:

FUNCTION	TMDM	MAP
SCHEDULE 4 PART B		
Air pollution	X	
Building regulations		X
Child care facilities		X
Electricity reticulation	X	X
Fire fighting	X as per regulation	X
Local tourism	X as per White Paper	X
Municipal airports		X
Municipal planning	X	X
Municipal Health Services	X	
Municipal Public Transport		X
Pontoons and Ferries		
Storm water		X
Trading regulations		X
Water (potable)		X
Sanitation		X
SCHEDULE 5 PART B		
Beaches and amusement facilities		
Billboards and the display of adverts in public places		X
Cemeteries, Crematoria and funeral parlours		X
Cleansing		X
Control of public nuisances		X
Control of undertakings that sell liquor to the public		
Facilities for the accommodation, care and burial of animals		X
Fencing and fences		X
Licensing of dogs		X

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Licensing and control of undertakings that sell food to the public		X
Local amenities		X
Local sport facilities		X
Markets		X
Municipal abattoirs		X
Municipal parks and recreation		X
Municipal roads		X
Noise pollution		X
Pounds		X
Public places		X
Refuse removal, refuse dumps and solid waste disposal		X
Street trading		X
Street lighting		X
Traffic and parking		X
ADDITIONAL AGENCY FUNCTIONS PERFORMED		
Licensing of vehicles		
Primary Health Care	X	
Road maintenance	X	X

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APPENDIX D – RECOMMENDATIONS OF THE MUNICIPAL AUDIT COMMITTEE

The MAP's Audit Committee has, during the year under review, from 01 July 2022 to 30 June 2023, held five (5) meetings. Below were the items discussed and their resolutions:

Date of meeting	Items	Committee recommendations during the year under review	Recommendations adopted (Yes or No, if not adopted provide explanation)
DATE:			
13/07/2022	Audit and Performance Committee Charter for financial year 2022-23 <ul style="list-style-type: none"> Audit Committee Charter 	The Charter was adopted with inputs.	Yes, it was adopted
	<ul style="list-style-type: none"> Data policy 	The committee resolve that data policy be developed be developed and be implemented	Yes
	<ul style="list-style-type: none"> S&T 	The S&T for committee to be clearly indicated on the charter	Yes
	<ul style="list-style-type: none"> MPAC Chairperson 	The committee also resolved that invitation to audit committee meeting be extended to MPAC Chairperson	Yes
	Head count report	<ul style="list-style-type: none"> MM advised to stop the salary of the absconded employees and a letter to be issued to them He was also advised that Salaries of employees who were not verified be stopped until they show up. And that the employees whose contracts expired be terminated as it is 	Yes Yes Yes

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		<p>irregular and fruitless expenditure and municipality decide whether to advertise the posts if there is a need of such positions.</p> <ul style="list-style-type: none"> • They also advised that medically unfit employees, their sick leave cycle be checked and stop their salaries or be release from work. • And also there should be further investigation undertaken for Payroll unit. • And Investigation be undertaken to determine why the passwords of retired employees / sick leaves were used, and action be taken against such employees • The committee advised that every month each department verify its employees and report to corporate services. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Date of meeting	Items	Committee recommendations during the year under review	Recommendations adopted (Yes or No, if not adopted provide explanation)
DATE OF MEETING			
17/08/2022	<p>Status on External audit by AG</p> <ul style="list-style-type: none"> • Late submission of AFS to AG 	<p>The committee advised that the management write a letter regarding the request to submit completion and submission of AFS be send to council stating the submission date, and must be drafted by the Municipal Manager.</p>	Yes
	<p>Filling of critical vacant positions</p> <ul style="list-style-type: none"> • Adverts of Senior Management 	<p>Adverts for senior managers be sent to COGTA for compliance issues related to the advert before advertising.</p>	Yes

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	Litigation report <ul style="list-style-type: none"> Litigations 	<ul style="list-style-type: none"> Report be prepared and submitted in the next council meeting. The updated litigation report with details to be presented on the next AC meeting 	No, referred to next meeting
	Irregular, Fruitless and Wasteful expenditure	Item deferred back with concern and the acting MM to consult with CFO as to when the reports will be presented to the Audit Committee.	No, deferred back
	Progress on Internal Audit Plan	AC concluded that the finding will remain until the correct documents of compliance supporting the SCM procedures were presented.	Yes
Date of meeting	Items	Committee recommendations during the year under review	Recommendations adopted (Yes or No, if not adopted provide explanation)
DATE OF MEETING			
16/01/2023	AG Engagement letter for financial year 2019/20 <ul style="list-style-type: none"> AG Strategy Open communication 	<ul style="list-style-type: none"> AG (SA) and Management to engage with the AC regarding the processes leading to the presentation of audit strategy. There should be proper flow and open communication between AG (SA) and Management. 	Yes Yes
	Filling of critical positions <ul style="list-style-type: none"> MM's interview 	Progress report be reported to the Audit Committee as soon as the results of the interviews are available.	Yes

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	<p>Performance management system</p> <ul style="list-style-type: none"> • Performance report 	<p>IDP and PMS must do assessments for 2nd quarter and Mid – year and Internal Audit to review the assessments before the next Council sitting.</p>	<p>Yes</p>
	<p>Litigations</p> <ul style="list-style-type: none"> • Litigation report • Costs of defense analysis 	<ul style="list-style-type: none"> • The matter be considered in the next AC meeting; • The AC to have an engagement with the AO to discuss the litigations report for review and analysis of cost of defense vs benefit. 	<p>No, the referred to next meeting</p> <p>Yes</p>
	<p>ICT</p> <ul style="list-style-type: none"> • ICT implementation plan • ICT master plan • ICT Risks 	<ul style="list-style-type: none"> • The management to present a full ICT implementation plan in the next AC meeting. • ICT master plan that focuses on how to rebuild a proper ICT capacity in the municipality to be also presented in the next meeting. • AC to deliberate on ICT risks and responses and implementation in the next AC meeting. 	<p>Yes</p> <p>Yes</p> <p>No, referred to next meeting</p>

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	<p>Progress on Internal Audit plan</p> <ul style="list-style-type: none"> Internal Audit reports Tracker of findings Consequence management Skills of new employees Quality of performance Financial Recovery plan Political interference 	<ul style="list-style-type: none"> Internal Audit report be tabled at the management meeting to be held on the 17 January 2023. Internal Audit to prepare a tracker (consolidated age analysis for repeat findings) and be tabled at the next AC meeting. Consequence management be applied for employees who do not cooperate and with no performance output. The Acting Accounting Officer and Management to focus into skills and capabilities of new appointees or acting positions. An audit be performed on the certificate of quality of performance information that the Acting AO has to sign. A financial recovery plan that is aligned to the existing strategy has to be prepared on financial and non-financial performance reports. The Acting Accounting Officer and political offices to have a deliberation regarding political interference in the functionality of the Municipality. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>Risk Management Reports</p> <ul style="list-style-type: none"> Progress on Risks Staff regulations 	<ul style="list-style-type: none"> The progress on risks reported be monitored by all departments. The Accounting Officer prepare an implementation plan on staff regulations, a report on the framework, performance policy and organogram and present in the next quarter AC meeting, these reports to be accompanied by the CRO report as an Annexure. 	<p>Yes</p> <p>Yes</p>

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Date of meeting	Items	Committee recommendations during the year under review	Recommendations adopted (Yes or No, if not adopted provide explanation)
DATE OF MEETING			
06/03/2023	Matters arising from previous minutes / AC resolutions register. <ul style="list-style-type: none"> AC Resolutions Senior Management Meetings Resolution register 	<ul style="list-style-type: none"> Management comments to be included in the AC resolutions register. AC resolutions register to be presented in the Senior Management meetings. AC resolution register to be differed back the next AC meeting. 	Yes Yes No, resolution register be corrected and be discussed in the next meeting
	AG strategy <ul style="list-style-type: none"> AG to meet Mayor and Speaker 	AG to take Executive Mayor and Speaker on board for clean administration.	Yes
	Filling of critical positions <ul style="list-style-type: none"> Critical positions 	Council should priorities the vacant critical positions.	Yes
	Status on ICT <ul style="list-style-type: none"> ICT report 	Comprehensive report be submitted for next AC meeting.	No, report referred to next meeting

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Date of meeting	Items	Committee recommendations during the year under review	Recommendations adopted (Yes or No, if not adopted provide explanation)
DATE OF MEETING			
17/05/2023	Minutes of the previous meeting <ul style="list-style-type: none"> In-committee meetings AG meeting with Political Office 	<ul style="list-style-type: none"> Agenda of the Audit Committee to reflect the In-committee meetings. The AG should meet with Mayor, Speaker and/or MPAC Chair to discuss issues raised by AG 	Yes Yes
	Matter arising from previous minutes / AC resolutions register.	Management be work shopped on how to enforce consequence management.	Yes
	Filling of critical positions <ul style="list-style-type: none"> MM's position Mayor's action list MM's appointment AO's action plan 	<ul style="list-style-type: none"> The interviews for position of MM will be held soon. The Executive Mayor's draft an action list to drive strategic processes. There should be timelines for appointment of MM. The Accounting Officer should draft corporate Action list linked to MFMA. 	Yes Yes Yes Yes
	Performance Management Report – Third Quarter Report <ul style="list-style-type: none"> Monitoring of IDP AO Action plan 	<ul style="list-style-type: none"> Management should monitor IDP and Budget on monthly basis. 	Yes Yes

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	<ul style="list-style-type: none"> Annual report 	<ul style="list-style-type: none"> Accounting Officer's action list must have targets and timeframes. AC requested Provincial Treasury to assist municipality with compilation of Annual Report. 	Yes
	<p>Litigation report</p> <ul style="list-style-type: none"> Litigations Resolutions of Risk committee Litigations by Lawyers Employees appointed irregularly 	<ul style="list-style-type: none"> AC is referring the matter to the Risk Management committee to discuss in their forthcoming meeting. The resolutions of the Risk Management committee, to be captured by Audit Committee. Litigations by Lawyers is also referred to Risk Management committee to deliberate on it. For Individual/s who signed for 200 employees, AMM advised to refer the matter for further investigation and appropriate action to be sanctioned. 	<p>No, referred to next meeting</p> <p>Yes</p> <p>No, referred to risk committee</p> <p>Yes</p>
	<p>Status on ICT</p> <ul style="list-style-type: none"> Sufficient Budget for IT IT Risks 	<ul style="list-style-type: none"> The Budget for IT be a stand-alone in the next budget cycle. IT Risks identified be in the report of the Management. 	<p>Yes</p> <p>Yes</p>
	Financial Reports	AC to hold meeting with Accounting Officer, and Directors of Service delivery departments as soon as possible to address financial issues.	Yes

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	<p>Risk Management Report</p> <ul style="list-style-type: none"> • Unstable building • Appointment of contractors without following SCM processes • IT security system be budgeted • Emerging risks 	<ul style="list-style-type: none"> • The Municipality advised to budget for the repair of the building or condemn the building if recommended by an Engineer. • The CFO to check that deviation of appointing contractors that install smart meters and clear that with Treasury as to whether the process followed is correct or not. • The cost for security of IT be in the next budget cycle. • The matter of emerging risks be on Accounting Officer's action list 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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APPENDIX E: LONG TERM CONTRACTS AND PUBLIC PRIVATE PARTNERSHIPS

PUBLIC PRIVATE PARTNERSHIPS ENTERED INTO (2022-2023)

R' 000

Name and Description of Project	Name of Partner(s)	Initiation Date	Expiry date	Project manager	Value 2021/2022	Value 2022-2023
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The municipality did not have any Public Private Partnerships it entered into for the year under

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APPENDIX F: DISCLOSURES OF FINANCIAL INTERESTS

The table below is the list of councillors and managers on their disclosure of financial interests

DISCLOSURES OF FINANCIAL INTERESTS FOR THE PERIOD 01 JULY 2021 TO 30 JUNE 2023														
Cllrs Full Names	Shares & Other Fin Interests	Membership Of CC	Interest In Trusts	Directorship & Partnership	Other Financial Interests	Remuneration Outside Municipality	Independent Contractor Outside Municipality	Subsidies Grants & Sponsorship	Gifts, Gratuities & Hospitality	Interests In Immoveable Property	Interests In Contracts With Organ Of The State	Loans & Other Obligations Owed To Any Person Or Entity	Related Parties Employed In Or Elected To The State Organ	Signed By Commission Of Oaths? Y/N
1.Andries Sothoane	None													No
2.Mary Crocket	25%		Pheko ka Kopanelo Hands of Hope Youth with a purse											No
3.Thabo Daniel Moloi	None													No
4.Moshe Lefuma	50%		Uthando Funerals , Uthando Car Rentals											No
5.Thulo Tumelo Edison	None													No
6.Masobe Mohanuoa	None													No
7.Moloi Moses Christopher	None													No

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8.Lakaje Mosia Mamotsheare	None													No
9.Molefe Khanyiswa Elsie	None													No
10.Tlalané Ana Motaung	None													No
11.Mofokeng Tsoeu Matshidiso	None													No
12.Thembinkos i Josia Mahlambi	None													No
13.Kemelo Peace Moloi	None													No
14.Ntswaki Violet Makgalemele	None													No
15.Mathapelo Emily Mahamotse	None													No
16.Mosele Dhlamini	None													No
17.Alison Mary Oates	100%		The Duncan Family Trust, AM Oates Farming	100%								+/- R2 million		No
18.Ngozo Malebusa Francinah	None													No
19.Motaung Shashapa	None													No

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Joshua														
20.Thuso Peter Maboea	None													No
21.Mopelo Malefo Johannes	None													No
22.Moloi Mabitle Johannes	50%	Bitle Enterprise												No
23.Mollo Puleng Paulina	None													No
24.Mokoena Mbutana Johannes	None													No
25.Motaung Aron Neo	100%		Farm at Intabazwe & Transport (Taxi)											No
26.Letlala Napo Isaac	None													No
27.Motaung Lazarus Kgauta	None													No
28.Sedikwe Dieketseng Auce	None													No
29.Mkhwanazi Shikoda	None													No
30.Malemoha Joseph Mokoenihi	None													No

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31.Hlalele Samuel	None													No
32.Moloi Mmadisemelo	None													No
33.Dieke Jack Mokoena	None													No
34.Pitso Joseph Titeli	2 %		Titeli Family Trust & Sanlam	0.5 %										No
35.Mandllenko si Wiseman Dlamini	10% & 100%		Wiseman From East & Wiseman From East Farming											No
36.Makae Pulane Granny	None													No
37.Mokoena Mmamaponesa Lucy	None													No
38.Rantsane Joseph	10%		Sehlajaneng Woodwork											No
39.Mokoerna Nthathi Phillip	100%		Mokoerna Nthathi P (Reitzeo PTY LTD											No
40.Lebusa Maseko Elizabeth	None													No
41.Mongezi Malaoane	None													No
42.Siphamandla Richard Khumalo	None													No

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43.Mafole Johannes Ralethohlane	None													No
44.Teboho Raymond Mohlekwa	None													No
45.Mpotseng Sherley Mkhwanazi	None													No
46.Dlamini Hlabathe Desmond	None													No
47.Nthinya Twalanki	None													No
48.Sesoai Lerato Bernard	None													No
49.Mapule Louisa Nchocho	None													No
50.Bafana G Hlubi	None													No
51.Moena Japie Mahlola	None													No
52.Tumelo Raymond Thebe	None													No
53.Peter Kheikha Khumalo	None													No
54.Nhlapo Mothinya Azael	None													No

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55.Moeketsi Jacob Lebesa	None													No
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