Ekurhuleni
METROPOLITAN MUNICIPALITY

EKURHULENI METROPOLITAN MUNICIPALITY

CREDIT CONTROL AND DEBT COLLECTION BY-LAWS

[COUNCIL RESOLUTION: A – F (22-2010) DATED 27 MAY 2010]
[Date of Commencement: 1 JULY 2010]

By-law

To give effect to the implementation of the Ekurhuleni Metropolitan Municipality's Credit Control and Debt Collection Policy and to provide for matters incidental thereto.

Preamble

WHEREAS the Ekurhuleni Metropolitan Municipality has adopted a Credit Control and Debt Collection Policy on 30 November 2006;

AND WHEREAS section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), requires a municipal council to adopt bylaws to give effect to the municipality's credit control and debt collection policy;

BE IT THEREFORE ENACTED by the Council of the Ekurhuleni Metropolitan Municipality, as follows:-

1. **Definitions**

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

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

   "**Council**" means the Council of the Ekurhuleni Metropolitan Municipality; and "**rate**" or "**rates**" means a rate on property and or services as approved by council.

2. **Objective of the By-law**

   The objective of this bylaw is to —

   i. ensure that all monies due and payable to the Council are collected;

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

3. Application of By-law

This bylaw shall only apply to money due and payable to the Council and municipal entity in respect of which the municipality is the parent municipality for –

a. Assessment rates and taxes levied on the property
b. Fees, surcharges on fees, charges and tariffs in respect of municipal services, such as –

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

4. Short title and commencement

This By-law is the Credit control and Debt collection By-law, and takes effect on 1 July 2010.

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File:	1/4/1/1/9
Council Resolution:	A – F (34-2006) dated 30 November 2006
Gauteng Provincial Gazette Number	60 DATED 28 February 2007
Local Authority Notice Number	487
Amended by Council Resolution:	A – F (22-2010) dated 27 May 2010
Gauteng Provincial Gazette Number	112 DATED 23 June 2010
Local Authority Notice Number	856