

POLICY : MONITORING COUNCILLORS' MUNICIPAL SERVICES ACCOUNTS

Item F 90-2001 CM 29.11.2001	POLICY ON MONITORING COUNCILLORS' MUNICIPAL SERVICES ACCOUNTS (Item F52-2001 - MC 20.09.2001)
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RESOLVED:

- (1) That the Council **ADOPTS** the following as a policy in respect of Councillors municipal accounts:

“A Councillor may not be in arrears to the Council for rates and service charges for a period longer than 3 months and is required to pay such accounts within a period of thirty (30) days after receiving written notification from the Municipal Manager, failing which, such Councillor may be deemed to have breached the Code of Conduct for Councillors as contemplated by schedule 1 of the Municipal Systems Act, 2000 and the amounts may be deducted from the Councillors' allowance.”

- (2) That the City Manager **BE AUTHORISED** to deduct any monies due, not more than 30 (thirty) days after the notification by the City Manager as contemplated in (1) supra.
- (3) That a quarterly report on Councillors municipal account arrears **BE SUBMITTED** to the Council.
- (4) That in terms of Schedule 1 (Code of Conduct for Councillors) 14(2)(d) of the Municipal Systems Act, 2000, such Councillors found to be in arrears to Council for a period longer than three (3) months, **BE FINED** the equivalent of 10% of the arrear amount due to Council and that this fine **BE DEDUCTED** by the City Manager along with amounts contemplated in (2) above.
- (5) That arrear amounts of Councillors in respect of rates and service charge up to 30/11/2001 **BE PLACED** in a suspense account in order for Councillors **TO MAKE ARRANGEMENTS** for the payment of such arrears and that the fine of 10% as contemplated in (4) above **BE APPLICABLE** on all new debt as from 01/12/2001.

Item A-F (23-2003) CM 31.07.2003	DEPARTMENT FINANCE : ESTABLISHMENT OF A MULTI-DISCIPLINARY TASK TEAM FOR CREDIT CONTROL AND METER MANAGEMENT
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RESOLVED:

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2.
3.
4.
5. ...
6. That the policy for Councillors **BE AMENDED** to read as follows:

(As amended by Item A-F(41-2004) Council Meeting 30/09/2004)

- (a) A Councillor may not be in arrears to the Council for rates and service charges for a period longer than 2 months and is required to pay such accounts within a period of thirty days after receiving written notification from the City Manager failing which, such Councillor may be deemed to have breached the Code of Conduct for Councillors as contemplated by Schedule 1 of the Municipal Systems Act, 2000 and the arrear amounts may be deducted from the Councillor's allowance.

- (b) That the City Manager be authorized to deduct any monies due not more than 30 (thirty) days after the notification was issued as contemplated in (a) supra.
- (c) That a quarterly report on Councillors' municipal account arrears be submitted to the Finance Portfolio Committee and Council.
- (d) That in terms of section 14(2)(d) of Schedule 1 (Code of Conduct for Councillors) of the Municipal Systems Act, 2000, such Councillors found to be in arrears to Council for a period longer than three (3) months, be fined the equivalent of 10% of the arrear amount due to Council subject to item 51 of the Standing Orders, and that this fine be deducted by the City Manager along with amounts contemplated in (b) above.
- (e) That the repayment period in respect of debt arrangements not exceed the term of office of the respective Councillors.
- (f) That all existing arrangements be amended to be settled by not later than 31 August 2005.
- (g) That the maximum monthly arrangement amount be determined on the following basis:
 - # Gross salary including allowances
 - # Less: Statutory Deductions
 - # Less: Legal instructions (Garnishing orders)
 - # Maximum Arrangement
- (h) That details of individual accounts not in compliance with the above policy be submitted to the Chief Whip and to the relevant Party Whips on a monthly basis.

Item A-F (41-2004)
CM 30/09/2004

DEPARTMENT FINANCE: COUNCILLORS AND OFFICIALS
ARREAR RATES AND SERVICE CHARGES – AUGUST 2004

Clr L Marais, seconded by Clr M O Clarke, proposed that Recommendation 2(h) be amended to read as follows:

“(h) That details of individual accounts not in compliance with the above policy be submitted to the Chief Whip and to the relevant Party Whips on a monthly basis.”

Council accepted the above amendment.

RESOLVED:

1. That the contents of the report **BE NOTED**.
2. That the policy for Councillors, as amended by Resolution 6 of Item A-F (23-2003), **BE FURTHER AMENDED** to read as follows:
 - (a) A Councillor may not be in arrears to the Council for rates and service charges for a period longer than 2 months and is required to pay such accounts within a period of thirty days after receiving written notification from the City Manager failing which, such Councillor may be deemed to have breached the Code of Conduct for Councillors as contemplated by Schedule 1 of the Municipal Systems Act, 2000 and the arrear amounts may be deducted from the Councillor's allowance.

- (b) That the City Manager be authorized to deduct any monies due not more than 30 (thirty) days after the notification was issued as contemplated in (a) supra.
 - (c) That a quarterly report on Councillors' municipal account arrears be submitted to the Finance Portfolio Committee and Council.
 - (d) That in terms of section 14(2)(d) of Schedule 1 (Code of Conduct for Councillors) of the Municipal Systems Act, 2000, such Councillors found to be in arrears to Council for a period longer than three (3) months, be fined the equivalent of 10% of the arrear amount due to Council subject to item 51 of the Standing Orders, and that this fine be deducted by the City Manager along with amounts contemplated in (b) above.
 - (e) That the repayment period in respect of debt arrangements not exceed the term of office of the respective Councillors.
 - (f) That all existing arrangements be amended to be settled by not later than 31 August 2005.
 - (g) That the maximum monthly arrangement amount be determined on the following basis:
 - # Gross salary including allowances
 - # Less: Statutory Deductions
 - # Less: Legal instructions (Garnishing orders)
 - # Maximum Arrangement
 - (h) That details of individual accounts not in compliance with the above policy be submitted to the Chief Whip and to the relevant Party Whips on a monthly basis.
3. ...
4. **That it BE NOTED** that the policy contemplated in 2 above is a transitional arrangement and **WILL NOT BE APPLICABLE** to incoming Councillors from future municipal elections.
5. **That the matter BE REPORTED** to the Gauteng MEC for Local Government.