

**Extract from the minutes of the 4<sup>th</sup> Council Meeting of Midvaal Local Municipality of 2021 held on Thursday, 29 April 2021 at 13:30**

**PRESENT**

<b>OFFICE BEARERS:</b>	F.W. Peters	: Speaker
	B. M. Baloyi	: Executive Mayor
	P.J. Teixeira	: Member of the Mayoral Committee
	P. Hutcheson-Pretorius	: Member of the Mayoral Committee
	M.I. Motsamai	: Member of the Mayoral Committee
	L. Parsonson	: Member of the Mayoral Committee
	H.P. Oosthuysen	: Member of the Mayoral Committee
	P.C. Pretorius	: Chief Whip

<b>COUNCILLORS</b>	J.M. Dlangamandla	S.M.A. Janse van Rensburg	
	A. Tsukudu	M. Myburgh	L.T.H. Visser
	M.C. Kruger	M.S. Schoeman	B. Hlengwa
	J. Mazibuko	M.G.I. Ngcobo	M.B. Tabo
	M.M. Ndebele	A.R. McLoughlin	M.L. Modikeng

**ALSO IN ATTENDANCE**

N.S. Mhlanga	:	Municipal Manager
N. Ameer-Van Wyk	:	Acting Deputy Municipal Manager
D. Chamboko	:	Executive Director: Development and Planning
P. Magodi	:	Executive Director: Engineering Services
S.M. Mosidi	:	Executive Director: Community Services
F. Jonas	:	Acting Executive Director: Financial Services
L. Mohaka	:	Acting Deputy Director: Office of the Speaker
P. Twala	:	Admin Officer: Committees
C.M. Lombaard	:	Admin Officer: Committees

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C 2519/04/2021  
MC A/5500/04/2021

9.A.3 [CS]: OVERSIGHT REPORT IN TERMS OF SECTION 129 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003: 2019/2020 ANNUAL REPORT: MUNICIPAL PUBLIC ACCOUNT COMMITTEE (MPAC)

3/2/3/2/15

COMPETENCY: COUNCIL

RESOLVED

1. That in terms of Section 129 of the Local Government: Municipal Finance Management Act, No. 56 of 2003 the 2019/2020 Annual Report, be approved without reservation.
2. That the following recommendations of MPAC be endorsed and that the Mayoral Committee monitor progress on the recommendations and give regular feedback thereon to MPAC.
  - 2.1 Consumer debtor balance: That continuous efforts be made to improve debt collection.
  - 2.2 Electricity losses: That measures be put in place by management to prevent the loss of electricity and that action be taken against those who contravene the Electricity By-laws.
  - 2.3 Annual Report: That management must with regard to information provided for the Annual Report, put in place mechanisms to verify the information.

  
MS N. AMEER-VAN WYK  
ACTING DEPUTY MUNICIPAL MANAGER

Date: 30-04-2021

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MUNICIPAL FINANCE MANAGEMENT ACT, 2003: 2019/2020 ANNUAL REPORT:  
MUNICIPAL PUBLIC ACCOUNT COMMITTEE (MPAC)**

3/2/3/2/15

**COMPETENCY: COUNCIL**

**PURPOSE**

To submit the Oversight Report on the 2019/2020 Annual Report, for consideration.

**RECOMMENDATIONS**

1. That in terms of Section 129 of the Local Government: Municipal Finance Management Act, No. 56 of 2003 the 2019/2020 Annual Report, be approved without reservation.
2. That the following recommendations of MPAC be endorsed and that the Mayoral Committee monitor progress on the recommendations and give regular feedback thereon to MPAC.
  - 2.1 Consumer debtor balance: That continuous efforts be made to improve debt collection.
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  - 2.3 Annual Report: That management must with regard to information provided for the Annual Report, put in place mechanisms to verify the information.

**REPORT**

The Municipal Accounts Committee of Midvaal (MPAC) considered the 2019/2020 Annual Report as well as the report of the Auditor- General marked as Annexure "A".

It was not necessary to amend the draft Annual Report substantially and the input of the Committee was conveyed to management.

A copy of the final report of the Auditor-General a portion thereof is attached as Annexure "A". The MPAC noted that Midvaal Local Municipality received its 7<sup>th</sup> "clean" audit report.

**DISCUSSION: MATTER OF EMPHASIS**

The Auditor-General states in the attached Annexure "A" that the audit evidence that was gathered is sufficient for him to provide his audit opinion.

In his opinion the financial statements as at 30 June 2020 represent fairly and in all material respects, the financial position of Council.

She raised the following matters of emphasis that MPAC considered with a view to assist management, namely: -

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**Material impairments**

1. As disclosed in note 4, 5, 6 and 36 to the financial statements, consumer debtors balance has been significantly impaired. The allowance for impairment of consumer debtors amounts to R209 156 353 (2018-2019: 159 373 336) which represent 55% (2018-2019: 51.6%) of the total debtors.

**Material Losses – electricity**

2. As disclosed in note 32 to the financial statements, material losses amounting to R39 921 275 (2018-2019: R31 900 824) were incurred, which represent 13.3% (2017-2018: 11.2%) of the total electricity purchased. Technical losses amounted to R18 036 721 (2018-2019: R15 637 659). Non-technical losses amounted to R 21 884 (2018-2019: R16 263 165) and are due to theft and illegal connections.

**COMMENTS AND RECOMMENDATIONS FROM MPAC.**

With regard to the material impairments the following:


1. Consumer debtor balance: That continuous efforts be made to improve debt collection.
2. Electricity losses: That measures be put in place by management to prevent the loss of electricity and that action be taken against those who contravene the Electricity By-laws.
3. Annual Report: That management must with regard to information provided for the Annual Report, put in place mechanisms to verify the information.

**CONCLUSION**

The clean Audit Report on the 2019/2020 financial year is again welcomed. The MPAC is of the opinion that the Executive and Administration should be acknowledged for the hard work done to obtain a clean audit report.

The MPAC will continue to carry out its oversight role, namely, to assist the Municipality to be accountable to its ratepayers and to make meaningful recommendations to assist the municipality.

The MPAC Committee therefore, at its meeting held on 14 April 2021, unanimously resolved to recommend that 2019/2020 Annual Report be approved in terms of Section 129 of the Local Government: Municipal Finance Management Act No. 56 of 2003, without reservation.

  
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**CLLR J. MAZIBUKO**  
**CHAIRPERSON**

14-04-2021  
**DATE:**

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**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF  
DEPARTMENT: 20 APRIL 2021**

**Resolved to Recommend**

That the Item be referred to the Mayoral Committee.

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"A"

**Report of the auditor-general to Gauteng Provincial Legislature and the council on the Midvaal Local Municipality**

**Report on the audit of the financial statements**

**Opinion**

1. I have audited the financial statements of the Midvaal Local Municipality set out on pages ... to ..., which comprise the statement of financial position as at 30 June 2020, statement of financial performance, statement of changes in net assets, cash flow statement and the statement of comparison of budget and actual amounts for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, the financial statements present fairly, in all material respects, the financial position of the Midvaal Local Municipality as at 30 June 2020, and its financial performance and cash flows for the year then ended in accordance with the South African Standard of Generally Recognised Accounting Practice (SA Standards of GRAP) and the requirements of the Municipal Finance Management Act of South Africa, 2003 (Act no.56 of 2003)(MFMA) and the Division of Revenue Act, 2019 (Act no. 16 of 2019)(Dora).

**Basis for opinion**

3. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the auditor-general's responsibilities for the audit of the financial statements section of this auditor's report.
4. I am independent of the municipality in accordance with the International Ethics Standards Board for Accountants' *International code of ethics for professional accountants (including International Independence Standards)* (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
5. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

**Emphasis of matters**

6. I draw attention to the matters below. My opinion is not modified in respect of these matters.

**Material impairments**

7. As disclosed in note 4, 5, 6 and 36 to the financial statements, consumer debtors balance has been significantly impaired. The allowance for impairment of consumer debtors amounts to R209 156 353 (2018-2019: R159 373 336) which represent 55.0% (2018-2019: 51.6%) of the total consumer debtors.



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#### Material losses - electricity

8. As disclosed in note 32 to the financial statements, material losses amounting to R39 921 275 (2018-2019: R 31 900 824) were incurred, which represent 13.3% (2018-2019: 12.2%) of the total electricity purchased. Technical losses amounted to R18 036 721 (2018-2019: R15 637 659). Non-technical losses amounted to R21 884 554 (2018-2019: R16 263 165), and are due to theft and illegal connections.

#### Other matter

9. I draw attention to the matter below. My opinion is not modified in respect of this matter.

#### Unaudited disclosure notes

10. In terms of section 125(2) (e) of the MFMA, the municipality is required to disclose particulars of non-compliance with the MFMA. This disclosure requirement did not form part of the audit of the financial statements and accordingly, I do not express an opinion on it.

#### Responsibilities of the accounting officer for the financial statements

11. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the South African Standards of GRAP and the requirements of the MFMA and Dora, and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.
12. In preparing the financial statements, the accounting officer is responsible for assessing the municipality's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the municipality or to cease operations, or has no realistic alternative but to do so.

#### Auditor-general's responsibilities for the audit of the financial statements

13. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
14. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

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**Report on the audit of the annual performance report**

**Introduction and scope**

15. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I have a responsibility to report on the usefulness and reliability of the reported performance information against predetermined objectives for selected key performance areas presented in the annual performance report. I performed procedures to identify material findings but not to gather evidence to express assurance.
16. My procedures address the usefulness and reliability of the reported performance information, which must be based on the municipality's approved performance planning documents. I have not evaluated the completeness and appropriateness of the performance indicators included in the planning documents. My procedures do not examine whether the actions taken by the municipality enabled service delivery. My procedures also do not extend to any disclosures or assertions relating to planned performance strategies and information in respect of future periods that may be included as part of the reported performance information. Accordingly, my findings do not extend to these matters.
17. I evaluated the usefulness and reliability of the reported performance information in accordance with the criteria developed from the performance management and reporting framework, as defined in the general notice, for the following selected key performance area presented in the municipality's annual performance report for the year ended 30 June 2020:

Key performance areas (KPA's)	Pages in the annual performance report
KPA 7– Services and customer care	x – x

18. I performed procedures to determine whether the reported performance information was properly presented and whether performance was consistent with the approved performance planning documents. I performed further procedures to determine whether the indicators and related targets were measurable and relevant, and assessed the reliability of the reported performance information to determine whether it was valid, accurate and complete.
19. I did not identify any material findings on the usefulness and reliability of the reported performance information for the following key performance area:
- KPA 7 – Services and customer care

**Other matter**

20. I draw attention to the matter below.

**Achievement of planned targets**

21. Refer to the annual performance report on pages ... to ... for information on the achievement of planned targets for the year.



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Report on the audit of compliance with legislation

**Introduction and scope**

22. In accordance with the PAA and the general notice issued in terms thereof, I have a responsibility to report material findings on the municipality's compliance with specific matters in key legislation. I performed procedures to identify findings but not to gather evidence to express assurance.
23. I did not identify any material findings on compliance with the specific matters in key legislation set out in the general notice issued in terms of the PAA.

Other information

24. The accounting officer is responsible for the other information. The other information comprises the information included in the annual report. The other information does not include the financial statements, the auditor's report and the selected key performance area presented in the annual performance report that have been specifically reported in this auditor's report.
25. My opinion on the financial statements and findings on the reported performance information and compliance with legislation do not cover the other information and I do not express an audit opinion or any form of assurance conclusion on it.
26. In connection with my audit, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and the selected key performance area presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
27. If based on the work I have performed, I conclude that there is a material misstatement in this other information, I am required to report that fact.
28. I have nothing to report in this regard.

Internal control deficiencies

29. I considered internal control relevant to my audit of the financial statements, reported performance information and compliance with applicable legislation; however, my objective was not to express any form of assurance on it. I did not identify any significant deficiencies in internal control.

Other reports

30. I draw attention to the following engagements conducted by various parties which had, or could have, an impact on the matters reported in the municipality's financial statements, reported performance information, compliance with applicable legislation and other related

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matters. These reports did not form part of my opinion on the financial statements or my findings on the reported performance information or compliance with legislation.

31. A forensic investigation was performed relating to the poor performance of a supplier and the allegations of the Director: Roads, storm water and landfill to have colluded with the supplier. The investigation was finalised after year-end and the matter was referred by council for further investigation at the time of this report.

*Auditor-General*

Johannesburg

28 February 2021



AUDITOR-GENERAL  
SOUTH AFRICA

*Auditing to build public confidence*