

Extract from the minutes of the 1st Council Meeting of Midvaal Local Municipality of 2022 held on Thursday, 27 January 2022 at 14:00.

PRESENT

COUNCILLORS:	A.R. McLoughlin	: Speaker
	P.J. Teixeira	: Executive Mayor
	M.I. Motsamai	: Member of the Mayoral Committee
	C.L. Gomes	: Member of the Mayoral Committee
	P.D. Hutcheson-Pretorius	: Member of the Mayoral Committee
	T.M. Modiba	: Member of the Mayoral Committee
	J.G. Viljoen	: Member of the Mayoral Committee
	P.C. Pretorius	: Chief Whip of Council

COUNCILLORS	O. Brits	A.H. Dickinson	S.M. Hoyane
	R.J. Hubbard	B.J. Jordaan	M.L. Kolisang
	M.C. Kruger	P.M. Lehloka	M.A. Maimane
	J. Mazibuko	M.C. Mboweni	T.S. Mofokeng
	D.T. Mokhomo	M-A. Myburgh	M.M. Ndebele
	G.M. Nkoe	F.W. Peters	C.G. Pypers
	I.P. Ramushu	L.T.H. Visser	S.M.A. Janse Van Rensburg

ALSO IN ATTENDANCE

S.M. Mosidi	:	Acting Municipal Manager
D. Chamboko	:	Executive Director: Development and Planning
P. Magodi	:	Executive Director: Engineering Services
J. Tait	:	Acting Executive Director: Financial Services
S. Mnguni	:	Acting Executive Director: Corporate services
A. Welman	:	Assistant Director: Administration
C.M. Lombaard	:	Admin Officer: Committees
E. Gaybba	:	Admin Officer: Committees
P. Twala	:	Admin Officer: Committees

Extract from the minutes of the 1st Council Meeting of Midvaal Local Municipality of 2022 held on Thursday, 27 January 2022 at 14:00.

C 2737/01/2022
SMC A/5690/01/2022

9.A.2 [CS]: OVERSIGHT REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC) IN TERMS OF SECTION 129 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003: ANNUAL REPORT 2020/2021

3/2/3/2/15

COMPETENCY: COUNCIL

RESOLVED

1. That in terms of Section 129 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the Annual Report 2020/2021, be approved without reservations.
2. That the following recommendations of MPAC be endorsed and that the Mayoral Committee monitor progress on the recommendations and give regular feedback 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 and drastically reduce the loss (unaccounted) of electricity and that action be taken against Electricity By-law contraveners.
 - 2.3 Water losses: That measures be put in place by management to prevent and drastically reduce the loss (unaccounted) of water.
 - 2.4 Annual Report: That management regarding the information provided for the Annual Report, put in place mechanisms to verify the information.



S. MNGUNI
ACTING ED: CORPORATE SERVICES

Date: 28/01/2022

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 1ST ORDINARY MEETING OF 2022 TO BE HELD ON THURSDAY,
27 JANUARY 2022 AT 14:00 IN THE COUNCIL CHAMBERS**

C 2737/01/2022
SMC A/5690/01/2022

**9.A.2 [CS]: OVERSIGHT REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS
COMMITTEE (MPAC) IN TERMS OF SECTION 129 OF THE LOCAL
GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003: ANNUAL
REPORT 2020/2021**

3/2/3/2/15

COMPETENCY: COUNCIL

PURPOSE

To submit the Oversight Report on the Annual Report 2020/2021, for consideration.

RECOMMENDATIONS

1. That in terms of Section 129 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, the Annual Report 2020/2021, be approved without reservations.
2. That the following recommendations of MPAC be endorsed and that the Mayoral Committee monitor progress on the recommendations and give regular feedback 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 and drastically reduce the loss (unaccounted) of electricity and that action be taken against Electricity By-law contraveners.
 - 2.3 Water losses: That measures be put in place by management to prevent and drastically reduce the loss (unaccounted) of water.
 - 2.4 Annual Report: That management regarding the information provided for the Annual Report, put in place mechanisms to verify the information.

REPORT

The Municipal Public Accounts Committee of Midvaal (MPAC) considered the Annual Report 2020/2021 as well as the report of the Auditor-General marked as Annexure "A" (To be distributed under separate cover).

No substantial amendments were required on the draft Annual Report and the input of the Committee was conveyed to management.

The final report of the Auditor-General is included in the attached Annexure A. MPAC noted Midvaal Local Municipality received its 8th "clean" audit report.

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 1ST ORDINARY MEETING OF 2022 TO BE HELD ON THURSDAY,
27 JANUARY 2022 AT 14:00 IN THE COUNCIL CHAMBERS**

DISCUSSION: MATTERS OF EMPHASIS

The Auditor-General states in the attached Annexure "A" that the audit evidence gathered was sufficient to provide an audit opinion. In the opinion the Financial Statements as at 30 June 2021 represented fairly and in all material respects, the financial position of Council.

The following matters of emphasis raised by MPAC, were considered with a view to assist management, namely:

Material impairments

1. As disclosed in Note 5 of the financial statements, consumer debtors balance has been significantly impaired. The allowance for impairment of consumer debtors amounts to R181 344 447 (2019/2020: R209 156 353) which represent 45% (2019/2020: 55%) of the total consumer debtors.

Material Losses – Electricity

2. As disclosed in Note 33 to the Financial Statements, material electricity losses amounted to R61 882 611 (2019/2020: R39 921 275) were incurred, which represented 18% (2019/2020: 13%) of the total electricity purchased. Technical losses amounted to R18 315 589 (2019/2020: R18 036 721). Non-technical losses amounted to R42 736 375 (2019/2020: R 21 884 554).

Material Losses – Water

3. As disclosed in Note 33 to the financial statements, material water losses amounted of R47 882 611 (2019/2020: R40 636 394) were incurred, which represented 38% (2019/2020: 30%) of the total water purchased. Technical losses amounted to R39 742 567 (2019/2020: R20 345 126). Non-technical losses amounted to R8 140 044 (2019/2020: R20 294 268).

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 Electricity By-law contraveners.
3. Water losses: That measures be put in place by management to prevent the loss of water.

Annual Report: That management must regarding information provided for the Annual Report, put in place mechanisms to verify the information.

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 1ST ORDINARY MEETING OF 2022 TO BE HELD ON THURSDAY,
27 JANUARY 2022 AT 14:00 IN THE COUNCIL CHAMBERS**

CONCLUSION

The clean Audit Report on the 2020/2021-financial year is again welcomed. MPAC is of the opinion that the Executive and Administration should be acknowledged for the hard work done to sustain a clean audit report.

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.

The MPAC Committee therefore, at its meeting held on 12 January 2022, unanimously resolved to recommend that the Annual Report 2020/2021 be approved in terms of

Section 129 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, without reservations.



**CLLR P.M. LEHLOKA
CHAIRPERSON**

21-01-2022
DATE

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 2021, 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 2021, and its financial performance and cash flows for the year then ended in accordance with the South African Standards of Generally Recognised Accounting Practice (SA Standards of GRAP) and the requirements of the Municipal Finance Management Act 56 of 2003 (MFMA) and the Division of Revenue Act 4 of 2020 (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 my 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 5 to the financial statements, consumer debtors balance has been significantly impaired. The allowance for impairment of consumer debtors amounts to R181 344 447 (2019-20: R209 156 353), which represents 45% (2019-20: 55%) of the total consumer debtors.

Material losses - electricity

8. As disclosed in note 33 to the financial statements, material electricity losses amount of R61 051 964 (2019-20: R39 921 275) were incurred, which represent 18% (2019-20 :13%) of the total electricity purchased. Technical losses amounted to R18 315 589 (2019-20: R18 036 721). Non-technical losses amounted to R42 736 375 (2019-20: R21 884 554).

Material losses – water

9. As disclosed in note 33 to the financial statements, material water losses amount of R47 882 611 (2019-20: R40 636 394) were incurred, which represent 38% (2019-20 :30%) of the total water purchased. Technical losses amounted to R39 742 567 (2019-20: R20 345 126). Non-technical losses amounted to R8 140 044 (2019-20: R20 294 268).

Other matter

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

Unaudited disclosure notes

11. In terms of section 125(2)(e) of the MFMA, the municipality is required to disclose particulars of non-compliance with the MFMA in the financial statement. 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

12. The accounting officer is responsible for the preparation and fair presentation of the financial statements in accordance with the SA 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.
13. 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

14. 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.

15. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

Report on the audit of the annual performance report

Introduction and scope

16. 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.
17. 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 do not extend to any disclosures or assertions relating to the extent of achievements in the current year, or 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.
18. 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 2021:

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

19. 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.
20. I did not raise any material findings on the usefulness and reliability of the reported performance information for this key performance area:
- KPA 7 – Services and customer care.

Other matter

21. I draw attention to the matter below.

Achievement of planned targets

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

Adjustment of material misstatements

23. I identified material misstatements in the annual performance report submitted for auditing. These material misstatements were in the reported performance information of KPA 7: Service and customer. As management subsequently corrected the misstatements, I did not raise any material findings on the usefulness and reliability of the reported performance information.

Report on the audit of compliance with legislation

Introduction and scope

24. 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.
25. I did not raise 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

26. 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 areas presented in the annual performance report that has been specifically reported in this auditor's report.
27. 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.
28. 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.
29. 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.
30. I have nothing to report in this regard.

Internal control deficiencies

31. 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.

Auditor-General

Johannesburg

10 December 2021



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Annexure – Auditor-general's responsibility for the audit

1. As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected key performance areas and on the municipality's compliance with respect to the selected subject matters.

Financial statements

2. In addition to my responsibility for the audit of the financial statements as described in this auditor's report, I also:
 - identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
 - obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the municipality's internal control.
 - evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the accounting officer.
 - conclude on the appropriateness of the accounting officer's use of the going concern basis of accounting in the preparation of the financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the Midvaal Local Municipality to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor's report. However, future events or conditions may cause a municipality to cease operating as a going concern.
 - evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Communication with those charged with governance

3. I communicate with the accounting officer regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.
4. I also provide the accounting officer with a statement that I have complied with relevant ethical requirements regarding independence, and communicate with them all relationships and other

matters that may reasonably be thought to have a bearing on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.