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MIDVAAL LOCAL MUNICIPALITY

CREDIT CONTROL AND DEBT COLLECTION BY-LAWS

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

PREAMBLE

Whereas the Midvaal Local Municipality has adopted a Credit Control and Debt Collection Policy on 1 July 2014;

And whereas Section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), requires a municipal council to adopt By-laws to give effect to the municipality's credit control and debt collection policy;

Be it therefore enacted by the Council of the Midvaal Local Municipality, as follows:

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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 By-laws, 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 Midvaal Local 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 By-law 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 unauthorised consumption of services, theft and damages.

3. Application of By-law

This By-law shall only apply to money due and payable to the Council 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.

4. Short title and commencement

This By-law is the Credit Control and Debt Collection By-law, and takes effect on 1 July 2014.