

C 3685/12/2025
MC A/6754/11/2025

**9.A.18 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT
POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT
REGULATIONS: MONTH OF OCTOBER 2025**

8/1/1

COMPETENCY: COUNCIL

IT WAS UNANIMOUSLY RESOLVED:

That the report on the deviations from the MFMA Supply Chain Management Policy, as required by the Municipal Supply Chain Regulations, for the month of October 2025, be noted.

C 3685/12/2025
MC A/6754/11/2025

9.A.18 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT REGULATIONS: MONTH OF OCTOBER 2025

8/1/1

COMPETENCY: COUNCIL

PURPOSE

To report on deviations from the supply chain management policy as required by the Municipal Supply Chain Management (MFMA) Regulations for the month of October 2025.

RECOMMENDATION

That the report on the deviations from the MFMA Supply Chain Management Policy, as required by the Municipal Supply Chain Regulations, for the month of October 2025, be noted.

REPORT

The Municipal Supply Chain Management Regulations published under General Notice 868 in Government Gazette 27636 of 30 May 2005, inter alia, contain the following reporting requirements:

“Regulation 6 provides that the council of a municipality has an oversight role over the implementation of its supply chain management policy.”

- (1) *The council of a municipality must maintain oversight over the implementation of its supply chain management policy.*
- (2) *For the purposes of such oversight the accounting officer must –*
 - (ii) *Whenever there are serious and material problems in the implementation of the supply chain management policy, immediately submit a report to the council of the municipality.”*

The following Regulations are applicable to the implementation of the SCM policy and reported on as per the SCM regulations:

REPORT	SCM REGULATION NO	REPORT TO	FREQUENCY	RESPONSIBLE PERSON
Report on deviations from SCM Policy	36(2)	Council	Monthly (next Council meeting)	Director: SCM
Report whenever there are serious and material problems in the implementation of the SCM Policy. Immediately submit a report to the Council	6 (2) (a) (iii)	Council	Immediately (as and when applicable)	Director: SCM

MIDVAAL LOCAL MUNICIPALITY: MFMA SCM REGULATIONS - REGULATION 36 (1) & (2) OF THE: DEVIATIONS AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESS

1. The Accounting Officer may dispense with the official procurement processes established by Midvaal Local Municipality's SCM policy and procure goods or services through a convenient process which includes:

- i) Emergency;
- ii) Goods and services produced or available from a single provider only;
- iii) Special works of art, historical objects;
- iv) Animals for zoos;
- v) Exceptional cases where it is impractical or impossible to follow the official procurement process.

Herewith the report to Council on purchases that could not follow the official procurement process for the month of October 2025:

(i) PURCHASES ACQUIRED IN EMERGENCY CASES					
R/N	DEP	DESCRIPTION	DATE	REASON	AMOUNT
		NONE			
(ii) PURCHASES ACQUIRED WHERE GOODS AND SERVICES PRODUCED OR AVAILABLE ARE FROM A SINGLE PROVIDER ONLY/AGENTS					
R/N/R	DEP	DESCRIPTION	DATE	REASON	AMOUNT
(iii) SPECIAL WORKS OF ART OR HISTORIC OBJECTS					
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT
		NONE			
(iv) ACQUISITION OF ANIMALS FOR ZOOS AND/OR NATURE AND GAME RESERVES					
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT
		NONE			
(v) IMPRACTICAL OR IMPOSSIBLE					

**AGENDA OF THE 10TH ORDINARY MEETING OF 2025 TO BE HELD ON TUESDAY,
02 DECEMBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS**

R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT
OCT001/2025-2025	CORPORATE	Klopper Jonker Attorneys - Debt collection matter amounting to R 883 105, 04 which was based on a signed acknowledgment of debt MLM /Naledi Advisory Services	01/10/2025	Regulation (1)(a)(v) It is an ongoing historical matter that was awarded to the service provider previously whilst serving on Bid 8-2-5-9 Legal Panel. The service provider was appointed at initiation of the case and if another attorney is appointed, it will be an excessive duplication of costs.	R 40 664,00
OCT002/2025-2026	CORPORATE	Musetsho Law Inc - Continuation of the investigation into allegations of misconduct against the Senior Manager (Executive Director Corporate Services) in terms of the Disciplinary Regulations for Senior Managers, 2010.	31/10/2025	Regulation (1)(a)(v) The service provider was appointed to conduct an independent investigation and provide recommendation into allegations of misconduct in Terms of Local Government: Disciplinary Regulation for Senior Managers, 2010. Subsequently, Council resolved to institute disciplinary action against the senior Manager responsible for corporate services based on the outcome of the investigation. Further investigation is required. It would be impractical to appoint a different provider to lead evidence on the report.	R 2 447 200,00
36 (1)(b) RATIFICATION OF MINOR BREACH BY ACCOUNTING OFFICER					
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT
		NONE			

Implementation of the SCM policy Regulation 6 (2) (a) (iii)

That it be noted that there are no serious or material problems in the implementation of the MFMA SCM policy.

PREPARED BY:


MS D SEMANO
 ASSISTANT DIRECTOR: SCM
 06 November 2025

REVIEWED BY:


MR T MNGUNI
 DIRECTOR: SCM
 06 November 2025

RECOMMENDED / NOT RECOMMENDED


MR Z.N MHLONGO
 CHIEF FINANCIAL OFFICER
 06 November 2025

APPROVED / NOT APPROVED


MR. P MAGODI
 MUNICIPAL MANAGER
 06 November 2025

**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 18 NOVEMBER 2025**

Resolved To Recommend

The item is supported and referred to the Section 80 Financial Services Portfolio Committee.

**COMMENTS: SECTION 80 FINANCE SERVICES PORTFOLIO COMMITTEE: 17
NOVEMBER 2025**

The recommendation is supported.

ANNEXURE A

**AGENDA OF THE 10TH ORDINARY MEETING OF 2025 TO BE HELD ON TUESDAY,
02 DECEMBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS**

OCT001/2025-2026

Oct001 - 2025-2026
Klopper Jonker Incr

Date: 23 February 2025

Estimation / Quotation

Matter: Rendering legal services for a debt collection matter amounting to R893 105,04 which is based on a signed Acknowledgement of Debt (Ref: 13/1) - MLM / Naledi Advisory Services

No.	Description	Unit of measure	Estimated time spent / pages	Estimated Fees	Estimated Disbursements
1	Time spent by attorney to draft and draw bill of costs, certificate, notice of intention to tax and application for taxation date, and e-mails to opponents of documents and correspondence with correspondent	R1400 per hour or part thereof at R350.00 per 15 minutes	2.5 hours	R3 500.00	
2	Perusal of taxation date received from correspondent and filed notice of intention to tax and bill of costs and correspondence with correspondent	R60.00 per page	3 pages	R180.00	
3	Time spent by attorney to draft notice of set down for taxation and e-mails to opponents re documents and correspondent	R1400 per hour or part thereof at R350.00 per 15 minutes	30 min	R700.00	
4	Perusal of filed notice of set down	R60.00 per page	1 page	R60.00	
5	Preparing for taxation	R1400 per hour or part thereof at R350.00 per 15 minutes	2 hours	R2 800.00	
6	Attendance by Attorney at Court for taxation of matter	R1400 per hour or part thereof at R350.00 per 15 minutes	2 hours	R2 800.00	
7	Travel Time by Attorney to travel to Randburg Court for Taxation and back to office	R150.00 per 15 minutes	2 hours	R1 200.00	
8	Travel Expense for travel to court and back to office	R8.00 per km	80km	R640.00	
9	Drafting of warrant of execution to be issued at Court and instruction letters to sheriff, and service and filing sheet for allocutus and correspondence with correspondent	R1400 per hour or part thereof at R350.00 per 15 minutes	1 hour	R1 400.00	
10	Perusal of issued warrant of execution and letter received by sheriff, and return of service re attachment	R60.00 per page	4 pages	R240.00	
11	Correspondence with client re attachments by Sheriff to obtain instruction if movable are to be removed and sold at auction	R1400 per hour or part thereof at R350.00 per 15 minutes	15 min	R350.00	
12	Instructions to sheriff to remove goods to be sold at auction / possible interpleader proceedings	R1400 per hour or part thereof at R350.00 per 15 minutes	2 hours	R2 800.00	
13	Drafting and drawing of opposing affidavit for interpleader proceedings	R1400 per hour or part thereof at R350.00 per 15 minutes	1 hour	R1 400.00	

MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 10TH ORDINARY MEETING OF 2025 TO BE HELD ON TUESDAY,
02 DECEMBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

Oct001-2025-2026
Klopper Jonker Inc

No.	Description	Unit of measure	Estimated time spent / pages	Estimated Fees	Estimated Disbursements
14	In the event of interpleader proceedings, court appearance	R1400 per hour or part thereof at R350.00 per 15 minutes	1 hour	R1 400.00	
15	In the event of interpleader proceedings, travel time to court and back to office	R600 per hour or part thereof at R150.00 per 15 minutes	2 hours	R1 200.00	
16	In the event of interpleader proceedings, travel expense to court and back to office	R6.00 per km	80km	R480.00	
17	If no interpleader proceedings and possible attachment and removal of goods to be sold at auction, preparation of notices, advertisements etc	R1400 per hour or part thereof at R350.00 per 15 minutes	4 hours	R5 600.00	
18	Copies of documents for auction documents	R4.50 per page	20 pages	R90.00	
19	Attendance at Auction	R1400 per hour or part thereof at R350.00 per 15 minutes	2 hours	R2 800.00	
20	Travel Time to auction and back to office	R600 per hour or part thereof at R150.00 per 15 minutes	2 hours	R1 200.00	
21	Travel expense to auction and back to office	R6.00 per km	80km	R480.00	
22	Telephone calls and correspondence with client and correspondent attorneys	R1400 per hour or part thereof at R350.00 per 15 minutes	3 hours	R4 200.00	

R35 360.00 R0.00

Sub Total	R35 360.00
Vol @ 15%	R5 304.00
Total	R40 664.00

AGENDA OF THE 10TH ORDINARY MEETING OF 2025 TO BE HELD ON TUESDAY,
02 DECEMBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

OCT002/2025-2026

NO	MATTER	UNIT OF MEASURE	TARRIFF PAYABLE
1	Receiving of Instructions, or Acceptance letter, or Collection of files, or Opening file, or Letter of clarification	Per instruction	R 500 00
2	Perusal of documents in high court matters per 250 words –		
2.1	Perusal by admitted legal practitioner	Per page = 250 words	R 70.00
2.2	Perusal by CLP	Per page = 250 words	R 50.00
3	Perusal of pictures / drawings / diagrams		R 50.00
3.1	Perusal by admitted legal practitioner	Per picture / drawing / diagram	R 60.00
3.2	Perusal by CLP	Per picture / drawing / diagram	R 50.00
4	Consultation and attendance at court		
4.1	Consultation and attendance by admitted attorneys	Consultation and attendance at court	R 1900.00 per hour or part thereof at R 475.00
4.2	Consultation and attendance by CLP	Consultation and attendance at court	per 15 minutes
5	Preparation		
5.1	Preparation by admitted attorney	Preparation per hour or part thereof	R 1900.00 per hour or part thereof at R 475.00
5.2	Preparation by CLP	Preparation per hour or part thereof	per 15 minutes
6	Copies charges per page	Per A4 & A3 page	R 4.50 per page
7	Travelling Expenses	Per KM	R 6 per KM
8	Travelling Time		
8.1	Admitted attorney	Per hour or part thereof	R 600.00 per hour or part thereof at R 150.00
8.2	CLP	Per hour or part thereof	per 15 minutes; and not exceeding R 2400.00 per day