CAUCUS BUDGET POLICY

2026/2027 FINANCIAL YEAR

MIDVAAL
LOCAL MUNICIPALITY

CAUCUS BUDGET POLICY

1. BACKGROUND

The various political parties of Council have a need to incur certain operational costs and should have access to the required resources as allowed for in the Remuneration of Public Office Bearers Act, 20 of 1998.

National Treasury has issued Draft Cost Containment Regulations in July 2017, and in anticipation of the promulgation, the Draft Regulations are being applied insofar as practically possible and as such these provisions have included in the Caucus Budget Policy.

This policy must be read in conjunction with the Councillor Allowances Policy approved by Council per Item C1619/04/2017 dated 20 April 2017, as well as the Policy dealing with attending conferences, meetings, training and workshops: Bookings for Councillors and Officials per Item C1499/08/2016 dated 25 August 2016.

2. CATERING FOR CAUCUS MEETINGS

Catering will be allowed for the monthly caucus meetings at an amount as indicated in the annual budgetary provision as per paragraph 6 of this policy for planning purposes. Catering expenditure may vary from month to month as long as it remains within budget for the year. Virements will be allowed between lines but the total budget cannot be increased. The caucus must procure the catering services in compliance with the Supply Chain Management Policy of the municipality and preference must be given to township suppliers in line with the Township Economies Revitalisation Programme of the Gauteng Provincial Government. Meals eaten in or ordered from restaurants will be subject to the approval of the Speaker of Council and only be allowable in cases where the total monthly expenditure is less than R2 000 as per the Supply Chain Management Policy.

3. STATIONERY AND RELATED OFFICE EXPENSES FOR CAUCUS's

Caucus's will be allowed a maximum amount for stationery and related office expenses as indicated in the annual budgetary provision as per paragraph 6 of this policy and must be procured by the Speaker's Office in compliance with the Supply Chain Management Policy of the municipality.

4. CAUCUS LEKGOTLA's

Each caucus will be allowed a Lekgotla once every financial year to a maximum amount as indicated in the annual budgetary provision as per paragraph 6 of this policy. This amount is all inclusive of transport, food and beverages, accommodation, venue, facilitator, Midvaal branded clothing etc. It must be noted that no party-political branding can be funded from municipal resources. Approval must be obtained by the Speaker of the Council for such Lekgotla. In addition, the provisions of the Draft Cost Containment Regulations will be applicable i.e.

- No subsistence allowances will be paid for Lekgotla's;
- No municipal funds may be used or incurred on alcoholic beverages;
- Lekgotla's must, as far as practically possible, be held in-house;
- Lekgotla's may not be financed by any suppliers or sponsors.

5. ATTENDANCE OF CONFERENCES

Each caucus will be allowed a maximum annual amount for the attendance of conferences as indicated in the annual budgetary provision as per paragraph 6 of this policy. This amount is all inclusive of transport, food and beverages, accommodation, and subsistence allowances. Attendance of all conferences must be approved by the Executive Mayor and the Policy dealing with attending conferences, meetings, training and workshops: Bookings for Councillors and Officials will apply.

6. CAUCUS BUDGET

The budget for the 2026/2027 financial year is as per the Annual Approved Budget.

7. EFFECTIVE DATE

The policy is effective from 1 July 2026.

8. ANNEXURES

- Councillor Allowances Policy approved by Council per Item C1619/04/2017 dated 20 April 2017.
- Policy dealing with attending conferences, meetings, training and workshops: Bookings for Councillors and Officials per Item C1499/08/2016 dated 25 August 2016.
- Draft Cost Containment Regulations, issued on 16 February 2018 per Government Gazette 41445.

C1619/04/2017
SMC A/3402/04/2017

9.A.2 [CC:CS]: POLICY COUNCILLOR ALLOWANCES

5/12/1/1

COMPETENCY: COUNCIL

RESOLVED

That the policy relating to the benefits for Councillors, attached to the report as Annexure "A", be approved.

C1619/04/2017
SMC A/3402/04/2017

9.A.2 [CC:CS]: POLICY COUNCILLOR ALLOWANCES

5/12/1/1

COMPETENCY: COUNCIL

PURPOSE

To submit the proposed policy relating to allowances flowing from the regulations on the remunerations of Councillors.

RECOMMENDATION

That the policy relating to the benefits for Councillors, attached to the report as Annexure "A", be approved.

REPORT

Pursuant to promulgation of the notice on the Determination of the Upper Limits of Councillors's Salaries, Allowances and Benefits, the auditors have requested clarity on the implementation of certain benefits for Councillors. The matters are indicated in the policy attached as Annexure "A" and it is suggested that it be approved as a policy for the Municipality.

COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF DEPARTMENT: 10 APRIL 2017

Resolved to Recommend

That the item be referred to the Mayoral Committee.

ANNEXURE "A"

MIDVAAL
LOCAL MUNICIPALITY

POLICY
COUNCILLOR ALLOWANCES

3 April 2017

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POLICY: BENEFITS EMANATING FROM COUNCILLOR ALLOWANCES

Pursuant to promulgation of the notice on the Determination of the Upper Limits of the Salaries, Allowances and Benefits of Municipal Councillors the following policy relating to matters contained therein are approved:

1. Out of Pocket Expenses

   Reimbusement for such expenses will be limited to urgent and unforeseen expenditure items incurred whilst attending to Council business with the approval of the Executive Mayor and /or the Municipal Manager.

2. Use of Council-Owned Vehicles:

   The principle is that if a Councillor receives a travel allowance as per the stated promulgated notice, such Councillor may not make use of official Council-owned vehicles for official purposes, except in the following circumstances:

   - Two vehicles with Drivers/Protectors are made available to the Executive Mayor for official purposes.
   - A vehicle with a Driver is made available to the Speaker for official purposes.
   - Other office bearers or part-time Councillor's may only make use of Council-owned transport in special circumstances as may be approved by the Executive Mayor or the Speaker, such as joint site inspections, joint strategic events or where joint transport is more cost effective or practical than travelling separately.
   - Any claims for reimbursement of other qualifying travel costs incurred by Councillors will be dealt with in terms of Council's relevant travel policy.

3. Tools of Trade

- All Councillors are to be provided with a laptop, whether Council-owned or on a rental basis.
- Full time Office Bearers will be provided with the following resources:
  - An office
  - Official telephone
  - Access to a centralised printer
  - Support by a secretary, whether collectively or otherwise
  - Stationary for office use
  - No off-site printing facilities or printers will be provided, neither will such costs be reimbursed or provided for. However, a provisio to this limitation is in circumstances for example when an off-site strategic session / joint meeting is held and copying / printing facilities are required as approved by the Executive Mayor and /or the Municipal Manager.

4. Personal security – SAPS Risk Analysis

- An annual SAPS risk assessment will be conducted for the Executive Mayor. If circumstances so dictate, more frequent assessment of this nature may be requested for the Executive Mayor.
- If circumstances so require and as agreed to by the Executive Mayor and the Municipal Manager, a SAPS risk analysis or other approved similar assessment may be conducted for any other full-time Office Bearer or part-time Councillor.

5. Cost-Curtailment Measures

The cost-curtailment measures as per the National Treasury directives applicable to the administration apply equally to Councillors.

C 1489/07/2016 (No quorum)
C 1499/08/2016
MC A/3286/06/2016

9.A.4 [CS]: POLICY DEALING WITH ATTENDING CONFERENCES, MEETINGS, TRAINING AND WORKSHOPS: BOOKINGS FOR COUNCILLORS AND OFFICIALS

4/5/2/P

COMPETENCY: COUNCIL

RESOLVED

1. That the current Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials approved on 26 June 2014 under item C 1138/06/2014, be repealed.

2. That the Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials, attached to the report as Annexure “A”, be approved.

C 1489/07/2016 (No quorum)
C 1499/08/2016
MC A/3286/06/2016

9.A.4 [CS]: POLICY DEALING WITH ATTENDING CONFERENCES, MEETINGS, TRAINING AND WORKSHOPS: BOOKINGS FOR COUNCILLORS AND OFFICIALS

4/5/2/P

COMPETENCY: COUNCIL

PURPOSE

To submit the amended Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials.

RECOMMENDATIONS

1. That the current Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials approved on 26 June 2014 under item C 1138/06/2014, be repealed.

2. That the Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials, attached to the report as Annexure “A”, be approved.

REPORT

Attached to the report as Annexure “A”, is the amended Policy dealing with attending conferences, meeting, training and workshop: bookings for Councillors and Officials.

COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF DEPARTMENT: 31 MAY 2016

Resolved to Recommend

That the item be referred to the Section 80 Corporate Services Portfolio Committee.

COMMENTS: SECTION 80 CORPORATE SERVICES PORTFOLIO COMMITTEE: 07 JUNE 2016

The recommendations are supported.

4/5/2/P

ATTENDING CONFERENCES, MEETINGS, TRAINING AND WORKSHOPS POLICY

BOOKINGS FOR

COUNCILLORS AND OFFICIALS

: H:Louisevs/Meyerton1/User/Policy conference arrangements/Revised 18/05/2016

Section 167 of The Municipal Finance Management Act inter alia states as follows:

"Councillors' Remuneration

167. (1) A municipality may remunerate its political office bearers and members of its political structures, but only –

(a) within the framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), setting the upper limits of the salaries, allowances and benefits for those political office-bearers and members; and

(b) in accordance with section 219(4) of the Constitution.

(2) Any remuneration paid or given in cash or in kind to a person as a political office-bearer or as a member of a political structure of a municipality otherwise than in accordance with subsection(1), including any bonus, bursary, loan, advance or other benefit, is an irregular expenditure and the municipality –

(a) must, and has the right to recover that remuneration from the political office-bearer or member, and

(b) may not write off any expenditure incurred by the municipality in paying or giving that remuneration.

The upper limits of the salaries, allowances and benefits for political office bearers and members is determined annually and nothing in this policy may be interpreted or implemented contrary to such determinations.

The salaries and benefits of officials are determined through a collective bargaining process in terms of the Labour Relations Act.

This policy seeks to address the payment of subsistence and travel allowances in appropriate circumstances for permissible events outside of the first mentioned processes.

POLICY:

Payments are based on the following principles:

i) To reimburse **actual expenditure**;

ii) When a choice is made, **Council will not be worse off to what the expenditure for Council would otherwise be**;

iii) Existing remuneration is meant to include service delivery within the jurisdiction of Midvaal (Remuneration of Office Bearers Act) for which no additional allowances are to be paid.

1. Attending conferences and training:

For purposes of implementation of this policy, "training" shall mean:

Specific municipal short training courses (i.e. not bursary-type courses) where sleep-over is required at a venue beyond a 120km radius from the Midvaal Municipal Office precinct: EXCEPT within such radius if the practicalities dictate it differently and it has been approved in writing by the Executive Mayor in respect of Councillors and by the Municipal Manager in respect of all other staff.

The Authorisation Form (attached hereto as **Annexure "1** (Mayor)/ **1B"** (Speaker)**)** must be completed and signed off by the Executive Mayor in respect of Councillors and by the Municipal Manager in respect of all other staff **PRIOR** to attendance of meetings, workshops, training and conferences.

Training/conferences over a period of 5 days or longer will be considered on merit and on an ad hoc basis, subject to availability of the budget.

2. ACCOMMODATION

Accommodation for Councillors and officials attending conferences, training, workshops, etc. over 2 days and more will only be arranged if, **based on a motivated request**, approval by the Executive Mayor or Municipal Manager has been granted.

The following will apply:

- In view of the high population density and travel congestion in Gauteng, where the conference is within 120km radius of Midvaal (e.g. in Gauteng) no accommodation is applicable, **unless PRIOR APPROVED** in writing by the Executive Mayor and/or Municipal Manager who must consider all practicalities and safety factors.
- Where the conference is out of the 120km radius of Midvaal (e.g. Cape Town, KwaZulu-Natal, etc) accommodation is applicable as follows:
  - The allowances payable will be capped as per National Treasury rate levels grid for Band 2 for 4 and 5 star accommodation (**Annexure 2**), subject to the prerogative of the Executive Mayor and / or Municipal Manager in deserving circumstances given the considerations of practicalities, safety or other documented merit.
  - The hotel quotes are to be sourced from those included on the National Treasury hotel group list, if applicable, and others the travel agents may

source from hotels/guest houses, depending on availability, locality and rates which could be lower.

- One extra travel day is allowed to local destinations and two days maximum for international travel is allowed when the conference, meeting or training commencement requires this: Provided that if the last day of a conference, meeting or training session ends after 16h00, accommodation may be arranged for that evening only on **PRIOR APPROVAL** by the Executive Mayor and/or Municipal Manager as appropriate.

- Where the delegate makes his/her own accommodation arrangements, the following will apply:

  - The delegate may elect to being issued the cheapest rand value of a bed and breakfast per night rate at the standard of an approved hotel quoted at the time of registration.

- **It must be kept in mind that all expenses incurred must be in the best interest of Council.**

3. TRANSPORT

Transport to and from the venues will be as follows, keeping in mind of the high population density and travel congestion in Gauteng, as well as all practicalities and safety factors that may apply to such trips:

3.1 Where the conference is within 120km radius of Midvaal (e.g. in Gauteng) no travel arrangements are applicable. Official transport may be used by officials not in travel bearing positions where the Municipal Manager has approved it based on all practical factors involved. Where no official transport is available, prior approval by the HOD is required to claim transport costs for using a private vehicle.

Kilometres may be claimed on submission of a completed and signed Travel Claim Form (attached hereto as **Annexure "3")** on return and will be reimbursed as follows:

- Officials who receive a travel allowance will be reimbursed in the next payroll at the AA running cost.

- Employees who do not receive a travel allowance will be reimbursed in the next payroll at the rates approved by the National Department of Transport as updated from time to time.

- Councillors will be reimbursed according to the rates as set out in the relevant Gazette under the Public Office Bearers Act.

- Councillors and officials should make use of a shuttle service at conferences and similar gatherings/meetings if the cost of such a service is below the cost of hiring a vehicle and if practical.

- If a vehicle/s is/are hired, it should be done from a **Group B** or lower class/category, unless an upgrade is offered free of charge.

- Vehicle travel claims by Councillors and employees of the municipality must be restricted to the actual distance travelled in excess of the normal distance from the Councillor or employee's residence to his or her place of work if the latter distance would have been travelled in any event or if it makes the claimed distance shorter.

3.2 Where the conference is out of the 120km radius of Midvaal (e.g. Cape Town, Kwazulu-Natal, etc) the following travel arrangements are applicable:

4. AIR TRAVEL

- Only economy class air tickets may be purchased for flights.

- The air ticket quotes are to be sourced from the National Treasury "full service carriers" discounted list, if applicable, and others as may be sourced from other carriers, depending seat availability and rates which may be lower.

- Please note that business class is not encouraged, however where a single flight exceeds 5 hours, consideration may be applied.

- For car rental the same provisions as under Transport above will apply.

- One extra travel day is allowed for local destinations and two days maximum for international travel are allowed when the conference, meeting or training commencement requires this: Provided that if the last day of a conference, meeting or training session ends after 16h00, accommodation may be arranged for that evening only on **PRIOR APPROVAL** by the Executive Mayor and/or Municipal Manager.

4.1 Where the delegate makes his/her own transport arrangements, the following will apply:

* The delegate may elect to being issued the rand value of the cheapest plane ticket (Economy class) quoted at the time of registration.

* On discretion of the Municipal Manager the total rand value for the car hire may be equally divided amongst the delegates attending a conference should the car hire not be utilised and delegates arrange

own travel.

OR

* The delegate may drive/travel at own cost and claim the kilometres on submission of a completed and signed Travel Claim Form on return and officials will be reimbursed at the stipulated AA running or full cost (where applicable), whichever option is in the best interest of Council given all practicalities, cost and any other applicable factors as approved by the Municipal Manager in the case of officials or the Executive Mayor in the case of Councillors.

* Councillors will be reimbursed according to the rates as set out in the Gazette under the Public Office Bearers Act. Reimbursement will be on the next payroll. All toll fees and parking fees may be claimed as well. (Refer to payment principles.)

4.2 If official transport is approved by the HOD or Municipal Manager in circumstances where practicalities so dictate, no other transport payments may be made.

5. SUBSISTENCE ALLOWANCE

Allowances are payable as per Annexure 2.

6. GENERAL

- Expenditure in general will be reimbursed to Councillors and Officials on proof of actual costs subject to the approval of the Executive Mayor and/or Municipal Manager within the parameters of the remuneration of the Gazette under the Public Office Bearers Act and/or this or other Council policy.
- Councillors attending meetings arranged through SALGA, Sedibeng and Provincial Government as indicated in the approved Section 80 Committees, Mayoral Committees and Council Year Planner do not require prior approval.

A.S.A. DE KLERK
MUNICIPAL MANAGER

DATE

: H:Louisevs/Meyerton1/User/Policy conference arrangements/Revised 18/05/2016

AUTHORISATION FOR ATTENDING A CONFERENCE/TRAINING (ANNEXURE "1")

1 DESCRIPTION OF CONFERENCE OR TRAINING AND MOTIVATION FOR ATTENDANCE

NB!! Please complete the registration form and attach to this form together with a COPY OF YOUR ID (as well as your companion's, if applicable).

2 CONFERENCE WILL BE HELD AT:
*

3 DATE OF CONFERENCE/TRAINING
*

SUPPORTED / NOT SUPPORTED

SIGNATURE: HEAD OF DEPARTMENT

4 RECOMMENDATION:

* COUNCILLORS TO ATTEND : Please include your pay number for payment of your subsistence

OFFICIALS TO ATTEND : Please include your pay number for payment of your subsistence

5 VOTE NUMBER TO BE USED:
*

APPROVED / NOT APPROVED

CLLR B. BALOYI
EXECUTIVE MAYOR

APPROVED / NOT APPROVED

MR A.S.A. DE KLERK
MUNICIPAL MANAGER

6 PREFERENCES:
HOTEL

FLIGHT (and preferred times):

Departure date and time
*

Return date and time
*

* INDICATES MANDATORY FIELD

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AUTHORISATION FOR ATTENDING A CONFERENCE/TRAINING (ANNEXURE "1B")

1 DESCRIPTION OF CONFERENCE OR TRAINING AND MOTIVATION FOR ATTENDANCE
* Please complete the registration form and attach to this form together with a COPY OF YOUR ID (as well as your companion's, if applicable).

2 CONFERENCE WILL BE HELD AT:
*

3 DATE OF CONFERENCE/TRAINING
*

SUPPORTED / NOT SUPPORTED

SIGNATURE: HEAD OF DEPARTMENT

4 RECOMMENDATION:

COUNCILLORS TO ATTEND : Please include
* your pay number for payment of your subsistence

OFFICIALS TO ATTEND : Please include
your pay number for payment of your subsistence

5 VOTE NUMBER TO BE USED:
*

APPROVED / NOT APPROVED

CLLR F.W. PETERS
OFFICE OF THE SPEAKER

APPROVED / NOT APPROVED

MR A.S.A. DE KLERK
MUNICIPAL MANAGER

6 PREFERENCES:
HOTEL

FLIGHT: (SAA, BA, Kulula, 1Time, Mango)

Departure date and time
*

Return date and time
*

* INDICATES MANDATORY FIELD

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MFMA Circular No 82

Table 1: Rates set for Domestic Hotel Accommodation ANNEXURE "2"

Accommodation Grid			
Voucher Includes	**BAND 1**	**BAND 2**	**BAND 3**
	Room Only Tourism Levy VAT	Bed & Breakfast Tourism Levy VAT	Dinner, Bed and Breakfast Tourism Levy VAT 2 x soft Drink at Dinner
Graded Hotel	**BAND 1**	**BAND 2**	**BAND 3**
1 Star property	R 580.00	R 710.00	R 855.00
2 Star property	R 900.00	R 1 030.00	R 1 230.00
3 Star property	R 1 100.00	R 1 200.00	R 1 400.00
4 Star property	R 1 250.00	R 1 350.00	R 1 550.00
5 Star property	R 2 100.00	R 2 200.00	R 2 500.00
Bed & Breakfast or Guest house	**BAND 1**	**BAND 2**	**BAND 3**
1 Star property	-	R 180.00	R 270.00
2 Star property	-	R 250.00	R 350.00
3 Star property	-	R 400.00	R 520.00
4 Star property	-	R 600.00	R 750.00
5 Star property	-	R 800.00	R 975.00
S & T Allowance	**BAND 1**	**BAND 2**	**BAND 3**
Breakfast	R 120.00	-	-
Lunch	R 120.00	R 150.00	-
Dinner	R 150.00	R 150.00	-
Total as per TP	R 390.00	R 300.00	-
S&T Claims accepted based on Travel Policy, detail include Parking and Wi Fi **Important Note**: All other costs incurred are for the individuals account. **Note**: Consideration should be given to include such a table in policies.			

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ANNEXURE 3

MIDVAAL LOCAL MUNICIPALITY

VEHICLE ALLOWANCE CLAIM: LOGSHEET

MONTH: ________________ **2016**

PARTICULARS:

Name: ____________________________

Designation: _______________________

PARTICULARS OF VEHICLE:

Make: _________________________

Registration No: _________________________

Engine Capacity: __________

ODOMETER READING			DISTANCE TRAVELLED			PURPOSE OF TRIP AND SERVICE RENDERED
DATE	BEGIN	END	OFFICIAL	PRIVATE	TOTAL	

I certify that the distance, given under official distance travelled, was exclusively for the performance of official functions on behalf of Midvaal Local Municipality and that the details in respect thereof are true and correct.

__________ __________________
DATE SIGNATURE: CLAIMANT

I certify that the official trips as indicated on this schedule were necessary and authorise the payment thereof:

__________ __________________
DATE EXEC DIRECTOR

__________ __________________
DATE MAYOR (if applicable)

AND

__________ __________________
DATE MUNICIPAL MANAGER
ACCOUNTING OFFICER

H:Louisevs/Meyerton1/User/User/Revised 18/05/2016

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REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

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PART 2 OF 3

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NATIONAL TREASURY

NO. 120 16 FEBRUARY 2018

LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 - MUNICIPAL COST CONTAINMENT REGULATIONS

In terms of section 169(1)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), draft regulations intended to be made in terms of section 168(1)(b) and (p) of that Act, as set out in Part A of the Schedule, are hereby publish for public comment.

An explanatory memorandum regarding the draft regulations is in Part B of the Schedule.

All comment received by 30 March 2018 will be considered and should be emailed to MFMA@treasury.gov.za or faxed to 012 315 5230.

SCHEDULE

PART A
DRAFT MUNICIPAL COST CONTAINMENT REGULATIONS

TABLE OF CONTENTS

Definitions

1. In these Regulations, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, unless the context indicates otherwise, and–

"Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
"consultant" means a professional person, individual, partnership, corporation, or a company appointed to provide technical and specialist advice or to assist with a design and implementation of projects or to assist a municipality or municipal entity perform its functions to achieve the objects of local government in terms of section 152 of the Constitution;
"cost containment" means measures implemented to curtail spending in terms of these regulations; and
"credit card" means a card issued by a financial service provider, which creates a revolving account and grants a line of credit to the cardholder.

Object of Regulations

2. The object of these Regulations, in line with section 62(1)(a), 78(1)(b), 95(a) and 105(1)(b) of the Act, is to ensure that resources of a municipality and municipal entity are used effectively, efficiently and economically by implementing cost containment measures.

Application of Regulations

3. These Regulations apply to all municipalities and municipal entities.

Cost containment policies

4. (1) Each municipality and municipal entity must revise or develop and implement a cost containment policy which must–
   (a) in the case of a municipality, be adopted by the municipal council, and in the case of a municipal entity, by the board of directors as part of its budget related policies; and
   (b) be consistent with the Act and these Regulations.

(2) The cost containment policy of a municipality or a municipal entity contemplated in sub-regulation (1) must–
   (a) be in writing;
   (b) give effect to these Regulations;
   (c) be reviewed annually, as may be appropriate;
   (d) be communicated on the municipality's or municipal entity's website; and
   (e) set out–
      (i) measures for ensuring implementation of the policy;
      (ii) procedures for the annual review of the policy; and
      (iii) consequences for non-adherence to the measures contained therein.

Use of consultants

5. (1) A municipality or municipal entity may only appoint consultants if an assessment of the needs and requirements confirms that the affected municipality or municipal entity does not have the requisite skills or resources in its full time employ to perform the function.

(2) An accounting officer must adopt a fair and reasonable remuneration framework for consultants taking into account the rates–
   (a) determined in the "Guideline on fees for audits undertaken on behalf of the Auditor-General of South Africa", issued by the South African Institute of Chartered Accountants;
   (b) set out in the "Guide on Hourly Fee Rates for Consultants", issued by the Department of Public Service and Administration;
   (c) as prescribed by the body regulating the profession of the consultant.

(3) The tender documentation for the appointment of consultants must include a clause that the remuneration rates will be subject to negotiation, not exceeding the applicable rates mentioned in sub-regulation (2).

(4) When negotiating cost-effective consultancy rates for international consultants, the accounting officer may take into account the relevant international and market-determined rates.

(5) When consultants are appointed, an accounting officer must–
   (a) appoint consultants on a time and cost basis with specific start and end dates;
   (b) where practical, appoint consultants on an output-specified basis, subject to a clear specification of deliverables and associated remuneration;
   (c) ensure that contracts with consultants include overall cost ceilings by specifying whether the contract price is inclusive or exclusive of travel and subsistence disbursements;
   (d) develop consultancy reduction plans; and
   (e) undertake all engagements of consultants in accordance with the Municipal Supply Chain Management Regulations and the municipality's Supply Chain Management policy.

(6) All contracts with consultants must include fee retention or penalty clause for poor performance.
(7) A municipality or municipal entity must ensure that the specifications and performance, are used as a monitoring tool for the work to be undertaken and is appropriately recorded and monitored.
(8) The travel and subsistence costs of consultants must be in accordance with the travel policy issued by the National Department of Transport, as updated from time to time.
(9) The contract price must specify all travel and subsistence cost and, if the travel and subsistence costs for appointed consultants are excluded from the contract price, such costs must be reimbursed in accordance with the abovementioned travel policy of the National Department of Transport.

Vehicles used for political office-bearers

6. (1) The threshold limit for vehicle purchases relating to official use by political office-bearers may not exceed R700 000 or 70% of the total annual remuneration package for different grades, whichever is greater.
(2) The procurement of vehicles must be undertaken using the national government transversal contract mechanism.
(3) If any other procurement process is used, the cost may not exceed the threshold set out in sub-regulation (1).
(4) Before deciding on another procurement process as contemplated in sub-regulation (3), the chief financial officer must provide the council with information relating to the following criteria which must be considered:
(a) status of current vehicles;
(b) affordability;
(c) extent of service delivery backlogs;
(d) terrain for effective usage of vehicle; and
(e) any other policy of council.
(5) Regardless of their usage, vehicles for official use by public office bearers may only be replaced after completion of 120 000 kilometres.
(6) Notwithstanding sub-regulation (5), a municipality or municipal entity may replace vehicles for official use by public office bearers before completion of one hundred and twenty thousand kilometres only in instances where the vehicle experiences serious mechanical problem and is in a poor condition, and subject to obtaining a detailed mechanical report by the vehicle manufacturer or approved dealer.

Travel and subsistence

7. (1) An accounting officer–
(a) may only approve purchase of economy class tickets for officials where the flying time for the flights is five hours or less; and
(b) for flights exceeding five hours, may purchase business class tickets only for accounting officers, and persons reporting directly to accounting officers.
(2) Notwithstanding sub-regulation (1), an accounting officer may approve the purchase of business class tickets for officials with disabilities.
(3) The cost containment policy must limit international travel to meetings or events that are considered critical. The number of officials attending such meetings or events must be limited to those officials directly involved in the subject matter related to such meetings or events.
(4) An accounting officer may approve accommodation costs that exceed an amount as determined from time to time by the National Treasury only–
(a) during peak holiday periods; or
(b) when major local or international events are hosted in a particular geographical area that results in an abnormal increase in the number of local and/or international guests in that particular geographical area.
(5) Officials of a municipality or municipal entity must–
(a) utilise the municipal fleet, where viable, before incurring costs to hire vehicles;

(b) make use of shuttle service if the cost of such a service is lower than-
  (i) the cost of hiring a vehicle;
  (ii) the cost of kilometres claimable by the employee; and
  (iii) the cost of parking.

(c) not hire vehicles from a category higher than Group B or an equivalent class; and

(d) where a different class of vehicle is required for a particular terrain or to cater for the special needs of an official, seek the written approval of the accounting officer before hiring the vehicle.

(6) Municipalities and municipal entities must utilise the negotiated rates for flights and accommodation, communicated by the National Treasury, from time to time, or any other available cheaper flight and accommodation.

Domestic accommodation

8. An accounting officer must ensure that costs incurred for domestic accommodation and meals are in accordance with the maximum allowable rates for domestic accommodation and meals, as communicated by the National Treasury, from time to time.

Credit cards

9. (1) An accounting officer must ensure that no credit card or debit card linked to a bank account of a municipality or a municipal entity is issued to any official or public office bearer, including members of the board of directors of municipal entities.

(2) Where officials or public office bearers incur expenditure in relation to official municipal activities, such officials or public officer bearers must use their personal credit cards or cash or arrangements made by the municipality or municipal entity, and request reimbursement from the municipality or municipal entity in accordance with the relevant municipality or municipal entity's policy and processes.

Sponsorships, events and catering

10. (1) A Municipality or municipal entity may not incur catering expenses for meetings which are only attended by persons in the employ of the municipality or municipal entity, unless the prior written approval of the accounting officer is obtained.

(2) An accounting officer may incur catering expenses for hosting of meetings, conferences, workshops, courses, forums, recruitment interviews, and proceedings of council that exceed five hours.

(3) Entertainment allowances of officials may not exceed two thousand rand per person per financial year, unless approved otherwise by the accounting officer.

(4) An accounting officer may not incur expenses on alcoholic beverages.

(5) An accounting officer must ensure that social functions, team building exercises, year-end functions, sporting events, budget vote dinners and other functions that have a social element are not financed from the municipality or municipal entity's budgets or by any suppliers or sponsors.

(6) A municipality or municipal entity may not incur expenditure on corporate branded items like clothing or goods for personal use of officials, other than uniforms, office supplies and tools of trade, unless costs related thereto are recovered from affected officials.

(7) An accounting officer may incur expenditure to host farewell functions in recognition of officials who retire after serving the municipality or municipal entity for ten or more years or retire on grounds of ill health, not exceeding the limits for petty cash usage.

Communication

11. (1) A Municipality or municipal entity must, as far as possible, advertise municipal related events on its website instead of advertising in magazines or newspapers.

(2) An accounting officer must ensure that allowances to officials for private calls are limited to an amount as determined by the accounting officer in the cost containment policy of the municipality or municipal entity.

(3) Newspapers and other related publication for the use of officials must be discontinued on expiry of existing contracts or supply orders.
(4) A municipality or municipal entity must participate in the transversal term contract arranged by the National Treasury for the acquisition of mobile communication services.

Conferences, meetings and study tours

12. (1) An accounting officer must establish policies and procedures to manage application by officials to attend conferences or events hosted by professional bodies or non-governmental institutions held within and outside the borders of South Africa taking into account their merits and benefits, costs and available alternatives.
(2) An accounting officer may consider appropriate benchmark costs with other professional bodies or regulatory bodies prior to granting approval for an official to attend a conference or event within and outside the borders of South Africa.
(3) Such benchmark costs may not exceed an amount as determined by the National Treasury.
(4) When considering applications from officials to attend conferences or events within and outside the borders of South Africa, an accounting officer must take the following into account–
(a) the official's role and responsibilities and the anticipated benefits of the conference or event;
(b) whether the conference or event addresses relevant concerns of the institution;
(c) the appropriate number of officials, not exceeding three officials, attending the conference or event; and
(d) availability of funds to meet expenses related to the conference or event.
(5) The amount referred to in sub-regulation (3) above excludes costs related to travel, accommodation and related expenses, but includes–
(a) conference or event registration expenses; and
(b) any other expense incurred in relation to the conference or event.
(6) When considering costs for conferences or events these may not include items, such as laptops, tablets and other similar tokens that are built into the price of such conferences or events.
(7) The accounting officer of a municipality or municipal entity must ensure that meetings and planning sessions that entail use of municipal funds are, as far as may be practically possible, held in-house.
(8) Municipal or provincial office facilities must be utilised for conference, meetings, strategic planning sessions, inter alia, where an appropriate venue exists within the municipal jurisdiction.
(9) An accounting officer may consider granting approval, as contemplated in sub-regulation (4), for officials, and in the case of Councillors, the Mayor.
(10) A municipality or municipal entity must, where applicable, take advantage of early registration discounts by granting the required approvals to attend the conference, event or study tour, in advance.

Other related expenditure items

13. (1) All commodities, services and products covered by a transversal contract concluded by the National Treasury must be procured through that transversal contract before approaching the market, to benefit from savings where lower prices or rates have been negotiated.
(2) Municipal resources may not be used to fund elections, campaign activities, including the provision of food, clothing and other inducements as part of, or during election periods.

Enforcement Procedures

14. Failure to implement or comply with these Regulations may result in any official of the municipality or municipal entity, political office bearer or director of the board that authorised or incurred any expenditure contrary to these regulations being held liable for financial misconduct as set out in Chapter 15 of the Act read with the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings.

Disclosures of cost containment measures

15. (1) The disclosure of cost containment measures applied by the municipality and municipal entity must be included in the municipal in-year budget reports and annual costs savings disclosed in the annual report.

(2) The measures implemented and aggregate amounts saved per quarter, together with the regular reports on reprioritisation of cost savings, on the implementation of the cost containment measures must be submitted to the Municipal Council for review and resolution. The municipal council can refer such reports to an appropriate Council Committee for further recommendations and actions.

(3) Such reports must be copied to the National Treasury and relevant Provincial Treasuries within seven calendar days after the report is submitted to Municipal Council.

Short title and commencement

16. These Regulations are called the Municipal Cost Containment Regulations, 2018 and take effect on 01 July 2018.

PART B

EXPLANATORY MEMORANDUM ON DRAFT COST CONTAINMENT REGULATIONS INTENDED TO BE MADE IN TERMS OF LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003

The wider implementation of the Local Government: Municipal Finance Management Act, 2003 (MFMA) in all municipalities and entities is an important element in the roll out strategy to modernise and improve financial management in local government. Linked to this strategy are the fundamental principles of effective and efficient utilisation of public resources in a transparent and accountable manner.

Despite the provisions in the MFMA and the reforms developed over the last 13 years to support the implementation of the MFMA, municipalities and municipal entities continue to spend public funds and municipal resources on non-priority items. More often than not this results in a diversion of public funds from core service delivery to other expenditures resulting in dissatisfaction by communities and delays in service delivery.

Government has therefore committed in the Medium Term Strategic Framework for 2014 – 2019 to urgently implement cost saving measures across all three spheres of government to assist in re-prioritizing expenditure and free up resources that can be targeted towards service delivery. These measures introduced are also intended to eliminate wastage of public resources on non-service delivery items. This will be undertaken through advocacy, strengthening the legal and policy prescripts and frameworks aimed at cost containment and ensuring the implementation thereof by municipalities and municipal entities.

The Minister of Finance has also pronounced during the February 2016 Budget Speech and the October 2016 Medium Term Budget Policy Statement that the National Treasury will issue regulations on cost containment measures for local government. The initial cost containment measures were introduced through MFMA Circular. Additional measures will also be taken to ensure a transparent tendering system by ensuring that value for money is attained through the revised procurement process. Similar measures have also been introduced in national and provincial government in terms of the Public Finance Management Act 1 of 1999.

Over the last 4 to 5 years, the Auditor-General's General Report on Local Government Audit Outcomes highlighted the extent of wastage of public resources. This was also observed through various publications in the print media and other government publications. Weak governance as well as the significant increase in the number of municipalities incurring unauthorised, irregular as well as fruitless and wasteful expenditure, were also highlighted as areas of concern.

Building on the MFMA Circular, the National Treasury in association with other stakeholders, have drafted regulations that will promote the cost containment measures introduced in a number of spending areas.

Section 168(1)(b) and (p) of the MFMA provides that the Minister may.regulate financial management and internal control and generally, any other matter that may facilitate the enforcement and administration of the Act, respectively. The object of the draft Regulations is to ensure that the resources of municipalities and municipal entities are used effectively, efficiently and economically (regulation 2). The Regulations will apply to all municipalities and municipal entities (regulation 3).

Regulation 1 contains the definition of terms that are used in the regulations. Regulation 4 deals with the establishment of cost containment policies including the principles applicable to such policies.

Regulations 4 to 13 contain the actual cost containment measures to be implemented by municipalities and municipal entities. These measures include:

- Principles around appointment of consultants to perform municipal functions and assessment to be undertaken by municipalities and municipal entities before appointing consultants;

- Procurement of mayoral vehicles. The regulations introduce a ceiling in terms of the value of the vehicles to be procured and principles in terms of management of such vehicle by the municipalities and municipal entities;

- Travel and subsistence allowance. This section of the regulations provides the thresholds for purchasing air tickets and hiring of vehicles. The intention with this specific measure is to ensure that institutions actually realise the discounts which have been negotiated at National Government level. These thresholds will contribute towards institutions achieving cost savings on their travel and accommodation budgets;

- Prohibition on issuance of credit or debit cards linked to municipal bank accounts to officials or public office bearers;

- Prohibition on using municipal funds for specific functions which include, amongst others, spending on catering for internal meetings only attended by officials, and social, farewell or team building activities. This section also prohibits the utilisation of municipal funds on alcoholic beverages;

- The regulations also make it mandatory for institutions to procure vehicles, cell phone and other related assets via the transversal contract negotiated at National Government level. This will ensure that there are cost savings and benefits passed to municipalities on all such items;

- The regulations also introduce a monetary threshold for conference fees which include the attendance of both local and international conferences;

- The regulations are intended to reduce excessive spending on office furniture and equipment;

- Municipalities and municipal entities are also encouraged to ensure that proper processes are followed when dismissing and suspending officials, this minimise unnecessary legal costs. Institutions are also encouraged to manage their expenditure on leave and overtime benefits; and

- The regulations make it mandatory for municipalities to conduct threat assessments before approving any security measures for councillors or officials.

Regulation 4 introduces consequence management aspects for non-adherence to the regulations. Non-compliance with these measures must be investigated for financial misconduct in terms of the Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings.

Regulation 5 provides the framework for disclosure of actual cost savings achieved by institutions in their annual reports, this improve transparency.

Regulation 6 contains the short title and the commencement date of the regulations.

These draft regulations therefore propose to provide a framework that is consistent with the provisions of the MFMA. The effective implementation of the regulations is intended to ensure that municipalities and municipal entities achieve value for money in utilising public resources to deliver municipal services. It is the intention that the Regulations would become effective on 01 July 2018.

Comments received during the consultation process will be considered and processed with a view to addressing any shortcomings.