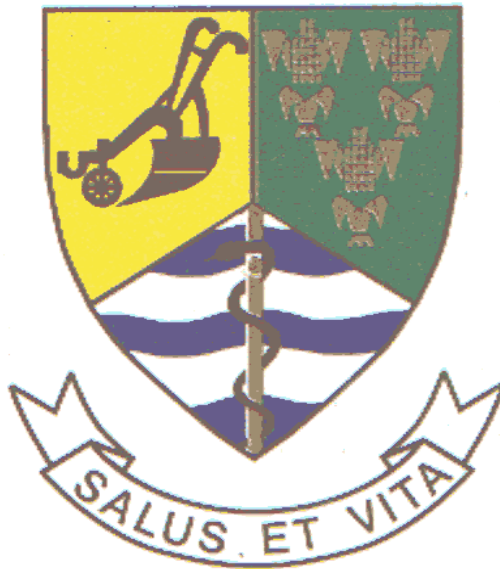


# **BELA-BELA LOCAL MUNICIPALITY**



## **DRAFT PRINCIPLES AND POLICY ON INDIGENT CONSUMERS**

**2014-2015**



**BELA BELA LOCAL MUNICIPALITY**  
**PRINCIPLES AND POLICY ON SUBSIDY SCHEME FOR INDIGENT HOUSEHOLDS**

**1. INTRODUCTION**

- 1.1 The Municipal Council must give priority to the basic needs of the community, promote the social and economical development of the community and ensure that all residents and communities in the municipality have access to at least the minimum level of basic municipal services in terms of Section 152(1)(b) and 153(b) of the Constitution.
- 1.2 Basic services are generally regarded as to be access to electricity, access to clean water within a reasonable distance of one's dwelling, basic sanitation, solid waste removal and access to and availability of roads.
- 1.3 The Constitution recognises Local Government as a distinct sphere of Government and as such also entitles Local Government to a share of nationally raised revenue, which will enable it to perform their basic function of providing essential services to the community within their boundaries.
- 1.4 The key purpose of an indigent subsidy policy is to ensure that households with no or lower income are not denied a reasonable service, and on the contrary the Municipality Authority is not financially burdened with non-payment of services. Provided that grants are received and funds are available, the indigent subsidy policy should remain intact.
- 1.5 To achieve the purpose it is important to set a fair threshold level, and then to provide a fair subsidy of tariffs.
- 1.6 The consumer, in order to qualify as an indigent, needs to complete the necessary documentation as required and agree to regulations and restrictions stipulated by Bela Bela Municipality.

**2. PURPOSE OF THE POLICY**

- 2.1 The purpose of this policy is to ensure that the subsidy scheme for indigent households forms part of the financial management system of Bela Bela Municipality and to ensure that the same procedure be followed for each individual case.

**3. CRITERIA FOR IDENTIFICATION TO QUALIFY FOR INDIGENT SUPPORT**

- 3.1 Grants-in-aid may, within the financial ability of the Municipality, be allocated to owners or tenants of premises who receive electricity (directly from Eskom or the Municipality), water,



sanitation, refuse removal or assessment rate services from the Municipality, in respect of charges payable to the Municipality for such services.

- 3.2 These grants may be allocated if such a person or any other occupier of the property concerned can submit proof or declare under oath that all occupants over 18 years of age had no income or a verified total gross monthly income of less than the amount indicated in terms of the definitions below for the preceding three consecutive months.
- 3.2.1 Definition of an Indigent. The total monthly income of all occupants is not more than an amount as determined by the Council from time to time. This amount will be determined at the beginning of every financial year and will be applied for the duration of that particular financial year. For the 2014/2015 financial year this amount is deemed to be equal than **R2576.64**
- 3.2.2 Definition of an Indigent with Pensioner Status.  
The total monthly income of all occupants is equal to the amount received by two state pensioners.
- 3.2.3 Children who are staying at a property where both parents have passed away and the household has no other means of income as result of any other person also occupying the property.
- 3.3 Only one application per person (household consumer) in respect of one property only shall qualify for consideration. A business, school, body association, club or governing body shall not qualify for consideration.
- 3.4 The subsidy will apply to the owner or tenant with the consent of the owner of the property concerned.
- 3.5 The subsidy will not apply in respect of households owning more than one property, except if the two properties are adjacent to one another and are used as one property The rebate will however only be applied to one property..

#### **4. APPLICATION AND AUDIT FORM**

- 4.1 Attached, as Annexure A is an Application for Indigent Household Subsidy, which must be completed by all consumers who qualify in terms of this policy.
- 4.2 The account holder or **a permitted person residing on the property** must apply in person and must present the following documents upon application:-
- 4.2.1 The latest Municipal account in his/her possession.
- 4.2.2 The accountholder's identity document or **permitted person residing on the property**.
- 4.2.3 An application form indicating the names and identity numbers of all occupants/residents over the age of 18 years, who reside at the property.
- 4.2.4 Documentary proof of income where possible or an affidavit of financial status.



- 4.2.5 Statement of monthly income and expenditure.(bank statement)
- 4.2.6 An affidavit or power of attorney from a permitted person residing on the property declaring that they are not they are not the owner but are residing on the property and are responsible for payment of the municipal account with permission from the registered owner.
- 4.3 All applications must be verified by an official or municipal agent appointed by Council. The relevant Ward Councillor must be involved during the evaluation process and must verify the application together with the relevant officials and local community leaders or ward committee members appointed by Council in this regard.
- 4.4 Application forms must be read in conjunction with the policy proposed and form part of Council's indigent policy.
- 4.5 The list of indigent households may be made available at any time to the Information Trust Corporation (ITC) for the purpose of exchanging credit information. Households qualifying for consumer credit elsewhere will not be regarded as indigents.
- 4.6 If an application is favourably considered, a subsidy will only be granted during that municipal financial year and the subsequent twelve (12) month budget cycle. The onus will rest on the approved account holders to apply for relief on an annual basis.

## **5. DRAFTING AND MAINTENANCE OF AN INDIGENT REGISTER**

- 5.1 The Chief Financial Officer will be responsible to compile and administer the database for households registered in terms of this policy.
- 5.2 Registration will take place on dates and at times and places determined by the Council, but shall generally be undertaken during March and /or April each year. The Municipal Manager or his/her delegate will provide assistance to persons who cannot read or write, at such times and places as are specified in the notices published to indicate that the registration programme is to take place.
- 5.4 Thereafter the indigent registration process will be ongoing during the financial year for consumers who were unable to apply during general registration or could not qualify due financial status.
- 5.3 Council reserves the right to send officials or its agents to premises/households receiving relief from time to time for the purpose of conducting an on-site audit of the details supplied.

## **6. PENALTIES AND DISQUALIFICATION FOR FALSE INFORMATION**



- 6.1 Applicants will be required to sign and submit a sworn affidavit, to the effect that all information supplied is true and that all income, i.e. from formal and/or informal sources, is declared.
- 6.2 Any person who supplies false information will be disqualified from further participation in the subsidy scheme. He/she will also be liable for the immediate repayment of all subsidies received, and the institution of criminal proceedings, as Council may deem fit.
- 6.3 The onus also rests on indigent support recipients to immediately notify Council of any changes in their indigence status.

## **7. SERVICES TO BE SUBSIDISED**

### **7.1 Electricity**

- 7.1.1 All registered indigents will receive 100 units of electricity per month fully subsidised. Unused free electricity units will not be carried over to the next month. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year. Indigents with conventional electricity meters must convert their meters to pre-paid electricity meters to be able to receive the subsidy of 100 units of electricity. Indigents receiving electricity directly from Eskom will only receive 50 units of electricity per month
- 7.1.2 Any meter tampering or dishonest obtaining of electricity will result in the subsidisation to be withdrawn. An application of a person who has tampered with an electricity meter prior to date of application will also not be considered for an indigent subsidy.

### **7.2 Water**

- 7.2.1 All registered indigents consumers will receive the first 6 kilolitres of water fully subsidised. In addition, registered indigents may receive a further 4 kilolitres per month subject to funding being available from the equitable share. A subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.
- 7.2.2 Any meter tampering will result in the subsidisation to be withdrawn. An application of a person who have tampered with a water meter prior to date of application will also not be considered for an indigent subsidy

### **7.3 Refuse Removal**

- 7.3.1 All registered indigents shall be fully subsidised for refuse removal as determined and provided for by the Council in the annual budget from time to time. A subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will



be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

#### **7.4 Sewerage**

7.4.1 All registered indigents shall be fully subsidised for sewerage services as determined and provided for by the Council in the annual budget from time to time. A subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

#### **7.5 Property Rates**

7.5.1 All registered indigents shall be fully subsidised for the payment of property rates as determined and provided for by the Council in the annual budget from time to time. A subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

### **8 TARIFF POLICY**

8.1 The Local Government Municipal Systems Amendment Act (MSA), 2003, Act No 44 of 2003 stipulates that a Municipal Council must adopt and implement a tariff policy on the levying of fees for municipal services provided by the municipality itself or by way of service delivery agreements and which complies with the provisions of the Act and with any other applicable legislation.

8.2 A tariff policy must reflect, amongst others, at least the following principles, namely that:-

8.2.1 The amount individual users pay for their services should generally be in proportion to their use of that service;

8.2.2 Poor households must have access to at least basic services through-

- tariffs that cover only operating and maintenance costs;
- special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
- any other direct or indirect method of subsidisation of tariffs for poor households; and

8.2.3 The extent of subsidisation of tariffs for poor households and other categories of users should be fully disclosed.



## **9. SOURCES OF FUNDING**

- 9.1 The amount of subsidisation will be limited to the amount of the equitable share received on annual basis. This amount may be varied on a yearly basis according to the new allocation for a particular financial year.
- 9.2 If approved as part of the tariff policy the amount of subsidisation may be increased through cross subsidisation, i.e. step tariff system.

## **10. METHOD OF TRANSFER AND THE VALUE OF THE SUBSIDY**

- 10.1 No amount shall be paid to any person or body, but shall be transferred as a credit towards the approved account holder's municipal services account in respect of the property concerned.
- 10.2 Arrear amounts shall not qualify for any assistance and shall not be taken into consideration. Calculations shall be based on the monthly current accounts only and in accordance with the approved tariff policy.

## **11. ARREAR ACCOUNTS**

- 11.1 The approved account holder shall remain responsible for any outstanding amount at the date of application as well as for future charges.
- 11.2 No interest and **penalties due to credit control measures or actions** will be levied on the outstanding arrears of accounts approved as indigents. An agreement will be entered into with an indigent to pay his previous debt on a reasonable basis, taking into consideration the income of all occupants of the household.
- 11.3 A reasonable amount needs to be paid on arrear amounts, before services in excess of the approved subsidy for water and electricity will be allowed. Consumption in excess of the approved subsidy must be paid in full.
- 11.4 Water restrictors will be placed in meters of Indigent Households who are in arrears and do not have the means to make payments on the arrear amounts, in order to limit the consumption of the Indigent household to that of the subsidy.
- 11.5 Indigent Households who are in arrears and do not have the means to make payments on the arrear amounts, names will be handed to the credit bureau.

## **12. RESTORING SERVICES TO QUALIFIED HOUSEHOLDS**

If an application is approved services will be restored free of charge.



### **13. SERVICES IN EXTENT TO AVAILABLE FUNDING**

Where restriction of consumption applies to a particular service, applicants may not refuse to be restricted in terms of Council policy. Where restrictions are not possible the account holder will be responsible for the consumption in excess of the approved subsidy.

### **14. CREDIT CONTROL POLICY TO BE APPLIED FOR INDIGENT HOUSEHOLDS**

#### **14.1 Aim of the Credit Control Policy**

The credit control policy aims to achieve the following:-

- To distinguish between those who can and cannot genuinely pay for services;
- To get those who cannot pay to register with the municipality so that they could be given subsidies;
- To enable the municipality to determine and identify defaulters to ensure appropriate credit control procedures; and
- To establish an indigent directory of all persons who complies with the policy.

#### **14.2 Obligation to Pay**

14.2.1 The policy on provision of services should endeavour to provide services in accordance with the amount available for subsidisation.

14.2.2 It is however important to note that the subsidy received, in the majority of cases, does not cover the full account. In such event the consumer is still responsible for the balance between the full account and the subsidy received.

14.2.3 Where applicable, credit control must still be applied, in accordance with the approved credit control policy and indigent policy, for these outstanding amounts.

### **15. REPORTING REQUIREMENTS**

15.1 The Municipal Manager shall report on a monthly basis to the Mayor or Executive Committee, as the case may be, for the month concerned and by municipal ward:

15.1.1 The number of households registered as indigents and a brief explanation of any movements in such numbers;

15.1.2 The monetary value of the actual subsidies and rebates granted; and

15.1.3 The budgeted value of the actual subsidies and rebates concerned; and the above information cumulatively for the financial year to date.





15.2 The Mayor or Executive Committee, as the case may be, shall submit the above reports on a quarterly basis to the Council and to the municipalities ward committees quarterly to any ward committees if so requested.

**16 IMPLEMENTATION AND REVIEW OF THIS POLICY**

16.2 This policy shall be implemented once approved by Council. All future applications for indigent registrations must be considered in accordance with this policy.

16.2 In terms of section 17(1)(e) of the MFMA this policy must be reviewed on annual basis and the reviewed policy tabled to Council for approval as part of the budget process.

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