

X 15**IN THE HIGH COURT OF SOUTH AFRICA****(NORTH WEST DIVISION, MAHIKENG)****CASE NO.: _____/2021**

In the application between:

SAKELIGA NPC

Applicant

and

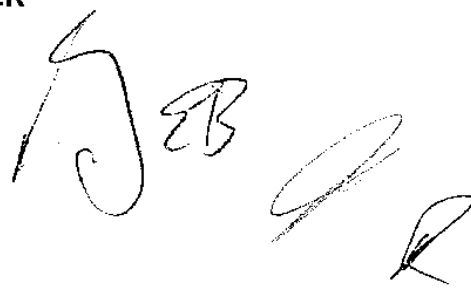
THE MEMBER OF THE EXECUTIVE COUNCIL:**NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS**1st Respondent**THE MEMBER OF THE EXECUTIVE COUNCIL:****NORTH WEST PROVINCE: FINANCE**2nd Respondent**THE MINISTER: NATIONAL DEPARTMENT OF****COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**3rd Respondent**THE MINISTER OF FINANCE**4th Respondent**DITSOBOTLA LOCAL MUNICIPALITY**5th Respondent**NALEDI LOCAL MUNICIPALITY**6th Respondent

SUPPORTING AFFIDAVIT

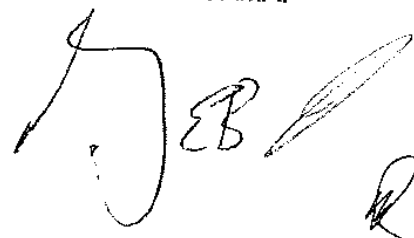
I, the undersigned,

WILLEM JACOBUS BEKKER

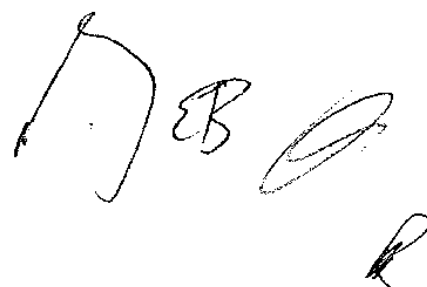
do hereby declare under oath as follows:



1. I am a major male pensioner residing at 22 4th Avenue, Lichtenburg, North West Province.
2. The contents of this affidavit fall within my personal knowledge and is both true and correct.
3. I am a permanent resident in the Ditsobotla Local Municipality, which bears responsibility over the town of Lichtenburg, North West Province.
4. I have been residing in the town since 1 December 2014. I became a pensioner on 31 September 2013; however, I perform work for the North West Province on a contractual basis from time to time as required. From 1 October 2003 until my retirement, I held the position of the Deputy Director - Municipal Finance at the North West Provincial Government in Mahikeng. This ambit of my responsibilities included, among other things, the following:
 - 4.1 The monitoring and support of municipalities in the North West Province with Financial Planning;
 - 4.2 The analysis of monthly financial reports of municipalities;
 - 4.3 The analysis of annual Financial Statements, Auditor-General reports of municipality and overseeing the correction of problems contained in the Auditor-General reports;
 - 4.4 The monitor and support of municipalities in their collection of debts and the implementation of credit control policies in the various municipalities;
 - 4.5 The support of municipalities in the implementation of GRAP/GAMAP programs;

Handwritten signature and initials, possibly 'JEB', followed by a stylized 'R'.

- 4.6 The monitor and support of municipalities with the management and correct implementation of the Municipal System Improvement Grant;
- 4.7 The role out of the implementation plan for the Local Government: Municipal Property Rates Act 6 of 2004.
5. I have always been a proud member of the Lichtenburg community and enjoyed living in Lichtenburg. When I moved to Lichtenburg in December 2014, there were only a few potholes and water leaks and besides this good maintenance was still being properly performed by the municipality. However, over time the municipal maintenance in Lichtenburg has dramatically worsen and whenever inquiries were made by the local community, the reasons provided by the municipality would be either that the municipality does not have the necessary material available for effective maintenance or that the municipality does not have the funds to purchase the necessary materials for the effective maintenance of Lichtenburg.
6. Over the last six years it became increasingly challenging to live in Lichtenburg purely as a consequence of the total collapse in municipal service delivery and maintenance. I cannot say that it is still enjoyable living in Lichtenburg. The Lichtenburg community are faced with the continuous interruption in the supply of water and electricity in the town. The number of potholes on our roads are increasing at an alarming rate and the waste management and sanitation issues constantly poses a health risk to the entire community.

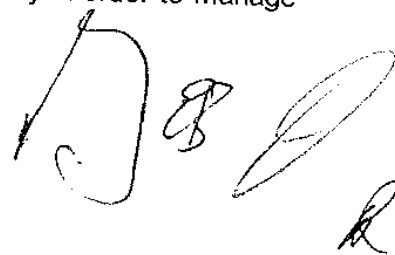
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ELECTRICITY

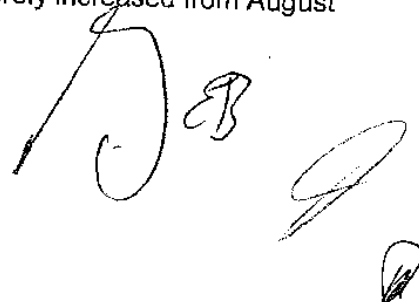
7. The Ditsobotla Local Municipality is severely in arrears with its liabilities towards Eskom SOC Limited. As far as I know the municipality as on 20 November 2020 owed Eskom the sum of R 670 000 000.00. It was reported on 12 March 2021 that this amount increased and consequently the Ditsobotla Local Municipality currently owes Eskom the sum of R 691 783 110.00.
8. As a result of the municipality's debt, the community is concerned that Eskom might terminate the supply of electricity in response to the municipal debt owed to them. Some of the larger businesses in town, who are able to afford it, make use of generators and solar power in order to remain open during loadshedding periods. I have also installed solar panels at my house however those households and businesses who are unable to afford private electricity generation, are unable to function and/or operate during loadshedding. The whole community however suffers due to the disruption, losses and additional expenses caused by the continued disruption in the supply of electricity.

WATER & SEWAGE

9. The municipality has neglected over time to regularly maintain and upgrade the water infrastructure of Lichtenburg. As a result of failures in the water delivery systems of the town, households and businesses are often left without water for days at a time. Most of the people I know who can afford it, including myself, have installed boreholes and water tanks on their property in order to manage the constant disruption suffered.

A large, stylized handwritten signature in black ink, appearing to be 'D.B. [unclear]' followed by a flourish.

10. It has come to my attention that the equitable share of taxes and grants from national government for maintenance and service delivery for water and sanitation services as well as for indigent support for water and sanitation was paid to the district municipality as the water service authority. This is to the great cost of the local community since it obstructs adequate municipal service delivery and it furthermore prevents the local municipality from effectively meeting their financial obligations.
11. The maintenance of the water and sewer infrastructure is done by the local municipality of Ditsobotla as well as the rendering of 6 km water and sewer services to the indigent. The local municipality is not getting any support from the District municipality who received the funding through the equitable share for the purposes of delivery these services. With the equitable share and grants being withheld the service delivery by the local municipality has continued to decline. Residents and businesses who live and operate within the municipal area are severely being impacted with poor quality of drinking water, sewage spillages and/or overflows as well as water shortages within the town.
12. In addition to the above, when the electricity is interrupted or shut down, the water supply, as a result, also gets interrupted or shut down. During the week of 27 February 2021, the town was left without any water supply for four (4) days.
13. The Ditsobotla Local Municipality has millions of Rands in debt that are still outstanding to their relevant Water Board. The precise outstanding amount is however unknown to me. This debt has however severely increased from August 2020.

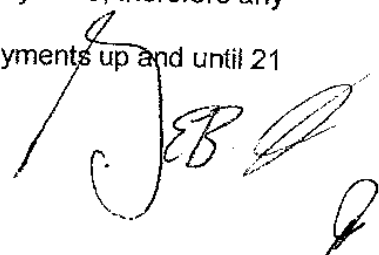
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UTILITY POLES

14. On 3rd Street, Lichtenburg the Utility Pole and its anchor wires has rotten away to such an extent that the supply cable connected to the houses are the only support given to the Utility Pole to prevent it from falling. To date the municipality has refused and/or failed to repair the Utility Pole and its anchor wires.

MUNICIPAL ACCOUNTS AND VALUATION ROLES

15. The municipality implemented a new financial computer system in the 2019/2020 financial year. The last account I received on the old system was dated 1 October 2019. The following accounts I received were during December 2019, February 2021, and March 2021. However, the March 2021 account indicated 31 July 2020 as the statement date. In essence, I have been calculating and paying my own municipal accounts on a monthly basis since December 2019. I calculated and paid these accounts according to what the refuse removal and property taxes were during December 2019. Since 1 July 2020 I adjusted these rates according to the increase as indicated in the budget for the 2020/2021 financial year. I have lodged an objection with the municipality regarding the tariff increases on the budget for 2020/2021 financial year and they have acknowledged the receipt of my objection however to date I have not received a reason nor a solution relating to my objection.
16. I can only ascertain what the current actual tax and levy rates are for refuse removal through my latest account received dated 31st July 2020, therefore any and all payments made on my account are only for the payments up and until 21

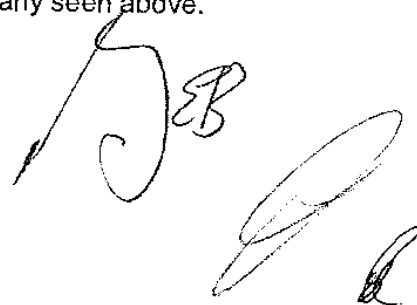
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July 2020. Thus, all the payments made from August 2020 to 12 March 2021 are not indicated by the municipality.

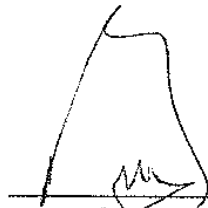
17. The revenue office at the Ditsobotla Local Municipality was closed for a period of time and as a result the local community made their account payments at a local bank. Consequently, the information contained in the bank statements were also only processed until the end of July 2020. According to the account I received dated 31 July 2020, I am in credit with my municipal accounts, and I am certain that a calculation error was made by the municipality, however, since the municipality is unable to provide a specified account, I am unable to rectify my municipal account.
18. The above clearly indicates that the municipal account systems are extremely questionable and inaccurate.
19. The municipality no longer conducts annual interim valuations of the valuation roll, and the municipality ceased to address this issue during 2019. The last annual interim valuation of the valuation roll was conducted on the 1st of July 2017.

GENERAL MAINTENANCE OF THE TOWN

20. The general maintenance of Lichtenburg is not up to standard and the refusal and/or failure of the municipality to deliver these basic services to the community of Lichtenburg is at a great cost to the community as clearly seen above.

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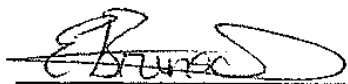


WILLEM JACOBUS BEKKER

I HEREBY CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED:

- (a) he knows and understands the contents of this affidavit;
- (b) he has no objection to taking an oath;
- (c) he considers the oath to be binding on his conscience.

THUS signed and sworn before me, at Lichtenburg on this the 20 day **May 2021**, the Regulations contained in Government Notice No. R1648 of 19 August 1977 (as amended) having been fully complied with.



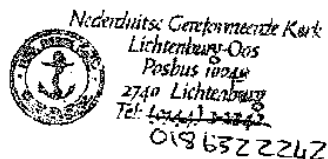
COMMISSIONER OF OATHS

FULL NAMES: Elizabeth Brunsdon

BUSINESS ADDRESS: 18 Sixth Avenue, Lichtenburg, 2740

DESIGNATION: BD 29996

AREA / OFFICE: Lichtenburg





X 16

IN THE HIGH COURT OF SOUTH AFRICA

(NORTH WEST DIVISION, MAHIKENG)

CASE NO.: _____/2021

In the application between:

SAKELIGA NPC

Applicant

and

THE MEMBER OF THE EXECUTIVE COUNCIL:

NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS1st Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL:

NORTH WEST PROVINCE: FINANCE

2nd Respondent

THE MINISTER: NATIONAL DEPARTMENT OF

COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

3rd Respondent

THE MINISTER OF FINANCE

4th Respondent

DITSOBOTLA LOCAL MUNICIPALITY

5th Respondent

NALEDI LOCAL MUNICIPALITY

6th Respondent

SUPPORTING AFFIDAVIT

I, the undersigned,

HENDRIK NAUDE PIENAAR

do hereby declare under oath as follows:



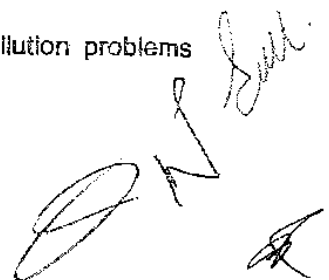
1. I am a major male and the Deputy General Manager of Agri North West with its principal place of business being located in the town of Lichtenburg which falls within the municipal area of the Ditsobotla Local Municipality, North West Province.
2. The contents of this affidavit fall within my personal knowledge and is both true and correct.

ELECTRICITY

3. During the month of November 2020, a transformer exploded in Lichtenburg. On reporting this to Municipal officials, they explained that the explosion was caused as a result of overloading and the transformer parts being outdated to such an extent that the parts it requires are no longer being manufactured. The municipality did not possess the required knowledge nor parts to adequately fix the problem and refused any assistance from private experts. The municipality tried to fix the transformer which reportedly caused another explosion. As a result, Eskom and a local business had to step in and assist the municipality in fixing the transformer. The lack of expertise of the municipality to timeously and effectively fix the problem has the effect that the town of Lichtenburg was left without electricity for roughly six (6) days.

WATER AND SEWAGE

4. The municipality has on numerous occasions failed to adequately maintain and fix sewage issues in Lichtenburg despite interventions from DWA and PDMC. Sewage is leaking into the Harts River, which is causing pollution problems

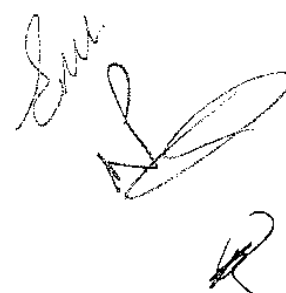
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downstream as far as Taung and is severely damaging Barberspan, a RAMSAR site.

5. The National Department of Water and Sanitation reported that they issued a letter to the local municipality which specifically addressed the pollution caused by sewage leakage in the Harts River and the Department demanded that attention should be given to this issue, however, this was to no avail and consequently pollution is continuing.
6. The local community of Sannieshof have also complained that quality of water in boreholes is badly affected because of contamination.

POTHoles

7. The potholes in Lichtenburg are a serious issue and have worsened as a result of bad construction and lack of maintenance. The municipality has, despite community demands, neglected and/or refused to attend to this issue and consequently I and various other community members can no longer drive with small cars on some of our town's roads. Trucks are also unable to use designated roads and are now forced to drive through residential areas, creating damage and danger.
8. On 12th Avenue, Lichtenburg you now need to drive on the sidewalk in order to avoid the potholes in the street.

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IMPACT ON TOWN




9. As a member of the business community, I can attest that this lack of service delivery and maladministration is forcing businesses to relocate and or incur unnecessary costs which is seriously affecting the economy of Ditsobotla. Power outages and water shortages are also slowing development or in some cases stopping businesses from expanding and providing their goods and services. This had the results that some have already left with subsequent job losses.
10. The lack of public participation and non-compliant procedures being followed have been reported repeatedly with no results. The unacceptable situation at the dumping site, handling of the budget, unlawful increase in tariffs, implementation of property tax are some more of the challenges being experienced.



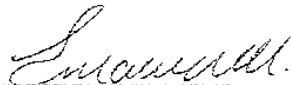
HENDRIK NAUDE PIENAAR

I HEREBY CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED:

- (a) he knows and understands the contents of this affidavit;
- (b) he has no objection to taking an oath;
- (c) he considers the oath to be binding on his conscience.

THUS signed and sworn before me, at LICHTENBURG on this the 20th day May 2021, the Regulations contained in Government Notice No. R1648 of 19 August 1977 (as amended) having been fully complied with.



COMMISSIONER OF OATHS

FULL NAMES:

BUSINESS ADDRESS:

DESIGNATION:

AREA / OFFICE:

ELMARIE MAREE

KOMMISSARIS VAN EDE COMMISSIONER OF OATHS

PRAKTISERENDE PROKUREUR R.S.A. / PRACTISING ATTORNEY R.S.A.

SWARTSTRAAT 14 14 SWART STREET

LICHTENBURG 2740



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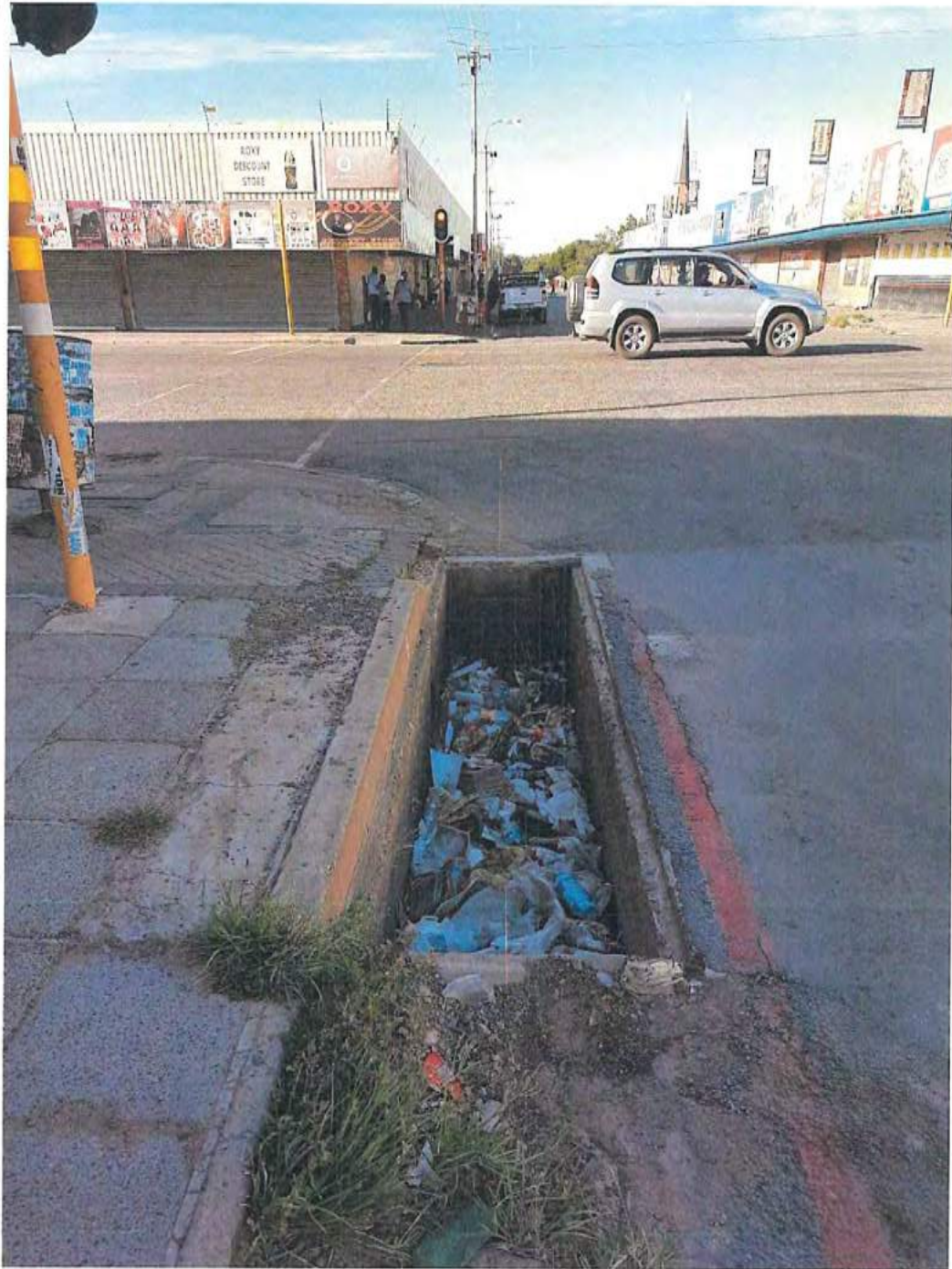


Photo 1 - Vryburg - March 2020

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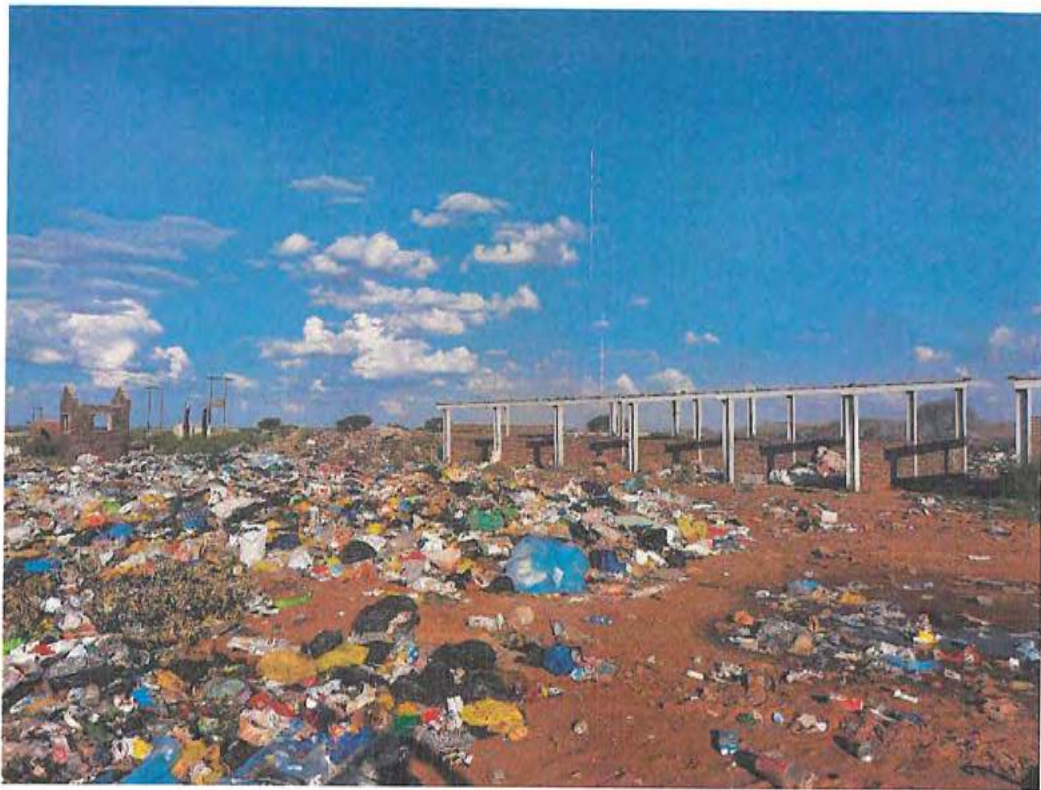


Photo 2 - Vryburg - March 2020

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Photo 3 - Vryburg - March 2020

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Photo 4 - Vryburg - March 2020

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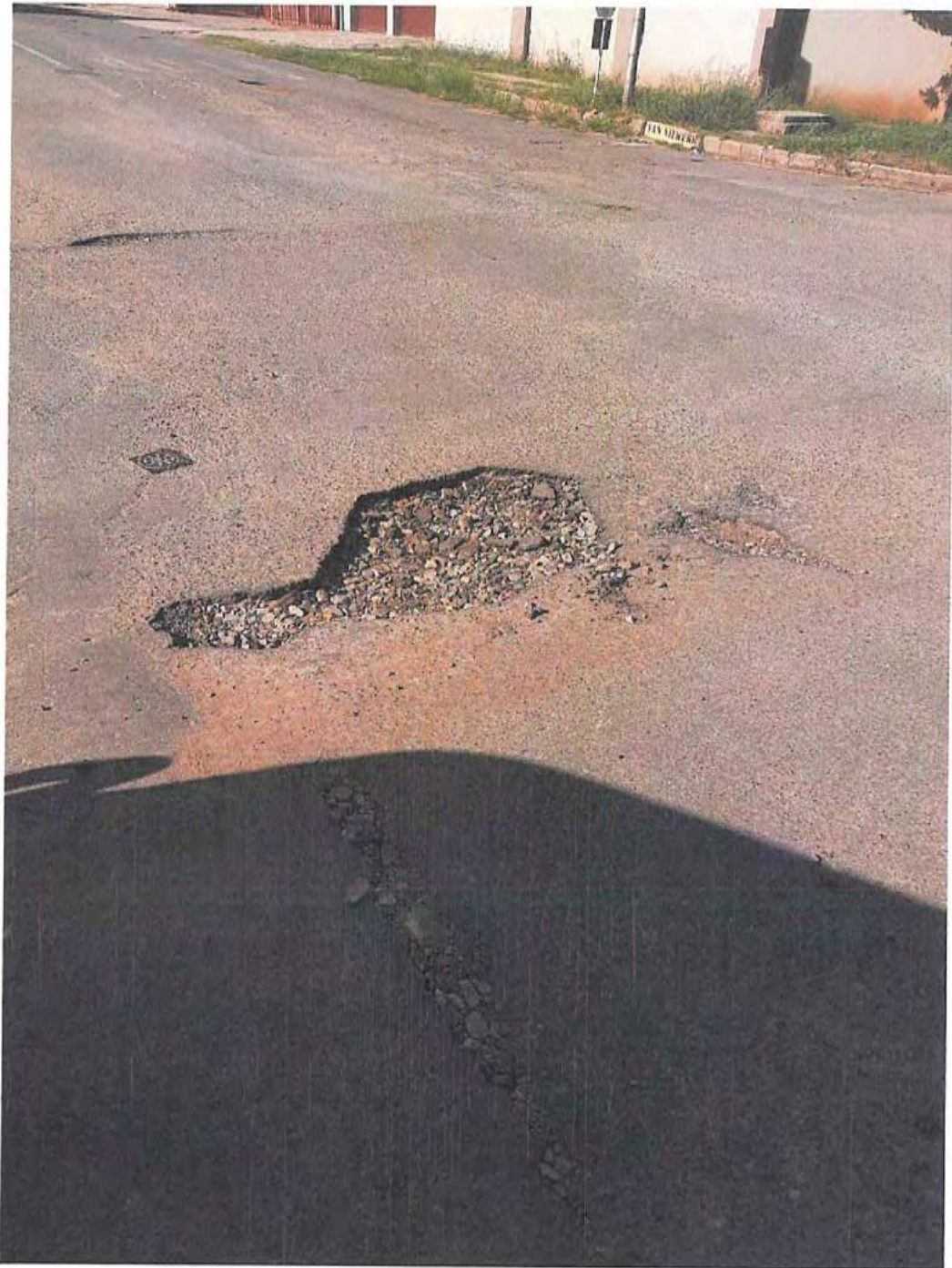


Photo 5 - Vryburg - March 2020

OR



Photo 6 - Vryburg - March 2020

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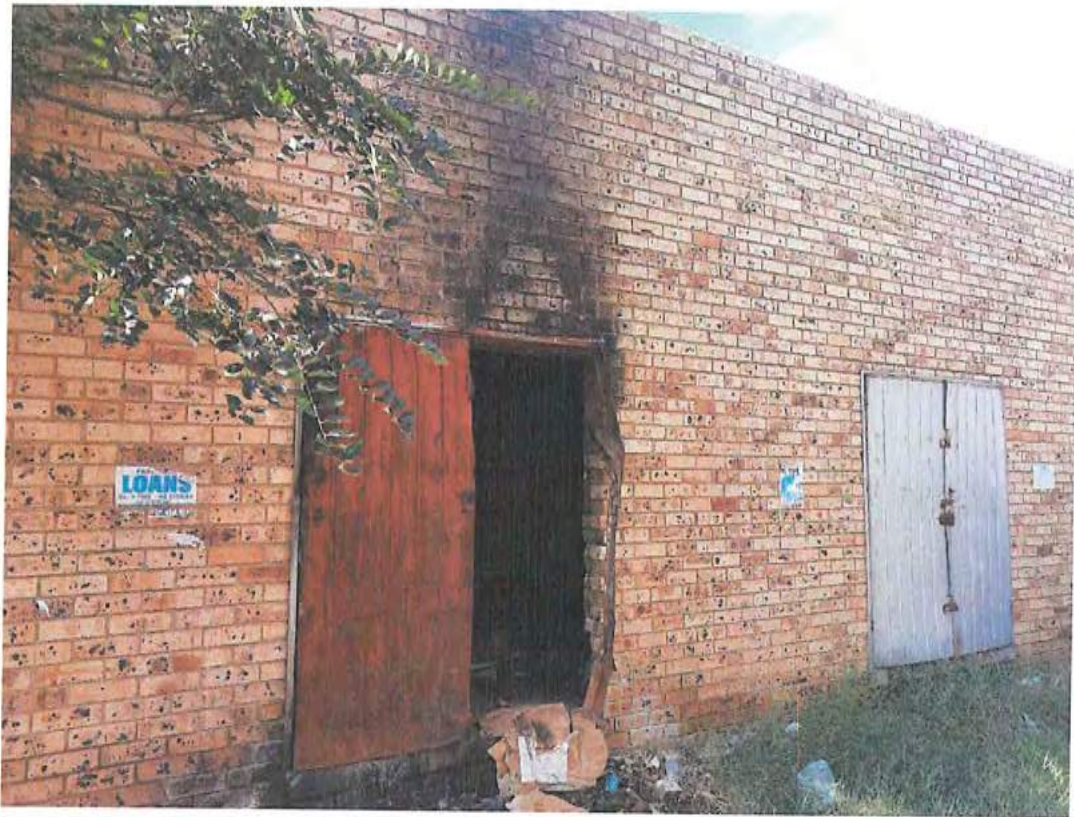


Photo 7 - Vryburg - March 2020

JR



Photo 8 - Vryburg - March 2020

DR

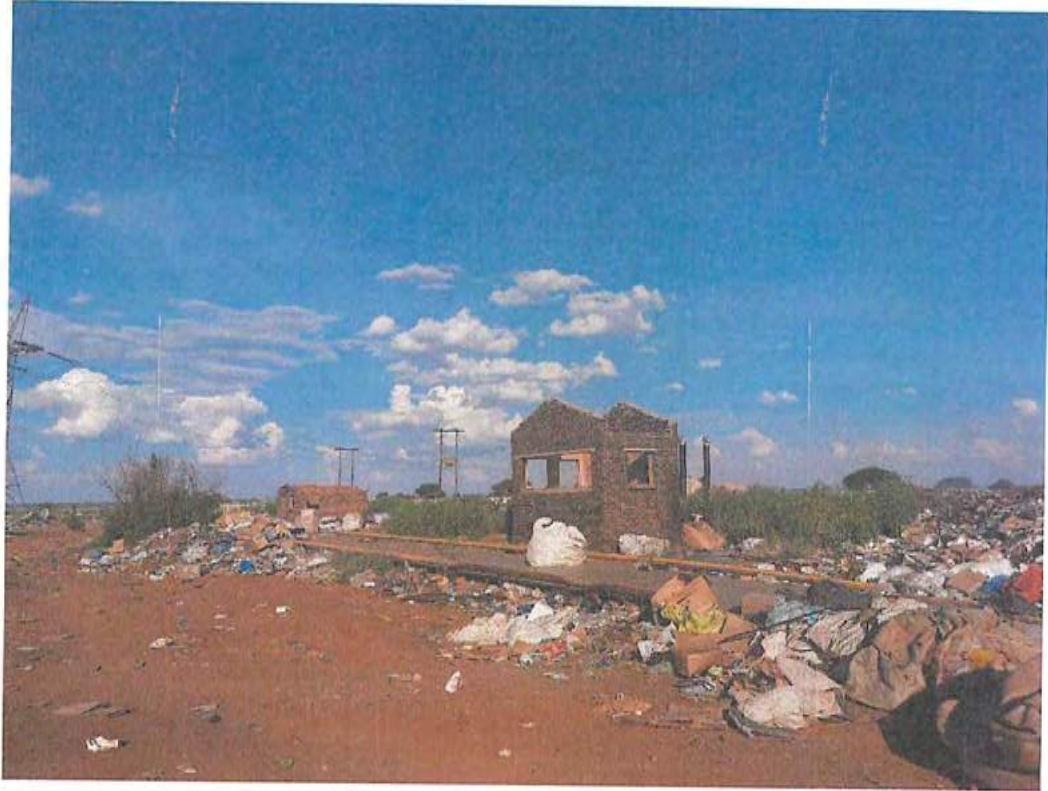


Photo 9 - Vryburg - March 2020

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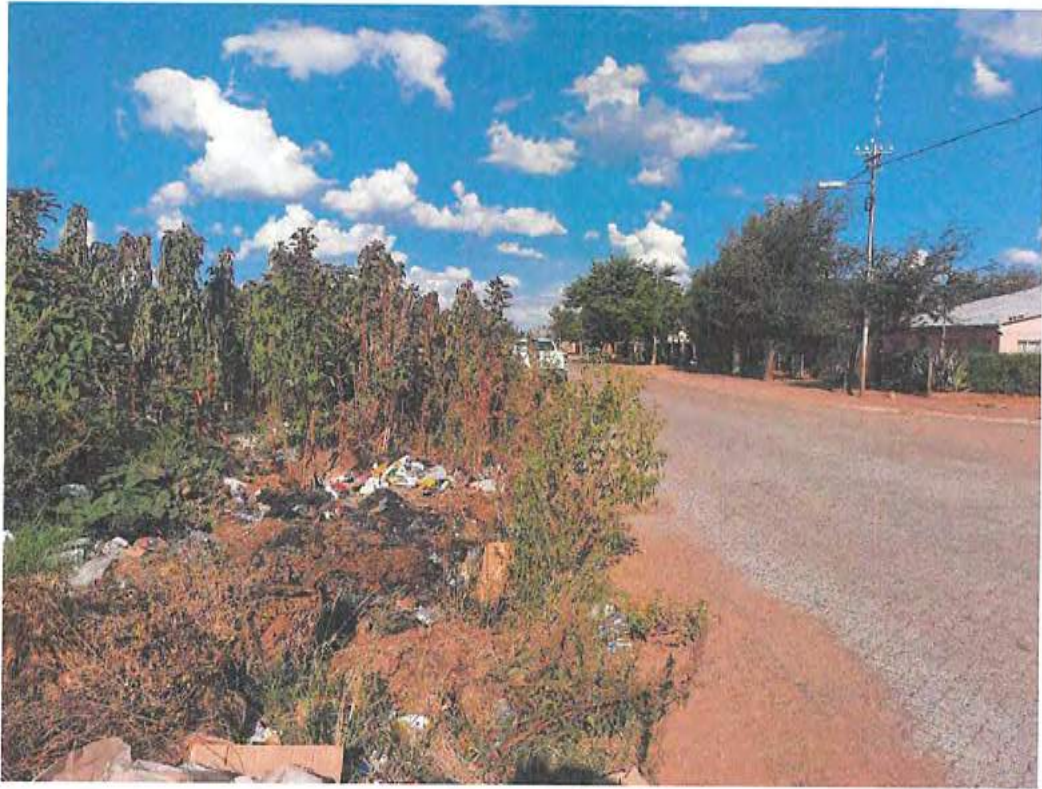


Photo 10 - Vryburg - March 2020

OR



Photo 11 - Vryburg - March 2020

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Photo 12 - Vryburg - March 2020

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Date: 09 March 2021

Release: Immediate

Die Demokratiese Alliansie (DA) in Naledi het aan die Direkteur van Tegniese Dienste, wat tans die waarnemende Munisipale Bestuurder is, Nelson Mongale, 'n dringende versoek gerig om herstelwerk aan die vervalte Vlakfontein-kraglyn, wat elektrisiteit aan plase en erwe langs die Stellaweg in die Vryburg-omgewing, te prioritiseer.

Na jare se klagtes en versoeke deur die betrokke gemeenskap, het Mnr. Mongale op versoek van plaaslike boere, 'n inspeksie van die kraglyn gedoen.

Verskeie pale wat weens jare se verwaarlosing en 'n gebrek aan onderhoud beskadig is, is bloot verwyder. Dit het egter nie die probleem opgelos nie, aangesien die kables tydens sterk winde kortsluitings veroorsaak en inwoners sonder elektrisiteit laat.

Landelike boeregemeenskappe loop reeds die gevaar vir plaasaanvalle en veediefstal. 'n Gebrekkige elektrisiteitstoevoer, plaas die lewens en eiendom van boere en plaaswerkers verder in gevaar. Sonder 'n betroubare elektrisiteitstoevoer, word landbouproduksie ook negatief beïnvloed, wat 'n direkte impak op voedsel sekuriteit het.

Die behoorlike herstel van die kraglyn moet 'n prioriteit wees. Die DA in Naledi sal hierdie projek fyn dophou om te verseker dat 'n veilige elektrisiteitstoevoer so gou as moontlik in plek gesit word.

Media Enquiries

III

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Photo 13 - Vryburg - March 2020



Photo 14 - Vryburg - March 2021

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X18

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

CASE NO: 93705/2019

PRETORIA 19 DECEMBER 2019

BEFORE THE HONOURABLE MR JUSTICE L I VORSTER, AJ (IN CHAMBERS)

In the matter between:

THE NALEDI CONCERNED CITIZENS

1ST APPLICANT

D MATTHEE

2ND APPLICANT

N WOEST

3RD APPLICANT

AND

ESKOM HOLDINGS SOC LTD

1ST RESPONDENT

NALEDI LOCAL MUNICIPALITY

2ND RESPONDENTTHE NATIONAL ENERGY REGULATOR OF
SOUTH AFRICA ("NERSA")3RD RESPONDENT

THE MINISTER OF ENERGY

4TH RESPONDENT

THE PREMIER OF NORTH WEST

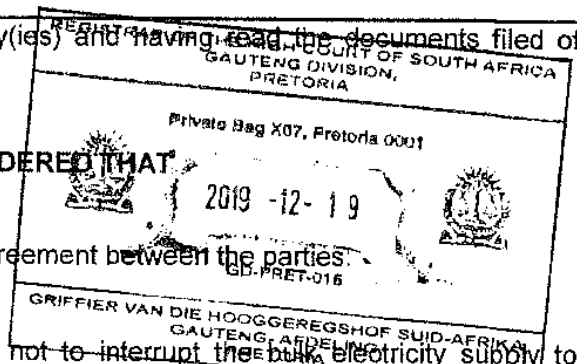
5TH RESPONDENT

HAVING HEARD counsel(s) for the party(ies) and having read the documents filed of
record

IT IS ORDERED THAT

The court makes the following order by agreement between the parties:

1. The first respondent, ESKOM, not to interrupt the bulk electricity supply to Naledi Local Municipality, except for National policy load shedding which may be scheduled from time to time.



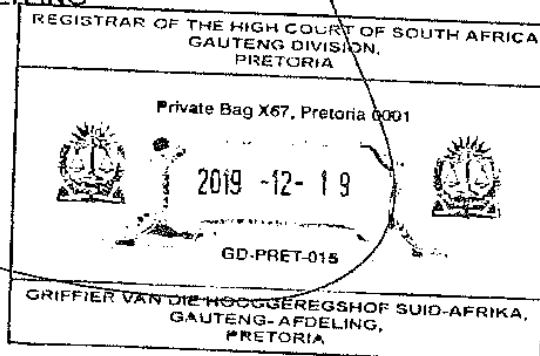
-2-

2. The matter to be postponed to a date determined by the Deputy Judge President subject to the following:
- a. Applicant to possibly file supplementary affidavit on or before 14 January 2020;
 - b. ESKOM's answering affidavit be filed on or before 24 January 2020;
 - c. Applicant to file replying affidavit on or before 3 February 2020;
 - d. Heads of Argument of the applicant be filed on or before 18 February 2020;
 - e. Heads of Argument of ESKOM be filed on or before 28 February 2020.
3. Costs are reserved.

BY THE COURT

REGISTRAR

HH
ATT: KRIEK WASSENAAR & VENTER INC



14 De Kock Street
Vryburg
8601
Docex 3
Tel: 053 927 3964/5/6
Fax: 053 927 1015
PO Box 123, Vryburg, 8601



X19

kotzélowswanepoel Inc.

Attorneys | Prokureurs

Incorporated with:

Venter, Booysen and Ferreira (VBF)

Vryburg • Schweizer Reneke • Groot Brakrivier

www.klsvryburg.co.za

SAKELIGA

Date: 2021-04-23
Our Ref: CAREL VAN HEERDEN
Your Ref:

Dear Sir

RE: VRYBURG NALEDI LOCAL MUNICIPALITY

We write this letter on the current state of affairs in Vryburg which town is managed by Naledi Municipality.

Unfortunately, Vryburg, like the rest of the towns in the North West Province was destroyed into a settlement where few or no services are rendered.

As residents of Vryburg we have to watch helplessly as our once beautiful town now looks like a rubbish dump.

Directors: AJ Swanepoel (B.Juris, LLB, Appraiser); Lebogang Lesley Makgoro (LLB, LLM);
HJ Swanepoel (B.Proc, Prof. Valuer); C van Heerden (B.Proc); M Ferreira (B. Proc);
P Venter (BLC, LLB, Appraiser);

Associates: K de Guisti (BLC, LLB); N van Aswegen (LLB); A Koorts (LLB)

Kotzé Low Swanepoel is a Level 4 BEE Contributor | Reg nr: 2001/005699/21 | VAT nr: 4920279835

phatshoanetenne

14 De Kock Street
 Vryburg
 8601
 Docex 3
 Tel: 053 927 3964/5/6
 Fax: 053 927 1015
 PO Box 123, Vryburg, 8601



kotzélowswanepoel Inc.

Attorneys | Prokureurs

Incorporated with

Venter, Booysen and Ferreira (VBF)

Vryburg • Schweizer Reneke • Groot Brakrivier

www.klsvryburg.co.za

Except that almost no street lights work, all tarred roads are full of potholes, the sewer runs in various places in the street, papers and rubbish fill the whole place.

We as businessmen are discouraged because we try to do business in a town where the management of the municipality is in no way interested in managing the town. The Naledi Municipality continues to stumble from one day to the next without proper leadership to take responsibility for the dire circumstances of Vryburg.

The Naledi Municipality is on its knees and it cannot go on like this. Drastic intervention and action are now needed. Our office supports any legitimate effort to make a difference and improve Vryburg.

Yours faithfully,

CAREL VAN HEERDEN

Directors: A.J. Swanepoel (B.Luris, LLB, Appraiser); Lebogang Lesley Mokgoro (LLB, LLM);
 H.J. Swanepoel (B.Proc, Prof. Valuer); C. van Heerden (B.Proc); M. Ferreira (B. Proc);
 P. Venter (BLC, LLB, Appraiser);

Associates: K. de Guisti (BLC, LLB); N. van Aswegen (LLB); A. Kooris (LLB)

Kotzé Low Swanepoel is a Level 4 BEE Contributor | Reg nr: 2001/005699/21 | VAT nr: 4920279835

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X20

IN THE HIGH COURT OF SOUTH AFRICA

(NORTH WEST DIVISION, MAHIKENG)

CASE NO.: _____/2021

In the application between:

SAKELIGA NPC

Applicant

and

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NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE,

HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS

1st Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL:

NORTH WEST PROVINCE: FINANCE

2nd Respondent

THE MINISTER: NATIONAL DEPARTMENT OF

COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

3rd Respondent

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SUPPORTING AFFIDAVIT

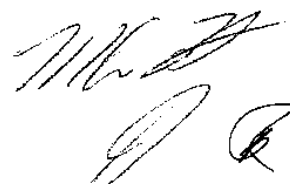
I, the undersigned,

MATTHYS CHRISTIAAN PRETORIUS

do hereby declare under oath as follows:



1. I am a major male businessman and estate agent residing at 32 Kamp Street, Vryburg, North West Province.
2. The contents of this affidavit fall within my personal knowledge and is both true and correct.
3. I am a permanent resident in the Naledi Local Municipality, which bears responsibility over the town of Vryburg, North West Province.
4. I have been residing in the town for more than 25 years. I own and manage various businesses in town, including the Era Real Estate agency as well as a business which conducts property maintenance. My estate agency focusses on the selling of immovable property. We also manage a substantial rental book which includes residential, commercial, retail, and industrial properties. I am also a farmer in the region.
5. Between my two companies I employ between 18 and 20 permanent and casual employees.
6. I have always enjoyed living and conducting business in Vryburg. Over the last 12 years however, it has become more and more difficult as a result of an ever-progressing collapse in municipal service delivery in the town. It is certainly no longer enjoyable living in Vryburg if one is to face the constant interruption in supply of water and electricity in the town, along with the increasing number of potholes and the waste management and sanitation issues suffered on an almost weekly basis. It is as a result of this collapse in municipal services that my family and I are currently considering moving our households and businesses to another province with the hope of building a more conducive and secure future.

A handwritten signature in black ink, appearing to be 'M. J. R.', located at the bottom right of the page.

7. Until about 6 – 7 years ago, the business community was to a large extent represented by a local chamber of commerce. As the collapse of municipal functions increased however, the focus of the chamber of commerce became progressively more directed at negotiating and pressuring the municipality to uphold basic service delivery standards. This task at some point became so overwhelming that none of the members of the chamber of commerce had the energy to serve in its leadership. The lack of feedback and cooperation from the municipality only resulted in disappointment and frustration amongst the members. An uncooperative and despondent municipality made it a fruitless exercise to try and improve the business climate and economy in Vryburg.

ELECTRICITY

8. The Naledi Local Municipality is severely in arrears with its liabilities towards Eskom SOC Limited. As far as I know the municipality as on 30 December 2019, owed Eskom the sum of R 290 000 000.00. The debt situation in this regard has not improved since as far as I know the municipality to date, owes Eskom roughly the sum of R 390 000 000.00.
9. The most dumbfounding part of the Eskom debt crisis is the fact that most of the districts and towns which fall under the management of the municipality, has been placed on prepaid meter systems and in the town of Vryburg every household and business is required to use prepaid electricity. The Vryburg township receives its electricity directly from Eskom SOC Ltd. There cannot therefore be any arrears on our household and commercial electricity accounts towards the municipality. The only explanation is that the municipality fails to pay

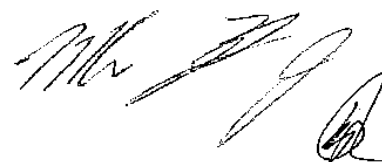
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over to Eskom what is due. Year on year, our debt with Eskom only grows (even though we as residents are required to pre-pay for our electricity use).

10. As a result of the municipality's debt, the community has suffered greatly due to attempts by Eskom to terminate the supply of electricity in response to the municipal debt owed to it. Most businesses in town who are able to afford it, make use of generators and solar power in order to remain open during loadshedding periods. Those businesses who are unable to afford private electricity generation, are unable to operate. All of our businesses however suffer due to the disruption, losses and additional expenses caused by the continued disruption in electricity supply.
11. A large group of citizens during or about 19 December 2019 decided to intervene in the dispute between the municipality and Eskom SOC Ltd in order to prevent the continued disruption of electricity supply of the town. An urgent application was brought in the Gauteng Division of the High Court, Pretoria under case number 93705/2019 in order to prevent the termination of bulk supply of electricity to the town. As far as I know, the case is still ongoing, at a great cost to the community.
12. During the month of February 2021 a transformer exploded in Vryburg which had the result that a large part of the town was without any electricity for more or less a week before the issue was attended to and fixed.

WATER

13. The municipality has neglected over time to regularly maintain and upgrade the water infrastructure of Vryburg. As a result of failures in the water delivery

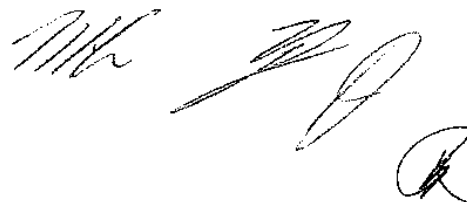
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systems of the town, households and businesses are often left without water for 2 to 7 days at a time. Most of the people I know who can afford it, have installed large water tanks on their property in order to manage the constant disruption suffered. I myself have water tanks installed on my property as a measure of precaution and I furthermore plan to transport borehole water from my farm back into town when the town is left with water again.

14. On the 2nd day of March 2021 a water pump exploded in Vryburg which left the town without water. The town was left without water for three (3) days before the problem was attended to and fixed.

SEWAGE

15. The municipality has on numerous occasions failed to adequately maintain and fix sewage issues in Vryburg. On one occasion, during 2020, there were continuous sewage leaks within the town's streets for days on end and the municipality was properly informed about the sewage issue however, the municipality neglected and/or refused to timeously attend to and repair the sewage issue and consequently private contractors had to be contacted by the community themselves to come to the town's aid after the sewage issue has persisted for more or less a week. This issue has occurred multiple times.
16. During the weeks of 22 February 2021 and 4 March 2021 raw sewage continuously flowed down De Kock Street, Vryburg. The smell was horrendous, and the municipality refused and/or failed to attend to this issue timeously and consequently this problem continued for two weeks before any action was taken by the municipality.

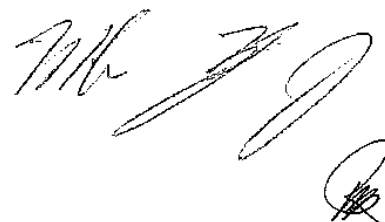
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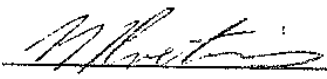
POTHOLES

17. The potholes in Vryburg are a serious issue and has worsen as a result of this years' heavy rains. The municipality has neglected and/or refused to attend to this issue, despite community demand, and consequently the community of Vryburg had to turn to Afriforum to come and repair the potholes within the town. I drive detours on a daily basis just to miss the damage-causing potholes on our town's main streets which do not get properly nor timeously repaired.

GENERAL MAINTENANCE OF THE TOWN

18. The municipality fails and/or refuses to remove the waste and refuse from the streets of Vryburg.
19. The grass on Vryburg's sidewalks is no longer being cut nor maintained by the municipality at all and consequently the residents have to cut and maintain these grasses themselves.
20. A large amount of Vryburg's streetlights no longer work and the municipality refuses and/or neglects to replace these streetlights with working ones.
21. The road signs in Vryburg are extremely dilapidated whilst the lines on the road are vague or non-existent and the municipality refuses and/or neglects to repaint, repaired and/or replaced them.
22. The general maintenance of Vryburg is extremely appalling and the refusal and/or failure of the municipality to deliver these basic services to the community of Vryburg is at a great cost to the community as clearly seen above.

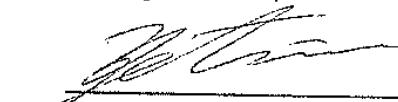
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MATTHYS CHRISTIAAN
PRETORIUS

I HEREBY CERTIFY THAT THE DEPONENT HAS ACKNOWLEDGED:

- (a) he knows and understands the contents of this affidavit;
- (b) he has no objection to taking an oath;
- (c) he considers the oath to be binding on his conscience.

THUS signed and sworn before me, at VRYSBURG on this the
18 day **MAY 2021**, the Regulations contained in Government Notice No. R1648 of
19 August 1977 (as amended) having been fully complied with.


COMMISSIONER OF OATHS

FULL NAMES:

BUSINESS ADDRESS:

DESIGNATION:

AREA / OFFICE:

Hermanus Jacobus Pretorius
Kommissaris van Ede
de Kockstraat 14 • VRYSBURG 9801
Praktiserende Prokureur R.S.A



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National Treasury: The state of local government finances and financial management reports

		Financial years ending June												
		2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	
Ditsobotla	Financial Distress				X	X			X	X		X		
	s139 Intervention				X	X			X	X				
Naledi	Financial Distress	X				X			X	X	X	X		
	s139 Intervention								X					



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Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

The state of local government finances and financial management as at 30 June 2011

Fourth Quarter of the 2010/11 financial year

Analysis Document

November 2011

Produced by:

Chief Directorate: Local Government Budget Analysis

CONTACT PERSON:

Jan Hattingh
Chief Director: Local Government Budget Analysis
Intergovernmental Relations
Tel.: (012) 315-5009, Fax: (012) 395 6553
E-mail: jan.hattingh@treasury.gov.za

The state of local government finances and financial management as at 30 June 2011

Cat. Code	Mun_Name	Muni Code	Financial Distress 2008/9	Financial Distress 2010/11	Audit Outcomes 2009/10	CFO vacant (October 2011)	MM vacant (October 2011)	s.139 Interventions (June 2011)	Siyanza Manje Support (July 2010)	MFIP Support (October 2011)
B	Mogalakwena	LIM367	YES	-	-				-	
B	Ephraim Mogale	LIM471	-	-	-				YES	
B	Elias Motsoaledi	LIM472	-	-	Disclaimer	Acting	Acting		-	YES
B	Makhuduthamaga	LIM473	-	-	Disclaimer		Acting		-	
B	Fetakgomo	LIM474	-	-	-				-	
B	Greater Tubatse	LIM475	-	-	Qualified		Acting		-	
B	Albert Luthuli	MP301	YES	-	-	Acting	Acting		-	YES
B	Msukaligwa	MP302	-	YES	-	Acting			-	YES
B	Mkhondo	MP303	-	-	-	Acting		Sec. 139(1)(b)	-	YES
B	Pitsoyale	MP304	-	YES	Disclaimer			Sec. 139(1)(b)	-	
B	Lekwa	MP305	-	YES	-	Acting	Acting	Sec. 139(1)(b)	-	YES
B	Dipaleseng	MP306	-	-	Disclaimer				-	YES
B	Victor Khanye	MP311	-	-	-		Acting		-	
B	Emakhazeni	MP314	-	-	-	Acting			-	
B	Thembisile	MP315	-	-	Disclaimer	Acting	Acting	Sec. 139(1)(b)	-	YES
B	Dr J.S. Moroka	MP316	-	-	Disclaimer	Acting	Acting		-	YES
B	Thaba Chweu	MP321	YES	YES	Disclaimer	Acting	Acting	Sec. 139(1)(b)	-	
B	Umjindi	MP323	YES	-	Disclaimer	Acting			-	YES
B	Nkomazi	MP324	-	YES	Qualified	Acting	Acting		-	YES
B	Bushbuckridge	MP325	YES	-	-		Acting		YES	YES
B	Moretele	NW371	YES	-	-				YES	YES
B	Kgetlengrivier	NW374	YES	-	-				-	
B	Moses Kotane	NW375	-	-	-			Sec. 139(1)(b)	-	
B	Ratlou	NW381	-	-	-		Acting		-	YES
B	Tswaing	NW382	-	-	-	Acting	Acting	Sec. 139(1)(b)	-	YES
B	Mafikeng	NW383	-	-	-	Acting	Acting	Sec. 139(1)(b)	-	YES
B	Ditsobotla	NW384	-	-	-	Acting			-	
B	Ramotshere Moiloa	NW385	-	-	Qualified		Acting		-	
B	Kagisano	NW391	YES	-	-		Acting		-	
B	Naledi (Nw)	NW392	-	YES	-		Acting		YES	
B	Mamusa	NW393	-	-	-	Acting			YES	
B	Greater Taung	NW394	-	-	Qualified	Acting	Acting		-	
B	Molopo	NW395	-	-	-				-	
B	Lekwa-Teemane	NW396	-	YES	Disclaimer				-	
B	Ventersdorp	NW401	YES	YES	-	Acting	Acting		YES	
B	Maquassi Hills	NW404	YES	-	-		Acting		-	
B	Moshaweng	NC451	-	-	-	Acting	Acting		-	
B	Ga-Segonyana	NC452	-	-	Disclaimer				-	
B	Gamagara	NC453	-	-	-		Acting		-	YES

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Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

The state of local government finances and financial management as at 30 June 2012

Fourth Quarter of the 2011/12 financial year

Analysis Document

October 2012

Produced by:

Chief Directorate: Local Government Budget Analysis

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Mun_Name	Mun_Code	Audit Outcome 2010/11	MFIP Advisors (Y/N)	MISA Support (Y/N)	Persistent Underspending - Capital Budget	Interventions (Y/N)	Financial Distress (Y/N)
Lekwa	MP305	Disclaimer	YES	-	-	Terminated	YES
Dipaleseng	MP306	Qualified	YES	YES	-	-	-
Victor Khanye	MP311	Financially unqualified with no findings	-	-	YES	-	-
Emakhazeni	MP314	Financially unqualified with findings	-	-	YES	-	-
Thembisile	MP315	Qualified	YES	YES	-	Terminated	-
Dr J.S. Moroka	MP316	Disclaimer	YES	YES	YES	-	-
Thaba Chweu	MP321	Audit not finalised at legislated date	YES	YES	-	Terminated	YES
Umjindi	MP323	Disclaimer	YES	-	-	-	-
Nkomazi	MP324	Financially unqualified with findings	YES	YES	-	-	YES
Bushbuckridge	MP325	Financially unqualified with findings	YES	YES	-	-	-
Moretele	NW371	Audit not finalised at legislated date	YES	YES	YES	-	-
Kgetlengrivier	NW374	Audit not finalised at legislated date	-	YES	YES	-	-
Moses Kotane	NW375	Audit not finalised at legislated date	-	-	YES	Terminated	YES
Ratlou	NW381	Financially unqualified with findings	YES	YES	-	-	-
Tswaing	NW382	Audit not finalised at legislated date	YES	YES	YES	Terminated	-
Mafikeng	NW383	Audit not finalised at legislated date	YES	-	YES	Terminated	YES
Ditsobotla	NW384	Audit not finalised at legislated date	-	-	YES	-	-
Ramotshere Moiloa	NW385	Audit not finalised at legislated date	-	-	YES	-	YES
Kagisano	NW391	Audit not finalised at legislated date	-	-	-	-	-
Naledi (Nw)	NW392	Disclaimer	-	YES	YES	-	-
Mamusa	NW393	Audit not finalised at legislated date	-	YES	-	-	YES



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National Treasury
REPUBLIC OF SOUTH AFRICA

The state of local government finances and financial management as at 30 June 2013

Fourth Quarter of the 2012/13 financial year

Analysis Document

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Produced by:

Chief Directorate: Local Government Budget Analysis

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The state of local government finances and financial management as at 30 June 2013

Cat	Mun. Name	Financial Distress 2012/13	Audit Outcomes 2011/12	Persistent Capital Underspending 2011-13	MM vacant (September 2013)	CFO vacant (September 2013)	S129 Interventions (June 2013)	MFIP Support (August 2013)	Persistent Distress
Local Municipalities	Moses Kotane	-	Qualified	YES	Permanent	Permanent	Terminated	0	1
	Polokwane	-	Financially unqualified with findings	-	Permanent	Permanent	0	0	0
	Tlokweng	-	Disclaimer	YES	Permanent	Permanent	Terminated	Yes	0
	Matleng	-	Disclaimer	YES	Permanent	Permanent	Terminated	Yes	1
	Orapa	YES	Disclaimer	YES	Permanent	Permanent	commence and in progress	0	1
	Phuthaditjhaba	-	Disclaimer	YES	Permanent	Acting	0	0	1
	Kagisano-Molopo	-	Disclaimer	-	Permanent	Acting	0	0	1
	Naledi (NW)	-	Disclaimer	-	Acting	Permanent	0	0	1
	Mamusa	-	Disclaimer	-	Permanent	Permanent	0	0	1
	Greater Taung	-	Disclaimer	YES	Acting	Acting	0	0	1
	Lekwa-Teemane	YES	Disclaimer	YES	Permanent	Permanent	0	0	3
	Ventersdorp	-	Disclaimer	YES	Permanent	Permanent	0	0	3
	Maquaseli Hills	YES	Disclaimer	-	Permanent	Acting	commence and in progress	0	2
	Joe Morolong	YES	Audit not finalised at legislated date	-	Permanent	Permanent	0	0	2
	Ga-Segonyana	YES	Disclaimer	-	Permanent	Permanent	0	0	1
	Gamagara	YES	Disclaimer	YES	Permanent	Permanent	0	0	2
	Richtersveld	YES	Financially unqualified with findings	YES	Permanent	Permanent	0	0	3
	Nama Khoi	YES	Audit not finalised at legislated date	YES	Permanent	Permanent	0	0	2
	Kamiesberg	YES	Audit not finalised at legislated date	-	Permanent	Permanent	0	Yes	2
	Hantam	-	Qualified	-	Permanent	Permanent	0	0	2
	Karoo Hoogland	-	Audit not finalised at legislated date	-	Acting	Permanent	0	0	1
	Khai-Ma	YES	Financially unqualified with findings	-	Acting	Permanent	0	0	2
	Ubuntu	YES	Qualified	-	Permanent	Permanent	0	0	2
	Umsobomvu	-	Financially unqualified with findings	YES	Permanent	Permanent	0	Yes	0
	Enthanjeni	-	Qualified	YES	Permanent	Permanent	0	0	1
	Kareeberg	-	Financially unqualified with findings	-	Permanent	Permanent	0	0	3
	Renosterberg	YES	Audit not finalised at legislated date	-	Acting	Acting	0	Yes	3
	Thembehlhe	YES	Disclaimer	-	Permanent	Acting	0	Yes	2
	Siyathemba	YES	Disclaimer	-	Acting	Acting	0	0	2
	Siyancuma	YES	Disclaimer	-	Permanent	Permanent	0	Yes	3
	Mor	-	Audit not finalised at legislated date	YES	Acting	Acting	0	0	1
	Kai Karib	-	Audit not finalised at legislated date	-	Permanent	Acting	0	0	2
	Khara Hais	-	Disclaimer	YES	Acting	Permanent	0	0	0
	Kheis	-	Disclaimer	-	Acting	Permanent	0	0	0
	Tsantsabane	-	Audit not finalised at legislated date	YES	Acting	Acting	0	0	2
	Kgalelopele	-	Audit not finalised at legislated date	YES	Permanent	Acting	0	Yes	0
	Dikgatlong	YES	Audit not finalised at legislated date	-	Permanent	Permanent	0	0	3
	Magareng	YES	Disclaimer	-	Permanent	Permanent	0	0	1
	Phokwane	-	Disclaimer	YES	Permanent	Permanent	0	0	0
	Mataikama	YES	Financially unqualified with findings	-	Permanent	Permanent	0	0	1
	Cederberg	YES	Audit not finalised at legislated date	-	Permanent	Permanent	0	0	1
	Bergvliet	-	Qualified	-	Permanent	Permanent	0	0	0
	Saldanha Bay	-	Financially unqualified with findings	YES	Permanent	Permanent	0	Yes	0
	Swartland	-	Financially unqualified with no findings	-	Permanent	Permanent	0	0	0
	Witzenberg	YES	Financially unqualified with findings	-	Permanent	Permanent	0	0	2

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REPUBLIC OF SOUTH AFRICA

The state of local government finances and financial management as at 30 June 2014

Fourth Quarter of the 2013/14 financial year

Analysis Document

CONTACT PERSON:

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The state of local government finances and financial management as at 30 June 2014

Consolidated audit outcomes, interventions, vacancies and distress list

Annexure B

Municipality Name	Mun_Code	Financial Distress 2013/14	Audit outcomes 2012/13	Persistent Capital Underperforming 2012-15	MM vacant	CFO vacancy	Section 139 Interventions June 2014	MFIP Support	Persistent Distress
Nelson Mandela Ekurhuleni Metro City Of	NMA	-	Qualified	-	Permanent	Acting			
Johannesburg City Of	JHB	-	Unqualified with findings	-	Permanent	Permanent			1
eThekweni	ETH	-	Unqualified with findings	-	Permanent	Permanent			
Cape Town	CPT	-	Unqualified with no findings	-	Permanent	Permanent			
Buffalo City	BUF	-	Qualified	Yes	Acting	Acting			
Mangaung	MAN	-	Qualified	Yes	Permanent	Permanent			2
Matshabeng	FS184	-	Disclaimer	-	Acting	Permanent			1
Emfuleni	GT421	Yes	Unqualified with findings	Yes	Permanent	Permanent			3
Mogale City	GT481	-	Unqualified with findings	-	Permanent	Permanent			1
Msunduzi	KZN225	-	Qualified	-	Permanent	Permanent		Yes	2
Newcastle	KZN252	-	Qualified	Yes	Permanent	Acting			
uMhlathuze	KZN282	-	Unqualified with no findings	Yes	Permanent	Permanent			
Polokwane	LIM354	-	Audit outstanding	-	Permanent	Permanent		Yes	2
Seven Mhaki	MP307	-	Qualified	Yes	Permanent	Permanent			2
Emalahleni (Mp)	MP312	Yes	Disclaimer	-	Acting	Permanent	Yes	Yes	4
Stewa Tshwete	MP313	-	Unqualified with no findings	Yes	Permanent	Permanent			
Mbombela	MP322	Yes	Unqualified with findings	Yes	Acting	Acting			2
Medibong	NW372	-	Qualified	-	Acting	Permanent			2
Rustenburg	NW373	-	Qualified	Yes	Acting	Permanent			
Tlokweng	NW402	-	Unqualified with findings	Yes	Permanent	Acting			
City Of Matlosana	NW403	-	Disclaimer	Yes	Permanent	Permanent	Yes	Yes	1
Sol Phatje	NC091	-	Qualified	Yes	Permanent	Permanent			
Drakenstein	WC023	-	Unqualified with findings	Yes	Permanent	Permanent			
Stellenbosch	WC024	-	Unqualified with findings	Yes	Permanent	Permanent			
George	WC044	-	Unqualified with no findings	-	Permanent	Permanent			
Camdeboo	EC101	-	Qualified	-	Permanent	Permanent			
Blue Crane Route	EC102	-	Qualified	-	Permanent	Permanent			
Ikwezi	EC103	Yes	Disclaimer	Yes	Acting	Permanent		Yes	3
Mekana	EC104	-	Audit outstanding	-	Acting	Acting			2
Ndlambe	EC105	Yes	Qualified	-	Permanent	Permanent			
Sundays River	EC106	-	Audit outstanding	Yes	Permanent	Permanent		Yes	1
Valley	EC107	-	Qualified	-	Permanent	Permanent		Yes	
Baviaans	EC108	Yes	Qualified	-	Permanent	Permanent			2
Kouga	EC109	-	Qualified	Yes	Permanent	Permanent		Yes	2
Kou-Kamma	EC121	-	Qualified	Yes	Acting	Permanent			
Mbashe	EC122	-	Qualified	Yes	Permanent	Permanent			2
Mquma	EC123	Yes	Adverse	Yes	Acting	Acting			1
Great Kei	EC124	Yes	Unqualified with findings	-	Permanent	Permanent			1
Amathlathi	EC125	-	Disclaimer	Yes	Permanent	Acting			
Ngqushwa	EC127	-	Qualified	-	Permanent	Acting		Yes	3
Nkomo	EC128	Yes	Qualified	-	Permanent	Permanent		Yes	1
Inxuba Yethemba	EC131	-	Disclaimer	-	Permanent	Acting			2
Tsolwana	EC132	-	Unqualified with findings	-	Permanent	Acting			
Inkwanza	EC133	-	Qualified	-	Permanent	Acting			1
Lukhuni	EC134	-	Disclaimer	Yes	Acting	Acting			1
Indaba Yethu	EC135	-	Adverse	-	Permanent	Permanent			1
Emalahleni (Ec)	EC136	-	Disclaimer	Yes	Permanent	Permanent		Yes	2
Engcobo	EC137	-	Unqualified with findings	Yes	Permanent	Permanent			1
Sakhisizwe	EC138	-	Qualified	-	Permanent	Permanent		Yes	
Elundini	EC141	-	Unqualified with findings	Yes	Permanent	Acting		Yes	1
Sensu	EC142	-	Unqualified with findings	-	Permanent	Permanent			
Motswagole	EC143	Yes	Qualified	Yes	Permanent	Permanent		Yes	4
Gariep	EC144	Yes	Adverse	-	Permanent	Permanent			2
Ngqusha Hills	EC153	-	Unqualified with findings	-	Permanent	Permanent			
Port St John	EC154	-	Qualified	-	Acting	Acting			1
Nyandeni	EC155	-	Unqualified with findings	-	Permanent	Permanent			
Mthondo	EC156	Yes	Adverse	Yes	Acting	Acting			2
King Sabata Dalindyebo	EC157	Yes	Disclaimer	-	Acting	Permanent			3
Matatiele	EC441	-	Unqualified with findings	Yes	Permanent	Permanent			2
Umtshabeni	EC442	Yes	Unqualified with findings	-	Permanent	Permanent			1
Mbizana	EC443	-	Adverse	-	Permanent	Permanent			
Nobankulu	EC444	-	Qualified	-	Acting	Permanent			2
Lafeni	FS181	-	Qualified	-	Permanent	Permanent		Yes	3
Kopontong	FS182	-	Qualified	-	Permanent	Permanent		Yes	2
Mohokare	FS183	-	Qualified	-	Permanent	Permanent		Yes	2
Naledi (Fe)	FS184	Yes	Disclaimer	Yes	Permanent	Permanent		Yes	3
Masilanyana	FS185	Yes	Qualified	-	Permanent	Permanent		Yes	3
Tokologo	FS186	-	Qualified	-	Permanent	Permanent		Yes	1
Tswelopele	FS187	Yes	Unqualified with findings	Yes	Permanent	Permanent		Yes	2
Nala	FS188	-	Qualified	-	Permanent	Permanent		Yes	2
Selato	FS189	-	Qualified	-	Acting	Permanent			
Ditlhabeng	FS192	-	Unqualified with findings	-	Permanent	Permanent		Yes	2
Nkomo	FS193	Yes	Unqualified with findings	Yes	Permanent	Permanent		Yes	3
Maitlala-Phofung	FS194	Yes	Disclaimer	Yes	Permanent	Permanent		Yes	3
Phumelela	FS195	-	Disclaimer	-	Permanent	Permanent			
Mantop	FS196	-	Disclaimer	-	Permanent	Permanent			2
Mogheka	FS201	-	Disclaimer	-	Permanent	Permanent		Yes	1
Ngwaliso	FS203	-	Disclaimer	Yes	Permanent	Acting		Yes	4
Metsimholo	FS204	Yes	Qualified	Yes	Permanent	Permanent		Yes	2
Merabe	FS205	Yes	Disclaimer	-	Permanent	Permanent			1
Midval	GT422	-	Unqualified with findings	-	Permanent	Permanent			3
Laesol	GT423	Yes	Unqualified with findings	Yes	Permanent	Permanent			3
Randfontein	GT482	Yes	Qualified	Yes	Acting	Acting			1
Westonara	GT483	-	Qualified	-	Permanent	Permanent			3
Merabong City	GT484	-	Unqualified with findings	-	Acting	Permanent			1
Vutamaso	KZN211	Yes	Disclaimer	Yes	Permanent	Permanent		Yes	2
Umdoni	KZN212	Yes	Unqualified with findings	Yes	Permanent	Permanent			3
Umtshabeni	KZN213	-	Unqualified with findings	-	Permanent	Permanent			
uMuziwabantu	KZN214	-	Unqualified with findings	Yes	Permanent	Permanent			3
Ezinqolweni	KZN215	-	Unqualified with findings	-	Permanent	Permanent			
Hlabisa Coast	KZN216	-	Unqualified with findings	-	Permanent	Permanent			
uMshwathi	KZN221	Yes	Unqualified with findings	Yes	Acting	Permanent			4
uMngeni	KZN222	Yes	Unqualified with findings	-	Acting	Acting			4

The state of local government finances and financial management as at 30 June 2014

Phokwane	NC094	-	Disclaimer	-	Permanent	Permanent	
Joe Morolong	NC451	-	Disclaimer	-	Permanent	Permanent	
Ga-Segonyana	NC452	-	Disclaimer	Yes	Permanent	Permanent	
Gamagara	NC453	Yes	Qualified	Yes	Permanent	Permanent	
Morelele	NW371	Yes	Disclaimer	-	Permanent	Permanent	Yes
Kgetlengrivier	NW374	Yes	Disclaimer	-	Acting	Permanent	
Moses Kolane	NW375	-	Unqualified with findings	-	Permanent	Permanent	
Ratlou	NW381	-	Qualified	Yes	Permanent	Permanent	Yes
Taweng	NW382	-	Disclaimer	-	Permanent	Acting	Yes
Mafikeng	NW383	-	Disclaimer	Yes	Permanent	Permanent	Yes
Ditsobola	NW384	Yes	Disclaimer	Yes	Acting	Permanent	
Remotshere Molloa	NW385	Yes	Disclaimer	Yes	Permanent	Permanent	
Kagisano-Molopo	NW387	-	Disclaimer	-	Permanent	Acting	
Naledi (NW)	NW392	Yes	Unqualified with findings	-	Permanent	Permanent	
Mamusa	NW393	Yes	Disclaimer	-	Permanent	Permanent	
Greater Taung	NW394	-	Disclaimer	-	Permanent	Permanent	
Lekwa-Tsemane	NW396	Yes	Disclaimer	Yes	Acting	Acting	Yes
Ventersdorp	NW401	-	Disclaimer	Yes	Permanent	Permanent	
Maquassi Hills	NW404	Yes	Disclaimer	Yes	Permanent	Permanent	Terminated
Matzikama	WC011	-	Unqualified with findings	-	Acting	Permanent	
Caderberg	WC012	Yes	Unqualified with findings	-	Permanent	Permanent	
Bengrivier	WC013	-	Unqualified with findings	-	Permanent	Permanent	
Saldanha Bay	WC014	-	Unqualified with findings	Yes	Permanent	Permanent	Yes
Swartland	WC015	-	qualified with no finding	-	Permanent	Permanent	
Witzenberg	WC022	-	qualified with no finding	-	Permanent	Permanent	
Breda Valley	WC025	-	qualified with no finding	-	Permanent	Permanent	
Langenberg	WC026	-	qualified with no finding	-	Permanent	Permanent	
Theewaterskloof	WC031	-	qualified with no finding	-	Permanent	Permanent	
Overstrand	WC032	-	qualified with no finding	-	Permanent	Permanent	
Cape Agulhas	WC033	-	Unqualified with findings	-	Permanent	Permanent	
Swellendam	WC034	Yes	Unqualified with findings	-	Permanent	Permanent	
Kannaland	WC041	Yes	Adverse	-	Permanent	Permanent	
Hessouak	WC042	-	Unqualified with findings	Yes	Permanent	Permanent	
Mossel Bay	WC043	-	qualified with no finding	-	Permanent	Permanent	
Oudtshoorn	WC045	-	Unqualified with findings	-	Acting	Acting	Yes
Bitou	WC047	-	Unqualified with findings	-	Permanent	Permanent	
Knyana	WC048	-	qualified with no finding	-	Permanent	Permanent	
Laingsburg	WC051	-	Unqualified with findings	Yes	Permanent	Permanent	Yes
Prince Albert	WC052	-	Unqualified with findings	-	Permanent	Permanent	Yes
Beaufort West	WC053	-	Unqualified with findings	Yes	Permanent	Acting	
Cacadu	DC10	-	Unqualified with findings	Yes	Permanent	Permanent	
Amathole	DC12	-	Unqualified with findings	Yes	Permanent	Permanent	
Chris Hani	DC13	-	Qualified	-	Permanent	Acting	
Joe Gqabi	DC14	Yes	Unqualified with findings	-	Permanent	Permanent	Yes
O. R. Tambo	DC15	-	Disclaimer	-	Permanent	Permanent	
Alfred Nzo	DC44	Yes	Disclaimer	Yes	Permanent	Permanent	Yes
Phanip	DC16	Yes	Qualified	Yes	Permanent	Permanent	
Lejweleputswa	DC18	-	Unqualified with findings	-	Permanent	Permanent	
Thabo		Yes					
Mofutsanyana	DC19	-	Unqualified with findings	Yes	Permanent	Permanent	
Faerie Dabi	DC20	-	Unqualified with findings	Yes	Permanent	Permanent	
Seelberg	DC42	-	qualified with no finding	-	Permanent	Permanent	
West Rand	DC48	-	Unqualified with findings	-	Permanent	Acting	
Ugu	DC21	-	Disclaimer	-	Permanent	Permanent	Yes
uMgungundlovu	DC22	-	Unqualified with findings	-	Acting	Acting	Yes
Uthukela	DC23	-	Disclaimer	-	Permanent	Permanent	
Umtshatzi	DC24	Yes	Unqualified with findings	-	Permanent	Permanent	
Amajuba	DC25	Yes	Unqualified with findings	-	Permanent	Permanent	
Zululani	DC26	-	Unqualified with findings	-	Permanent	Permanent	Yes
Umkhanyakude	DC27	-	Qualified	-	Permanent	Permanent	
uThungulu	DC28	-	qualified with no finding	Yes	Permanent	Permanent	Yes
iLembe	DC29	-	Unqualified with findings	-	Acting	Permanent	Yes
Sisonke	DC43	-	Unqualified with findings	-	Permanent	Permanent	
Mopani	DC33	Yes	Audit outstanding	Yes	Permanent	Acting	
Vhembe	DC34	-	Disclaimer	Yes	Permanent	Permanent	
Capricorn	DC35	-	Qualified	Yes	Permanent	Permanent	
Waterberg	DC36	-	Qualified	Yes	Permanent	Permanent	
Greater							
Sekhukhune	DC47	-	Audit outstanding	Yes	Permanent	Permanent	Yes
Gert Sibande	DC30	-	Unqualified with findings	-	Permanent	Permanent	
Nkangala	DC31	-	Unqualified with findings	Yes	Permanent	Permanent	
Ehlanzeni	DC32	-	qualified with no finding	-	Permanent	Permanent	
Bojana's Platinum	DC37	-	Unqualified with findings	-	Permanent	Permanent	
Ngaka Modiri	DC38	-					contesting the
Molema			Disclaimer	-	Permanent	Permanent	intervention
Mompoti	DC39	-	Qualified	-	Permanent	Permanent	
Dr Kenneth Kaunda	DC49	-	Unqualified with findings	Yes	Permanent	Permanent	
John Taolo							
Gaetswe	DC45	-	Qualified	-	Permanent	Permanent	
Namakwa	DC6	-	Qualified	Yes	Permanent	Permanent	
Pitsoy Ke Seme	DC7	Yes	Qualified	-	Permanent	Permanent	
Siyanda	DC8	-	qualified with no finding	-	Permanent	Permanent	
Frances Baard	DC9	-	Unqualified with findings	Yes	Permanent	Acting	
West Coast	DC1	-	qualified with no finding	-	Permanent	Permanent	
Cape Winelands							
DM	DC2	-	Unqualified with findings	Yes	Permanent	Permanent	
Overberg	DC3	-	Unqualified with findings	Yes	Permanent	Permanent	Yes
Eden	DC4	-	Unqualified with findings	-	Permanent	Permanent	
Central Karoo	DC5	-	Unqualified with findings	-	Permanent	Acting	Yes



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The state of local government finances and financial management as at 30 June 2016

Fourth quarter of the 2015/16 financial year

Analysis Document

CONTACT PERSON:

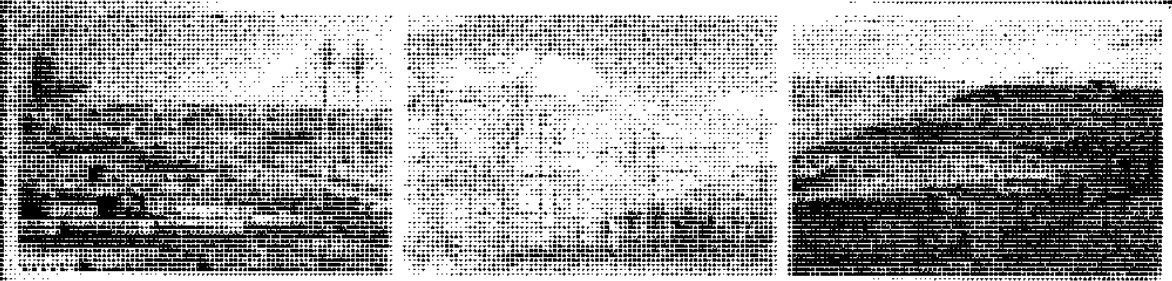
Jan Hattingh
Chief Director: Local Government Budget Analysis
Intergovernmental Relations
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A handwritten signature in black ink, appearing to be 'J. Hattingh', located in the bottom right corner of the page.

The state of local government finances and financial management as at 30 June 2016

Annexure B: Consolidated audit outcome, interventions, vacancies and distress list										
Category	Municipality Name	Muni Code	Financial Distress 2015/16	Audit Outcome 2013/14	Persistent Capital Undertapping 2013-15	MM vacancy	CFO vacancy	Section 139 Interventions August 2016	MFIP Support	Persistent Distress
B2	Maruleng	LM335	-	Qualified	-	Acting	Permanent			0
B2	Musina	LM341	YES	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			3
B2	Mutale	LM342	-	Qualified	-	Permanent	Permanent			2
B2	Thulamela	LM343	-	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent		Yes	0
B2	Makhado	LM344	-	Qualified	-	Permanent	Permanent		Yes	0
B2	Stuurborg	LM351	-	Qualified	YES	Acting	Acting		Yes	0
B2	Aganang	LM352	-	Qualified	YES	Permanent	Permanent			0
B2	Molemole	LM353	-	Unqualified - Emphasis of Matter Items	YES	Permanent	Permanent		Yes	1
B2	Lepelle-kumpi	LM355	-	Qualified	YES	Acting	Permanent			0
B2	Thabazimbi	LA361	YES	Disclaimer of opinion	-	Acting	Acting	Yes		4
B2	Lophatle	LM362	-	Unqualified - Emphasis of Matter Items	-	Permanent	Acting			0
B2	Mookgopong	LM364	-	Qualified	-	Permanent	Permanent			3
B2	Motimotie	LM385	YES	Qualified	YES	Permanent	Permanent		Yes	3
B2	Bela Bela	LM386	YES	Unqualified - Emphasis of Matter Items	YES	Permanent	Acting			2
B2	Mogalakwena	LM367	-	Disclaimer of opinion	-	Acting	Acting			2
B2	Ephraim Mogale	LM471	-	Disclaimer of opinion	YES	Permanent	Permanent			0
B2	Elias Metsedisi	LM472	-	Qualified	-	Permanent	Permanent			0
B2	Mankwadi-Namaga	LM473	-	Unqualified - Emphasis of Matter Items	YES	Permanent	Permanent			1
B2	Fetakgomo	LM474	-	Qualified	-	Permanent	Permanent			3
B2	Greater Tzabane	LM475	YES	Disclaimer of opinion	-	Permanent	Permanent			1
B2	Albert Luthuli	MP301	-	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			0
B2	Musikigwa	MP302	YES	Disclaimer of opinion	-	Permanent	Permanent			5
B2	Mkhondo	MP303	YES	Qualified	-	Permanent	Permanent		Yes	1
B2	Pitsoy Ka Same (Mp)	MP304	-	Unqualified - Emphasis of Matter Items	-	Permanent	Acting			1
B2	Lekwa	MP305	YES	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			4
B2	Dipaleseng	MP306	-	Unqualified - Emphasis of Matter Items	-	Acting	Permanent			2
B2	Victor Khanye	MP311	-	Qualified	-	Permanent	Acting			0
B2	Emakhazeni	MP314	-	Disclaimer of opinion	-	Permanent	Permanent		Yes	0
B2	Thembisile Hani	MP315	-	Qualified	-	Permanent	Permanent		Yes	0
B2	Dr JS Moroka	MP316	YES	Qualified	-	Permanent	Acting			1
B2	Thabo Chweu	MP321	YES	Disclaimer of opinion	-	Acting	Acting			6
B2	Umgindi	MP323	-	Unqualified - Emphasis of Matter Items	-	Permanent	Acting			0
B2	Nkomazi	MP324	YES	Unqualified - Emphasis of Matter Items	-	Permanent	Acting			5
B2	Bushbuckridge	MP325	YES	Qualified	-	Permanent	Permanent			1
B2	Moretele	NW371	-	Qualified	-	Permanent	Permanent			1
B2	Kgetlengrivier	NW374	YES	Qualified	-	Acting	Acting			3
B2	Moses Kotane	NW375	-	Qualified	-	Acting	Permanent			2
B2	Redio	NW381	-	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			0
B2	Tswaing	NW382	YES	Disclaimer of opinion	-	Acting	Acting	Yes		1
B2	Mahikeng	NW383	-	Disclaimer of opinion	YES	Acting	Acting	Yes	Yes	2
B2	Ditsobotla	NW384	YES	Disclaimer of opinion	YES	Acting	Acting	Yes		3
B2	Ramotshete Mooloa	NW385	YES	Unqualified - Emphasis of Matter Items	-	Acting	Acting			4
B2	Kagiso-Molopo	NW397	-	Qualified	-	Permanent	Acting			1
B2	Naledi (NW)	NW392	YES	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			3
B2	Mamusu	NW393	YES	Disclaimer of opinion	-	Permanent	Permanent			5
B2	Greater Tzane	NW394	YES	Qualified	-	Permanent	Permanent			3
B2	Lekwa-Tororane	NW396	YES	Qualified	YES	Permanent	Acting	Yes	Yes	5
B2	Venterkop	NW401	YES	Disclaimer of opinion	YES	Acting	Acting	Yes		4
B2	Maquassi Hills	NW404	YES	Qualified	-	Permanent	Acting		Yes	2
B2	Joe Morolong	NC451	-	Qualified	-	Permanent	Permanent			2
B2	Ga-Segonyana	NC452	YES	Disclaimer of opinion	-	Permanent	Acting			1
B2	Gamagara	NC453	YES	Qualified	YES	Permanent	Permanent			4
B2	Richtersveld	NC061	YES	Qualified	YES	Acting	Permanent			3
B2	Nama Khoi	NC062	-	Qualified	YES	Acting	Acting			2
B2	Kamiesberg	NC064	YES	Qualified	-	Permanent	Permanent		Yes	4
B2	Harties	NC065	YES	Qualified	-	Acting	Acting			4
B2	Karoo Hoogland	NC066	YES	Qualified	-	Permanent	Acting			4
B2	Khal-va	NC067	YES	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			4
B2	Ubundu	NC071	YES	Qualified	-	Acting	Vacant			4
B2	Umsobomvi	NC072	-	Unqualified - Emphasis of Matter Items	YES	Permanent	Permanent		Yes	1
B2	Enfranchised	NC073	-	Unqualified - Emphasis of Matter Items	YES	Permanent	Permanent			0
B2	Kareeberg	NC074	-	Unqualified - Emphasis of Matter Items	-	Permanent	Permanent			3
B2	Rensosterberg	NC075	-	Outstanding	-	Acting	Acting			1
B2	Thembelile	NC076	-	Qualified	-	Permanent	Permanent		Yes	2
B2	Siyathamba	NC077	YES	Disclaimer of opinion	-	Acting	Permanent			2
B2	Siyancuma	NC078	-	Qualified	-	Permanent	Acting		Yes	3
B2	Mier	NC081	YES	Qualified	-	Acting	Acting			4
B2	Kal-Garib	NC082	-	Qualified	-	Acting	Permanent			2
B2	WKhara-Hais	NC083	-	Unqualified - Emphasis of Matter Items	YES	Permanent	Permanent			2
B2	Klein	NC084	-	Qualified	-	Permanent	Permanent			1

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THE STATE OF LOCAL GOVERNMENT - FINANCIAL AND FISCAL MANAGEMENT

Consolidated audit outcomes, interventions, vacancies and distress list

Category	Municipality Name	Muni. Code	Financial Distress 2016/17	Audit Outcome 2015/16	Persistent Capital (Underpending 2015/17)	MA vacancy	CEO vacancy	Sections 135 Interventions (March 2017)	MEP Support	Persistent Distress
B2	Disibotla	NW384	YES	Qualified	-	Acting	Permanent			4
B2	Ramotshere Moiloa	NW385	-	Qualified	-	Acting	Acting			4
B2	Tswaing	NW382	-	Qualified	-	Acting	Acting			1
B2	Ratlou	NW381	-	Qualified	-	Permanent	Permanent			0
B2	Lekwa-Teemane	NW396	YES	Disclaimer of opinion	YES	Acting	Acting		Yes	6
B2	Mamusa	NW393	-	Disclaimer of opinion	-	Acting	Acting			5
B2	Naledi (Nw)	NW392	YES	Unqualified with findings	-	Acting	Acting			4
B2	Greater Taung	NW394	YES	Qualified	-	Permanent	Permanent			4
B2	Kagisano-Molopo	NW397	-	Unqualified with findings	YES	Permanent	Acting			1
B2	Maquassi Hills	NW404	YES	Qualified	-	Permanent	Acting		Yes	3
B2	Saldanha Bay	WC014	-	Unqualified - No findings	YES	Permanent	Permanent			0
B2	Bergvliet	WC013	-	Unqualified - No findings	-	Permanent	Permanent			0
B2	Cederberg	WC012	-	Unqualified with findings	YES	Acting	Permanent			2

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**THE STATE OF LOCAL GOVERNMENT
FINANCES AND FINANCIAL MANAGEMENT
AS AT 30 JUNE 2018**

REPORT OF THE NATIONAL TREASURY

2018/19



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ANNEXURE A

Category	Municipality Name	Muni. Code	Financial Distress 2017/18	Audit Outcome 2017/18	Persistent Capital Underspending 2016/17	MM Vacancy	Section 139 Interventions March 2017	MEP Support	Persistent Distress
B2	Butha Buthe	MP325	-	Qualified	-	Permanent	Acting	-	2
B2	Nkomazi	MP324	-	Unqualified - With findings	YES	Permanent	Permanent	-	2
B2	Ga-Segonyana	NC452	-	Qualified	-	Permanent	Permanent	-	3
B2	Gamagara	NC453	-	Disclaimer of opinion	YES	Permanent	Acting	-	2
B2	Joe Morolong	NC451	YES	Disclaimer of opinion	-	Permanent	Acting	-	2
B2	Hantam	NC065	YES	Qualified	-	Permanent	Permanent	-	3
B2	Kamiesberg	NC064	YES	Qualified	-	Permanent	Acting	Yes	4
B2	Karoo Hoogland	NC066	YES	Unqualified - With findings	-	Permanent	Permanent	-	4
B2	Kha-Ma	NC067	YES	Qualified	-	Permanent	Permanent	-	4
B2	Nama Khoi	NC062	YES	Qualified	-	Permanent	Acting	-	2
B2	Richtersveld	NC061	YES	Qualified	-	Acting	Permanent	-	4
B2	Emthanjeni	NC073	-	Unqualified - With findings	YES	Permanent	Permanent	-	2
B2	Kareeberg	NC074	-	Unqualified - With findings	-	Permanent	Permanent	-	0
B2	Rensosterberg	NC075	-	Outstanding	-	Acting	Acting	-	2
B2	Syancuma	NC078	YES	Unqualified - With findings	-	Acting	Permanent	Yes	3
B2	Syathemba	NC077	-	Outstanding	YES	Permanent	Permanent	-	4
B2	Thembelive	NC076	YES	Qualified	-	Permanent	Permanent	Yes	3
B7	Uburu	NC071	YES	Qualified	YES	Acting	Permanent	-	3
B2	Umsobomvu	NC072	YES	Unqualified - With findings	YES	Permanent	Permanent	Yes	2
B2	David Kruiper	NC087	-	Unqualified - With findings	-	Permanent	Permanent	-	1
B2	Kall Garib	NC082	YES	Qualified	-	Acting	Acting	-	1
B2	Kheis	NC084	YES	Disclaimer of opinion	YES	Acting	Acting	-	3
B2	Kpatelopele	NC086	-	Disclaimer of opinion	-	Permanent	Permanent	Yes	1
B2	Tantsabane	NC085	-	Outstanding	-	Acting	Acting	-	4
B2	Dikgatlong	NC092	YES	Outstanding	YES	Permanent	Permanent	-	2
B2	Magareng	NC093	YES	Qualified	-	Permanent	Permanent	-	4
B2	Phokwane	NC094	-	Outstanding	-	Acting	Acting	-	1
B2	Kgetlengrivier	NW374	YES	Disclaimer of opinion	-	Permanent	Permanent	Yes	5
B2	Moretele	NW371	YES	Qualified	-	Permanent	Acting	-	2
B2	Moses Kotane	NW375	YES	Disclaimer of opinion	YES	Permanent	Acting	-	1
B2	Mafikeng	NW383	YES	Disclaimer of opinion	-	Acting	Acting	Yes	2
B2	Ditsobotla	NW384	-	Disclaimer of opinion	-	Permanent	Acting	Yes	5

The role of municipalities in financial and human development

Category	Municipality Name	Muni Code	Financial Distress 2017/18	Audit Outcome 2017/18	Persistent Capital Under-spending 2016-18	MVA Vacancy	GFO Vacancy	Section 139 Interventions March 2017	MJP Support	Persistent Distress
B2	Ramothshane Molloa	NW385	YES	Disclaimer of opinion	-	Acting	Acting	Yes		3
B2	Tswaing	NW382	YES	Qualified	-	Permanent	Permanent			1
B2	Barlou	NW381	-	Qualified	-	Permanent	Acting			1
B2	Lekwa-Tsemane	NW396	YES	Disclaimer of opinion	-	Permanent	Acting		Yes	3
B2	Mamusa	NW393	YES	Disclaimer of opinion	-	Permanent	Permanent			4
B2	Naledi (NW)	NW392	YES	Disclaimer of opinion	-	Permanent	Permanent	Yes		4
B2	Greater Tsaung	NW394	-	Qualified	YES	Permanent	Acting			2
B2	Kagisano-Molopo	NW397	-	Disclaimer of opinion	YES	Permanent	Acting	Yes		1
B2	Marquassi Hills	NW404	-	Disclaimer of opinion	-	Acting	Acting	Yes	Yes	4
B2	Saldanha Bay	WC014	-	Unqualified - With findings	YES	Permanent	Permanent			0
B2	Bergvliet	WC013	-	Unqualified - No findings	-	Permanent	Permanent			0
B2	Cederberg	WC012	YES	Unqualified - No findings	YES	Permanent	Permanent			3
B2	Matzikama	WC011	YES	Unqualified - No findings	-	Permanent	Permanent			0
B2	Swartland	WC015	-	Unqualified - With findings	-	Permanent	Permanent			0
B2	Breede Valley	WC025	-	Unqualified - No findings	YES	Permanent	Permanent			0
B2	Langeberg	WC026	-	Unqualified - With findings	-	Permanent	Permanent			0
B2	Witzenberg	WC022	-	Unqualified - No findings	-	Permanent	Permanent			1
B2	Overstrand	WC032	-	Unqualified - No findings	-	Permanent	Permanent			0
B2	Cape Agulhas	WC033	-	Unqualified - No findings	-	Permanent	Permanent			0
B2	Swellendam	WC034	-	Unqualified - No findings	YES	Permanent	Permanent			1
B2	Theewaterskloof	WC031	YES	Unqualified - With findings	YES	Permanent	Permanent			0
B2	Krysta	WC048	-	Unqualified - With findings	YES	Acting	Permanent			1
B2	Mossel Bay	WC013	-	Unqualified - With findings	-	Permanent	Permanent			0
B2	Oudshoorn	WC045	-	Qualified	YES	Permanent	Permanent		Yes	1
B2	Bitou	WC047	-	Unqualified - With findings	-	Permanent	Permanent			1
B2	Hessequa	WC047	-	Unqualified - No findings	YES	Permanent	Permanent			0
B2	Karrieland	WC041	-	Outstanding	YES	Permanent	Acting	Yes		3
B2	Beaufort West	WC053	-	Qualified	-	Permanent	Permanent		Yes	2
B2	Langsburg	WC051	YES	Outstanding	YES	Acting	Permanent			1
B2	Prince Albert	WC052	-	Unqualified - With findings	-	Acting	Permanent			1
B2	Sarah Baartman	DC10	-	Unqualified - With findings	-	Permanent	Permanent			1
B2	Amathole	DC12	-	Qualified	-	Permanent	Permanent			2

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THE STATE OF LOCAL GOVERNMENT FINANCES AND FINANCIAL MANAGEMENT AS AT 30 JUNE 2019

Audit Outcomes of the 2018/19 financial year
Analysis Document



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The State Of Local Government Finances and Financial Management - As at 30 June 2019

ANNEXURE A1

PROVINCE	CAT	DEMARCATION DESCRIPTION	DEMARCO CODE	DISTRICT	FINANCIAL DISTRESS	AUDIT OUTCOMES	MM VACANCY	CFO VACANCY
Limpopo	C	Waterberg	DC36	Waterberg	-	Unqualified - With findings	Permanent	Permanent
Limpopo	B	Bias Motsoaledi	LIM472	Sekhukhune	Financial Distress	Qualified	Permanent	Permanent
Limpopo	B	Ephraim Mogale	LIM471	Sekhukhune	-	Qualified	Permanent	Permanent
Limpopo	B	Makhuduthamaga	LIM473	Sekhukhune	Financial Distress	Unqualified - With findings	Permanent	Permanent
Limpopo	B	Tubatse Fetakgomo	LIM476	Sekhukhune	Financial Distress	Qualified	Permanent	Permanent
Limpopo	C	Sekhukhune	DC47	Sekhukhune	Financial Distress	Qualified	Permanent	Permanent
Mpumalanga	B	Albert Luthuli	MP301	Gert Sibande	-	Unqualified - With findings	Permanent	Permanent
Mpumalanga	B	Dipaleseng	MP306	Gert Sibande	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Mpumalanga	B	Govan Mbeki	MP307	Gert Sibande	Financial Distress	Outstanding	Permanent	Permanent
Mpumalanga	B	Lekwa	MP305	Gert Sibande	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Mpumalanga	B	Mkhondo	MP303	Gert Sibande	Financial Distress	Qualified	Permanent	Permanent
Mpumalanga	B	Musukaligwa	MP302	Gert Sibande	Financial Distress	Adverse opinion	Permanent	Permanent
Mpumalanga	B	Pitsofane Seme (MP)	MP304	Gert Sibande	-	Disclaimer of opinion	Permanent	Permanent
Mpumalanga	C	Gert Sibande	DC30	Gert Sibande	-	Unqualified - No findings	Permanent	Permanent
Mpumalanga	B	Dr J.S. Moroka	MP316	Nkangala	Financial Distress	Outstanding	Permanent	Permanent
Mpumalanga	B	Enakhazeni	MP314	Nkangala	Financial Distress	Adverse opinion	Permanent	Permanent
Mpumalanga	B	Enalahleni (MP)	MP312	Nkangala	Financial Distress	Qualified	Permanent	Permanent
Mpumalanga	B	Steve Tshwete	MP313	Nkangala	-	Unqualified - With findings	Permanent	Permanent
Mpumalanga	B	Themba Molema	MP315	Nkangala	-	Qualified	Permanent	Permanent
Mpumalanga	B	Victor Khanye	MP311	Nkangala	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Mpumalanga	C	Nkangala	DC31	Nkangala	-	Unqualified - No findings	Permanent	Permanent
Mpumalanga	B	Bushbuckridge	MP325	Ehlanzeni	Financial Distress	Unqualified - With findings	Permanent	Permanent
Mpumalanga	B	City of Mbombela	MP326	Ehlanzeni	Financial Distress	Qualified	Permanent	Permanent
Mpumalanga	B	Nkomazi	MP324	Ehlanzeni	-	Unqualified - With findings	Permanent	Permanent
Mpumalanga	B	Thaba Chweu	MP321	Ehlanzeni	Financial Distress	Qualified	Permanent	Permanent
Mpumalanga	C	Ehlanzeni	DC32	Ehlanzeni	-	Unqualified - With findings	Permanent	Permanent
North West	B	Kgetlengrivier	NW374	Bojanala Platinum	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Madibeng	NW372	Bojanala Platinum	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Moretele	NW371	Bojanala Platinum	Financial Distress	Qualified	Permanent	Permanent
North West	B	Moses Kotane	NW375	Bojanala Platinum	Financial Distress	Qualified	Permanent	Permanent
North West	B	Rustenburg	NW373	Bojanala Platinum	Financial Distress	Qualified	Permanent	Permanent
North West	C	Bojanala Platinum	DC37	Bojanala Platinum	Financial Distress	Outstanding	Permanent	Permanent
North West	B	Ditsobotla	NW384	Ngaka Modiri Molema	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Mafikeng	NW383	Ngaka Modiri Molema	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Ramotshere Moiloa	NW385	Ngaka Modiri Molema	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Ratlou	NW381	Ngaka Modiri Molema	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	Tswaing	NW382	Ngaka Modiri Molema	Financial Distress	Qualified	Permanent	Permanent
North West	C	Ngaka Modiri Molema	DC38	Ngaka Modiri Molema	-	Outstanding	Permanent	Permanent
North West	B	Greater Taung	NW394	Dr Ruth Segomotsi Mompati	-	Outstanding	Permanent	Permanent
North West	B	Kagisano-Molopo	NW397	Dr Ruth Segomotsi Mompati	Financial Distress	Qualified	Permanent	Permanent
North West	B	Lekwa-Teemane	NW396	Dr Ruth Segomotsi Mompati	Financial Distress	Disclaimer of opinion	Permanent	Permanent

The State Of Local Government Finances and Financial Management - As at 30 June 2019

ANNEXURE A1

PROVINCE	CAT	DEMARCATION DESCRIPTION	DEMARCO CODE	DISTRICT	FINANCIAL DISTRESS	AUDIT OUTCOMES	MM VACANCY	CFO VACANCY
North West	B	Mamusa	NW393	Dr Ruth Segomotsi Mompati	Financial Distress	Outstanding	Permanent	Permanent
North West	B	Naledi (NW)	NW392	Dr Ruth Segomotsi Mompati	Financial Distress	Outstanding	Permanent	Permanent
North West	C	Dr Ruth Segomotsi Mompati	DC39	Dr Ruth Segomotsi Mompati	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	B	City of Matlosana	NW403	Dr Kenneth Kaunda	Financial Distress	Qualified	Permanent	Permanent
North West	B	J B Marks	NW405	Dr Kenneth Kaunda	Financial Distress	Qualified	Permanent	Permanent
North West	B	Maquassi Hills	NW404	Dr Kenneth Kaunda	Financial Distress	Disclaimer of opinion	Permanent	Permanent
North West	C	Dr Kenneth Kaunda	DC40	Dr Kenneth Kaunda	-	Qualified	Permanent	Permanent
Northern Cape	B	Ga-Segonyana	NC452	John Taolo Gaetsewe	Financial Distress	Outstanding	Permanent	Permanent
Northern Cape	B	Gamagara	NC453	John Taolo Gaetsewe	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Joe Morolong	NC451	John Taolo Gaetsewe	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	C	John Taolo Gaetsewe	DC45	John Taolo Gaetsewe	Financial Distress	Unqualified - No findings	Permanent	Permanent
Northern Cape	B	Hantam	NC065	Namakwa	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Kamiesberg	NC064	Namakwa	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	B	Karoo Hoogland	NC066	Namakwa	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Khai-Ma	NC067	Namakwa	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Nama Khoi	NC062	Namakwa	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Richersveld	NC061	Namakwa	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	C	Namakwa	DC6	Namakwa	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Ernhanjeni	NC073	Pixley ka Seme (NC)	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Kareeberg	NC074	Pixley ka Seme (NC)	-	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Renosterberg	NC075	Pixley ka Seme (NC)	Financial Distress	Outstanding	Permanent	Permanent
Northern Cape	B	Siyancuma	NC078	Pixley ka Seme (NC)	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Siyathemba	NC077	Pixley ka Seme (NC)	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Thembelihle	NC076	Pixley ka Seme (NC)	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Ubuntu	NC071	Pixley ka Seme (NC)	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Umsobomvu	NC072	Pixley ka Seme (NC)	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	C	Pixley Ka Seme (NC)	DC7	Pixley ka Seme (NC)	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	!Kail Garib	NC082	Z F Mgcawu	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	B	!Kheis	NC084	Z F Mgcawu	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	B	Dawid Kruger	NC087	Z F Mgcawu	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Kgatelopele	NC086	Z F Mgcawu	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	B	Tsantsabane	NC085	Z F Mgcawu	Financial Distress	Outstanding	Permanent	Permanent
Northern Cape	C	Z F Mgcawu	DC8	Z F Mgcawu	Financial Distress	Unqualified - With findings	Permanent	Permanent
Northern Cape	B	Dikgatlong	NC092	Frances Baard	Financial Distress	Disclaimer of opinion	Permanent	Permanent
Northern Cape	B	Magareng	NC093	Frances Baard	Financial Distress	Qualified	Permanent	Permanent
Northern Cape	B	Phokwane	NC094	Frances Baard	-	Outstanding	Permanent	Permanent
Northern Cape	B	Sol Plaatje	NC091	Frances Baard	-	Qualified	Permanent	Permanent
Northern Cape	C	Frances Baard	DC9	Frances Baard	-	Unqualified - With findings	Permanent	Permanent
Western Cape	A	Cape Town	CPT	Metro	-	Unqualified - With findings	Permanent	Permanent
Western Cape	B	Bergrivier	WC013	West Coast	-	Unqualified - No findings	Permanent	Permanent
Western Cape	B	Cederberg	WC012	West Coast	Financial Distress	Unqualified - No findings	Permanent	Permanent

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REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
 (Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
 name and surname of information officer/deputy information officer) on (date)
 at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Department: Cooperative Governance, Human Settlement and Traditional Affairs
 North West Province Republic of South Africa

Head of Department
 University Drive
 Garona Building
 West Wing (2d Floor)
 Office of the HOD - COGTA
 Mmabatho

Phihadu Ephraim Motoko, Tel 018 388 2890, E-mail Marcia@nwpg.gov.za / SAnders@nwpg.gov.za

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Péter Johannes Wassenaar

Identity number:

8	7	0	1	2	5	5	1	2	0	0	8	6
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Postal address:

HB Forum Building, Floor 3, 13 Starnvrug Street, Val de Grace, Pretoria

Telephone number:

012 803 4719

Fax number: (086) 596 8516

E-mail address:

peter@kriekprok.co.za

Capacity in which request is made, when made on behalf of another person:

Attorney of record for Sakeliga NPC.

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: Sakeliga NPC - 2020/043725/08

Identity number:

[illegible]

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

Kindly refer to Annexure A attached hereto.



FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record:

Kindly refer to Annexure A attached hereto.
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E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:
.....
.....
.....
.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
X	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images	X	copy of the images*		transcription of the images*

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
<input checked="" type="checkbox"/>	listen to the soundtrack (audio cassette)	<input checked="" type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*	<input checked="" type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	NO <input checked="" type="checkbox"/>
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.					
In which language would you prefer the record? English/Afrikaans					

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

By email addressed to pcter@kriekprok.co.za and rohann@kriekprok.co.za

Signed at Pretoria this day 14th of December year 2020

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE A

- 1 Abbreviations and definitions used in this annexure:
- 1.1 **Constitution** means the Constitution of the Republic of South Africa, 1996;
 - 1.2 **MEC for local government** means the MEC for local government as defined in section 1 of the MFMA with specific reference to the North West Province;
 - 1.3 **MEC for finance** means the MEC for finance as defined in section 1 of the MFMA with specific reference to the North West Province;
 - 1.4 **MFMA** means the Local Government: Municipal Finance Management Act 56 of 2003;

PART A - DITSBOTLA LOCAL MUNICIPALITY

PAIA request made with reference to the Ditsobotla Local Municipality

- 2 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Ditsobotla Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 3 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial



government into any financial problems within the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 4 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Ditsobotla Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 5 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 6 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 7 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Ditsobotla Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 8 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 9 Proof of the submission of any document referred to in paragraph 8 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 10 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 11 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 12 Proof of the submission of the documents referred to in paragraph 11 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 13 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Ditsobotla Local Municipality, the Minister of Finance, the Cabinet



member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 14 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 15 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 16 Proof of the submission of the documents referred to in paragraph 15 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA;

PART B - KGETLENGRIVIER LOCAL MUNICIPALITY

PAIA request made with reference to the Kgetlengrivier Local Municipality



- 17 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Kgetlengrivier Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 18 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 19 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Kgetlengrivier Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 20 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 21 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding



intervention at the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 22 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Kgetlengrivier Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 23 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 24 Proof of the submission of any document referred to in paragraph 23 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 25 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 26 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local



government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 27 Proof of the submission of the documents referred to in paragraph 26 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 28 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Kgetlengrivier Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 29 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 30 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 31 Proof of the submission of the documents referred to in paragraph 30 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART C - MAHIKENG LOCAL MUNICIPALITY

PAIA request made with reference to the Mahikeng Local Municipality

- 32 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Mahikeng Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 33 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 34 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Mahikeng Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of



section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 35 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 36 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 37 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Mahikeng Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 38 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 39 Proof of the submission of any document referred to in paragraph 38 to the Mahikeng Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 40 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 41 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 42 Proof of the submission of the documents referred to in paragraph 41 to the Mahikeng Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 43 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Mahikeng Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 44 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 45 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 46 Proof of the submission of the documents referred to in paragraph 45 to the Mahikeng Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART D - LEKWA-TEEMANE LOCAL MUNICIPALITY

PAIA request made with reference to the Lekwa-Teemane Local Municipality

- 47 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Lekwa-Teemane Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 48 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 49 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Lekwa-Teemane Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 50 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 51 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 52 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Lekwa-Teemane Local Municipality regarding the resolutions passed and/or



interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 53 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 54 Proof of the submission of any document referred to in paragraph 53 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 55 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 56 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 57 Proof of the submission of the documents referred to in paragraph 56 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;



- 58 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Lekwa-Teemane Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 59 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 60 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 61 Proof of the submission of the documents referred to in paragraph 60 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.



PART E - NALEDI LOCAL MUNICIPALITY

PAIA request made with reference to the Naledi Local Municipality

- 62 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Naledi Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 63 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 64 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Naledi Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 65 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 66 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 67 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Naledi Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 68 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 69 Proof of the submission of any document referred to in paragraph 68 to the Naledi Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 70 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 71 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 72 Proof of the submission of the documents referred to in paragraph 71 to the Naledi Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 73 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Naledi Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 74 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 75 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the



Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 76 Proof of the submission of the documents referred to in paragraph 75 to the Naledi Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART F - MAMUSA LOCAL MUNICIPALITY

PAIA request made with reference to the Mamusa Local Municipality

- 77 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Mamusa Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 78 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 79 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent



material breach of the Mamusa Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 80 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 81 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 82 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Mamusa Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 83 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 84 Proof of the submission of any document referred to in paragraph 83 to the Mamusa Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 85 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 86 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 87 Proof of the submission of the documents referred to in paragraph 86 to the Mamusa Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 88 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Mamusa Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 89 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 90 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 91 Proof of the submission of the documents referred to in paragraph 90 to the Mamusa Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART G - BOJANALA PLATINUM DISTRICT MUNICIPALITY

PAIA request made with reference to the Bojanala Platinum District Municipality

- 92 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Bojanala Platinum District Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 93 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 94 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Bojanala Platinum District Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 95 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 96 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 97 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Bojanala Platinum District Municipality regarding the resolutions passed and/or



interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 98 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 99 Proof of the submission of any document referred to in paragraph 98 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 100 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 101 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 102 Proof of the submission of the documents referred to in paragraph 101 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;



- 103 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Bojanala Platinum District Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 104 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 105 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 106 Proof of the submission of the documents referred to in paragraph 105 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.



PART G - DR RUTH SEGOMOTSI MOMPATI DISTRICT MUNICIPALITY

PAIA request made with reference to the Dr Ruth Segomotsi Mompoti District Municipality

- 107 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Dr Ruth Segomotsi Mompoti District Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 108 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Dr Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 109 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Dr Ruth Segomotsi Mompoti District Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 110 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Dr Ruth Segomotsi



Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 111 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 112 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Dr Ruth Segomotsi Mompati District Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 113 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 114 Proof of the submission of any document referred to in paragraph 113 to the Dr Ruth Segomotsi Mompati District Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 115 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Dr




Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 116 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 117 Proof of the submission of the documents referred to in paragraph 116 to the Dr Ruth Segomotsi Mompati District Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 118 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Dr Ruth Segomotsi Mompati District Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 119 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 120 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 121 Proof of the submission of the documents referred to in paragraph 120 to the Dr Ruth Segomotsi Mompati District Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

Signed at Pretoria on 14 December 2020



PETER WASSENAAR
KRIEK WASSENAAR & VENTER INC
PRETORIA



POWER OF ATTORNEY

I, the undersigned

PIETER JACOBUS LE ROUXID: **8402105255087**

In my capacity as duly authorised

CHIEF EXECUTIVE OFFICER

of

SAKELIGA NPCREG: **2012/04375/08**

do hereby appoint and nominate,

KRIEK WASSENAAR & VENTER INC**and/or their appointed agents / correspondents /nominees**

with full power of substitution, to be my lawful attorney with full power and authority for me and in my name, and for my account and benefit in the matter of and/or relating to:

PAIA - North West Provincial Department: Cooperative Governance (COGTA)
and/or MEC for Cooperative Governance (COGTA) North West Province

In the event that I act in a representative capacity, any reference to myself will by implication refer to the principal and/or organisation which I represent as indicated above and as the context requires.

My attorneys will in terms of this power of attorney be able to:

1. **Receive and handle moneys:** To demand, sue for and recover, and give discharges for all moneys, securities for all sums of money, debts, stocks, shares and property now or hereafter belonging to me, whether solely or jointly with any other person or persons. Remembering that my attorney will accrue costs/disbursements on my behalf and that certain fees will become payable out of the work done on my behalf, I hereby give *in rem sum* authority to recover all capital, costs, disbursements, fees and all other sums of money due to me on my behalf, and that all amounts received must first be deducted or set off against all fees and disbursements made on my behalf before any payments are made to me. I give specific authority to sign any release or discharge for the amount for the settlement in order to receive and recover the said amount. My attorneys and/or their nominees are also authorised to make use of any capital payments received to make payment of all debts and/or expenses. They are also hereby authorised to withhold as security for costs any portion of any capital received on my behalf as they in their sole discretion see fit, being allowed to debit any preliminary attorney and client fees at any stage;
2. **To institute legal proceedings or to defend:** To defend any civil action brought against me or to institute action in any High Court or Magistrates Court or Arbitration Institution. This will include but not be limited to the institution and/or defending of any action and/or application brought



K WASSENAAR & VENTER INC
as a Notary Public in terms of the Attorneys' Oath Act

DIRECTORS: J Kriek, PJ Wassenaar Reg: 2012/030418/21
 Third Floor, HB Forum, 13 Stamvrug Street, Val De Grace, Pretoria
 (t) (012) 803 4719 (f) (086 596 8516 (e) peter@kriekprok.co.za

Document version date: 2020/12/07

by and/or against me, including but not limited to debt collection, civil claims, delictual matters, contractual matters, enrichment matters, status matters, family law matters, divorce proceedings, maintenance and custody matters, liquidations, sequestrations and/or any other proceeding for the protection and/or enforcement and/or confirmation of any right that I may hold.

3. **To negotiate, discuss consider and settle:** To negotiate a settlement with any party concerned, to discuss the facts, merits and quantum and to give me advice. To consider all facts and documentation and to make decisions on my behalf. To agree, propose and settle any point in dispute and to agree, propose and settle any figures of settlement and to advise me thereof.
4. **To settle accounts:** To settle, compromise or submit to arbitration all accounts, claims and disputes between me and any other person or persons;
5. **To act with other persons:** To investigate, negotiate, receive and give out any information, documentation or data of any form or sort on my behalf and to act and communicate with any person, attorney, advocate or third party on my behalf;
6. **To draft, receive and sign documentation:** To be able to draft, receive, peruse, consider, sign and give out any documentation that he/she considers relevant or necessary;
7. **To appoint experts:** To approach, consult and appoint any expert witnesses, to acquire expert reports and testimony and to accrue costs and make payments in that regard;
8. **To institute alternative dispute resolution proceedings:** To institute, make use of or request any alternative dispute resolution proceeding including but not limited to arbitration and/or mediation proceedings;
9. **To appoint assessors and agents:** To appoint any assessors, agents and/or tracing agents to assist, do work and give advice on my behalf. I also give authority to pay and settle all accounts in this regard;
10. **To appoint advocates and legal advisors:** To appoint any advocate and/or legal advisor to assist, give opinion and handle matters on my behalf. I also give authority to pay and settle all accounts in this regard;
11. **General power to act:** To do all that is necessary to finalize any matter and to act on my behalf in any manner that he/she considers necessary and in doing so, I confirm this Power is irrevocable. To generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, and fully and effectively, for all intents and purposes, as I might or could do if personally present and acting herein /hereby ratifying, allowing and confirming and promising and agreeing tot ratify, allow and confirm all and whatsoever my said Attorneys and Agents shall lawfully do, or cause to be done, by virtue of these presents.

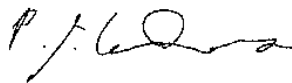
AND

Ratification: I hereby ratify and agree to ratify everything which my Attorney or his/her substitute or substitutes or agent or agents appointed by the Attorney under this power of attorney shall do or purport to do by virtue of this power of attorney.

Pretoria

07-Dec-2020

This done and signed at on



(signed)



WASSENAAR & VENTER INC
Attorneys • Advocates • Conveyancers

DIRECTORS: J Kriek, PJ Wassenaar Reg: 2012/030418/21

Third Floor, HB Forum, 13 Stamvrug Street, Val De Grace, Pretoria

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Document version date: 2020/12/07



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REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
 (Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
 name and surname of information officer/deputy information officer) on (date)
 at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Department: Finance North West Province Republic of South Africa

Information officer

Mr Ndlela Israel Kunene

Tel: 018 388 2856

Fax: 018 388 3310

E-mail: ikunene@nwpg.gov.za;

apetersen@nwpg.gov.za

Physical Address:

2nd Floor East Wing

Garona Building

Mmabatho

North West Province

Republic of South Africa

Deputy Information Officer:

Tiro Ntuane, Tel 018 338 5601, E-mail jntuane@nwpg.gov.za, Fax 018 388 3310

Kasalopa Gill, Tel 012 315 551, E-mail kgill@nwpg.gov.za, Fax 018 388 3310

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
 (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
 (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Péter Johannes Wassenaar

Identity number:

8	7	0	1	2	5	5	1	2	0	0	8	6
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Postal address: HB Forum Building, Floor 3, 13 Stamvrug Street, Val de Grace, Pretoria

Telephone number: (012) 803 4719 Fax number: (086) 596 8516

E-mail address: peler@kriekprok.co.za

Capacity in which request is made, when made on behalf of another person:

Attorney of record for Sakeliga NPC.

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: Sakeliga NPC - 2020/043725/08

Identity number:

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D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
 (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

Kindly refer to Annexure A attached hereto.

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record:

Kindly refer to Annexure A attached hereto.

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:					
X	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images	X	copy of the images*		transcription of the images*

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
<input checked="" type="checkbox"/>	listen to the soundtrack (audio cassette)	<input checked="" type="checkbox"/>	transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*	<input checked="" type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	NO <input checked="" type="checkbox"/>
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.					
In which language would you prefer the record? English/Afrikaans					

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

By email addressed to peter@kriekprok.co.za and rohann@kriekprok.co.za

Signed at Pretoria this day 14th of December year 2020

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE A

- 1 Abbreviations and definitions used in this annexure:
- 1.1 **Constitution** means the Constitution of the Republic of South Africa, 1996;
 - 1.2 **MEC for local government** means the MEC for local government as defined in section 1 of the MFMA with specific reference to the North West Province;
 - 1.3 **MEC for finance** means the MEC for finance as defined in section 1 of the MFMA with specific reference to the North West Province;
 - 1.4 **MFMA** means the Local Government: Municipal Finance Management Act 56 of 2003;

PART A - DITSOBOTLA LOCAL MUNICIPALITY

PAIA request made with reference to the Ditsobotla Local Municipality

- 2 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Ditsobotla Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 3 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial



government into any financial problems within the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 4 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Ditsobotla Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 5 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 6 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 7 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Ditsobotla Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 8 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 9 Proof of the submission of any document referred to in paragraph 8 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 10 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 11 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 12 Proof of the submission of the documents referred to in paragraph 11 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 13 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Ditsobotla Local Municipality, the Minister of Finance, the Cabinet



member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 14 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 15 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Ditsobotla Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 16 Proof of the submission of the documents referred to in paragraph 15 to the Ditsobotla Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA;

PART B - KGETLENGRIVIER LOCAL MUNICIPALITY

PAIA request made with reference to the Kgetlengrivier Local Municipality



- 17 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Kgetlengrivier Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 18 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 19 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Kgetlengrivier Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 20 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 21 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding



intervention at the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 22 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Kgetlengrivier Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 23 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 24 Proof of the submission of any document referred to in paragraph 23 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 25 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 26 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local



government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 27 Proof of the submission of the documents referred to in paragraph 26 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 28 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Kgetlengrivier Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 29 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 30 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Kgetlengrivier Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 31 Proof of the submission of the documents referred to in paragraph 30 to the Kgetlengrivier Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART C - MAHIKENG LOCAL MUNICIPALITY

PAIA request made with reference to the Mahikeng Local Municipality

- 32 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Mahikeng Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 33 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 34 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Mahikeng Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of

section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 35 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 36 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 37 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Mahikeng Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 38 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 39 Proof of the submission of any document referred to in paragraph 38 to the Mahikeng Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 40 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 41 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 42 Proof of the submission of the documents referred to in paragraph 41 to the Mahikeng Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 43 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Mahikeng Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 44 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 45 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Mahikeng Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 46 Proof of the submission of the documents referred to in paragraph 45 to the Mahikeng Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART D - LEKWA-TEEMANE LOCAL MUNICIPALITY

PAIA request made with reference to the Lekwa-Teemane Local Municipality

- 47 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Lekwa-Teemane Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 48 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 49 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Lekwa-Teemane Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 50 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 51 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 52 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Lekwa-Teemane Local Municipality regarding the resolutions passed and/or



interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 53 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 54 Proof of the submission of any document referred to in paragraph 53 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 55 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 56 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 57 Proof of the submission of the documents referred to in paragraph 56 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;



- 58 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Lekwa-Teemane Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 59 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 60 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Lekwa-Teemane Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 61 Proof of the submission of the documents referred to in paragraph 60 to the Lekwa-Teemane Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.



PART E - NALEDI LOCAL MUNICIPALITY

PAIA request made with reference to the Naledi Local Municipality

- 62 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Naledi Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 63 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 64 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Naledi Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 65 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 66 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 67 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Naledi Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 68 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 69 Proof of the submission of any document referred to in paragraph 68 to the Naledi Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 70 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 71 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 72 Proof of the submission of the documents referred to in paragraph 71 to the Naledi Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 73 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Naledi Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 74 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 75 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the



Naledi Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 76 Proof of the submission of the documents referred to in paragraph 75 to the Naledi Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART F - MAMUSA LOCAL MUNICIPALITY

PAIA request made with reference to the Mamusa Local Municipality

- 77 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Mamusa Local Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 78 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 79 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent



material breach of the Mamusa Local Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 80 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 81 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 82 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Mamusa Local Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 83 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 84 Proof of the submission of any document referred to in paragraph 83 to the Mamusa Local Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 85 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 86 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 87 Proof of the submission of the documents referred to in paragraph 86 to the Mamusa Local Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 88 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Mamusa Local Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 89 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 90 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Mamusa Local Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 91 Proof of the submission of the documents referred to in paragraph 90 to the Mamusa Local Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

PART G - BOJANALA PLATINUM DISTRICT MUNICIPALITY

PAIA request made with reference to the Bojanala Platinum District Municipality

- 92 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Bojanala Platinum District Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 93 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 94 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Bojanala Platinum District Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 95 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 96 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 97 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Bojanala Platinum District Municipality regarding the resolutions passed and/or



- interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 98 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 99 Proof of the submission of any document referred to in paragraph 98 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 100 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 101 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 102 Proof of the submission of the documents referred to in paragraph 101 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;



- 103 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Bojanala Platinum District Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 104 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 105 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Bojanala Platinum District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 106 Proof of the submission of the documents referred to in paragraph 105 to the Bojanala Platinum District Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.



PART G - DR RUTH SEGOMOTSI MOMPATI DISTRICT MUNICIPALITY

PAIA request made with reference to the Dr Ruth Segomotsi Mompoti District Municipality

- 107 All notices and/or notifications to the MEC for local government and the MEC for finance received from the Dr Ruth Segomotsi Mompoti District Municipality as is described in section 135 (3) (b) of the MFMA regarding serious financial problems or anticipated problems in meeting its financial commitments during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 108 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the North West Province provincial executive council by the MEC for local government and/or the MEC regarding any and all investigations by the MEC for local government and/or the MEC for finance and/or the provincial government into any financial problems within the Dr Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 109 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated to the MEC for local government, the MEC for finance and/or the North West Province provincial executive regarding a serious or persistent material breach of the Dr Ruth Segomotsi Mompoti District Municipality's obligation to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments, as a result of which the conditions for an intervention in terms of section 139 (5) of the Constitution are met, during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 110 All resolutions passed by the North West Province provincial executive in terms of section 136 (2) of the MFMA regarding provincial intervention in the Dr Ruth Segomotsi



Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 111 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 112 All communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or the Dr Ruth Segomotsi Mompati District Municipality regarding the resolutions passed and/or interventions taken by the North West Province provincial executive in terms of section 139 (1) of the Constitution and/or section 137 (1) of the MFMA regarding intervention at the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 113 All assessments and/or determinations and/or financial recovery plans and/or recommendations prepared by and/or submitted to the MEC for local government in terms of sections 137 (1) (a) and/or 137 (1) (c) and/or 137 (1) (c) (iii) of the MFMA regarding the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 114 Proof of the submission of any document referred to in paragraph 113 to the Dr Ruth Segomotsi Mompati District Municipality and the Cabinet member responsible for local government as referred to in section 137 (2) of the MFMA;
- 115 All resolutions passed by the North West Province provincial executive in terms of section 139 (1) of the MFMA regarding finding a crisis in the financial affairs of the Dr



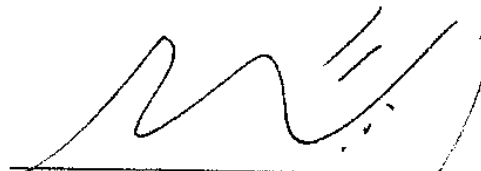
Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;

- 116 All requests, determinations, assessments, communications, findings, reports, presentations, memoranda and/or submissions made and/or communicated by and/or between the North West Province provincial executive and/or the MEC for local government and/or the MEC for finance and/or Municipal Financial Recovery Service of the National Treasury regarding the Dr Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 117 Proof of the submission of the documents referred to in paragraph 116 to the Dr Ruth Segomotsi Mompoti District Municipality and the Cabinet member responsible for local government and the Minister of Finance as referred to in section 137 (2) of the MFMA;
- 118 All financial recovery plans, mandatory financial recovery plans, reports, assessments, communications, findings, reports, presentations, memoranda and/or submissions referred to in sections 141, 142, 143, 144 and/or 145 of the MFMA, submitted and/or communicated to the Dr Ruth Segomotsi Mompoti District Municipality, the Minister of Finance, the Cabinet member responsible for local government, the Auditor General, organised local government in the North West Province, the North West Provincial executive government, the MEC for local government and/or the MEC for finance regarding the Dr Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 119 All reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 147 (1) of the MFMA to or by the MEC for local government and/or the MEC for finance regarding the Dr Ruth Segomotsi Mompoti District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;



- 120 All resolutions, reports, assessments, communications, findings, presentations, memoranda and/or submissions made in terms of section 148 of the MFMA to or by the North West provincial legislature and/or the MEC for local government and/or the MEC for finance regarding any termination of any provincial intervention with reference to the Dr Ruth Segomotsi Mompati District Municipality during the financial years ending 2014, 2015, 2016, 2017, 2018, 2019 and 2020;
- 121 Proof of the submission of the documents referred to in paragraph 120 to the Dr Ruth Segomotsi Mompati District Municipality and the Cabinet member responsible for local government, the Minister of Finance, creditors having pending litigation against the municipality, the North West Province provincial legislature and organised government as referred to in section 148 (3) of the MFMA.

Signed at Pretoria on 14 December 2020



PETER WASSENAAR

KRIEK WASSENAAR & VENTER INC

PRETORIA



POWER OF ATTORNEY

I, the undersigned

PIETER JACOBUS LE ROUX

ID: 8402105255087

In my capacity as duly authorised

CHIEF EXECUTIVE OFFICER

of

SAKELIGA NPC

REG: 2012/04375/08

do hereby appoint and nominate,

KRIEK WASSENAAR & VENTER INC

and /or their appointed agents / correspondents /nominees

with full power of substitution, to be my lawful attorney with full power and authority for me and in my name, and for my account and benefit in the matter of and/or relating to:

**PAIA- Department: Provincial Treasury North West Provincial Government
and/or MEC for Finance North West Provincial Government**

In the event that I act in a representative capacity, any reference to myself will by implication refer to the principal and/or organisation which I represent as indicated above and as the context requires.

My attorneys will in terms of this power of attorney be able to:

1. **Receive and handle moneys:** To demand, sue for and recover, and give discharges for all moneys, securities for all sums of money, debts, stocks, shares and property now or hereafter belonging to me, whether solely or jointly with any other person or persons. Remembering that my attorney will accrue costs/disbursements on my behalf and that certain fees will become payable out of the work done on my behalf, I hereby give *in rem sum* authority to recover all capital, costs, disbursements, fees and all other sums of money due to me on my behalf, and that all amounts received must first be deducted or set off against all fees and disbursements made on my behalf before any payments are made to me. I give specific authority to sign any release or discharge for the amount for the settlement in order to receive and recover the said amount. My attorneys and/or their nominees are also authorised to make use of any capital payments received to make payment of all debts and/or expenses. They are also hereby authorised to withhold as security for costs any portion of any capital received on my behalf as they in their sole discretion see fit, being allowed to debit any preliminary attorney and client fees at any stage;
2. **To institute legal proceedings or to defend:** To defend any civil action brought against me or to institute action in any High Court or Magistrates Court or Arbitration Institution. This will include but not be limited to the institution and/or defending of any action and/or application brought



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Pretoria • Johannesburg • Cape Town • Durban

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Document version date: 2020/12/07

by and/or against me, including but not limited to debt collection, civil claims, delictual matters, contractual matters, enrichment matters, status matters, family law matters, divorce proceedings, maintenance and custody matters, liquidations, sequestrations and/or any other proceeding for the protection and/or enforcement and/or confirmation of any right that I may hold.

3. **To negotiate, discuss consider and settle:** To negotiate a settlement with any party concerned, to discuss the facts, merits and quantum and to give me advice. To consider all facts and documentation and to make decisions on my behalf. To agree, propose and settle any point in dispute and to agree, propose and settle any figures of settlement and to advise me thereof.
4. **To settle accounts:** To settle, compromise or submit to arbitration all accounts, claims and disputes between me and any other person or persons;
5. **To act with other persons:** To investigate, negotiate, receive and give out any information, documentation or data of any form or sort on my behalf and to act and communicate with any person, attorney, advocate or third party on my behalf;
6. **To draft, receive and sign documentation:** To be able to draft, receive, peruse, consider, sign and give out any documentation that he/she considers relevant or necessary;
7. **To appoint experts:** To approach, consult and appoint any expert witnesses, to acquire expert reports and testimony and to accrue costs and make payments in that regard;
8. **To institute alternative dispute resolution proceedings:** To institute, make use of or request any alternative dispute resolution proceeding including but not limited to arbitration and/or mediation proceedings;
9. **To appoint assessors and agents:** To appoint any assessors, agents and/or tracing agents to assist, do work and give advice on my behalf. I also give authority to pay and settle all accounts in this regard;
10. **To appoint advocates and legal advisors:** To appoint any advocate and/or legal advisor to assist, give opinion and handle matters on my behalf. I also give authority to pay and settle all accounts in this regard;
11. **General power to act:** To do all that is necessary to finalize any matter and to act on my behalf in any manner that he/she considers necessary and in doing so, I confirm this Power is irrevocable. To generally for effecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, and fully and effectively, for all intents and purposes, as I might or could do if personally present and acting herein /hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my said Attorneys and Agents shall lawfully do, or cause to be done, by virtue of these presents.

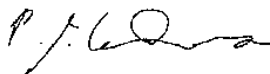
AND

Ratification: I hereby ratify and agree to ratify everything which my Attorney or his/her substitute or substitutes or agent or agents appointed by the Attorney under this power of attorney shall do or purport to do by virtue of this power of attorney.

Pretoria

07-Dec-2020

This done and signed at ON



(signed)



KRIEK WASSENAAR & VENTER INC
Attorneys - Advocates - Agents - Mediators - Conciliators

DIRECTORS: J Kriek, PJ Wassenaar Reg: 2012/030418/21
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Document version date: 2020/12/07



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provincial treasury

Department:
Provincial Treasury
North West Provincial Government
Republic of South Africa

Second Floor, Gatona Building, Mmabatho
Private Bag X2060
MMABATHO 2735
www.treasury.nwpg.gov.za

Enquiries: A. Morare
Tel: 018 388 3349
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Email: amorare@nwpg.gov.za

OFFICE OF THE HOD

Messrs Kriek Wassenaar & Venter Inc
3rd floor HB Forum Building
13 Stamvrug Road, Val de Grace
Pretoria
0185

By email: peter@kriekprok.co.za

Dear Mr Wassennar

**RE: SAKELIGA NPC // MEC FOR FINANCE FOR THE NORTH WEST PROVINCE:
PAIA REQUEST**

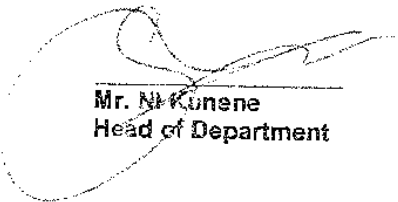
1. The above subject matter and our Zoom virtual meeting held earlier this afternoon refer.
2. The purpose of the meeting was to clarify the PAIA request served on the department in terms of Section 18 of the Promotion of Access to Information Act of 2000 in relation to the roles and segregation of responsibilities of affected stakeholders as per the applicable legislative prescripts (i.e discretionary interventions vs mandatory interventions in terms of the constitution and the Municipal Finance Management Act) ; as well as the previous response provided by the Provincial Treasury which you deemed insufficient.
3. During the meeting, Provincial Treasury emphasised its willingness to cooperate and to accede to the request to the extent that it relates to the availability of the records requested.



Together we move North West Province forward.

4. However, it placed it on records that to date; there is and has not been any mandatory intervention invoked on the municipalities in terms of Section 139 (5) of the Constitution read together with Section 139 of the Municipal Finance Management Act. The on-going function that is being executed at the municipalities is in respect of the oversight role.
5. It is for this reason that the request could not be processed as far as it relates to the implementation of the mandatory intervention by the Provincial Treasury as alluded to in our previous response dated 01 February 2021 which will not be replicated herein. However, Provincial Treasury is in a preparatory process of implementing the mandatory interventions.
6. It is our submission that the parties agreed and resolved that the clarity provided was sufficient. It was further agreed that Provincial Treasury will prepare a transfer of the PAIA to the department of Cooperative Governance and Traditional Affairs (COGTA) and the Premier's office in line with Section 20 of PAIA for further handling.
7. Copies of the transfer letters to both COGTA and Office of the Premier are attached hereto for ease of reference.
8. We appreciate your cooperation.

Sincerely yours



Mr. N. Kunene
Head of Department



X33



provincial treasury

Department:
Provincial Treasury
North West Provincial Government
Republic of South Africa

Second Floor, Garona Building, Mmabatho

Private Bag X2060

MMABATHO 2735

www.treasury.nwpg.gov.za

Enquiries: A. Morare

Tel: 018 328 3349

Fax:

Email: amorare@nwpg.gov.za

OFFICE OF THE HOD

Mr P. Motoko

Information Officer

Department of Cooperative Governance and Traditional Affairs

Garona Building

Mmabatho

2735

By email: pmotoko@nwpg.gov.za

Dear Mr Motoko

RE: TRANSFER OF REQUEST FOR INFORMATION IN TERMS OF SECTION 20 OF PROMOTION OF ACCESS TO INFORMATION ACT OF 2000 (PAIA)

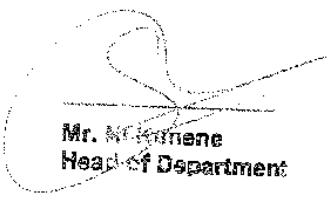
1. The above subject matter and the attached PAIA request refer.
2. In terms of Section 20 of PAIA; if a request is made to the Information Officer of a public body in respect of which the record is not in possession or control of that body but in possession of other public body; the information officer to whom the request is made must transfer the request to the information officer of the other body.
3. In accordance with the latter provision, Provincial Treasury hereby transfers the attached request for your attention and further handling. Your response should be directed to the requestor herein.



Together we move North West Province forward.

4. The requester granted Provincial Treasury permission to transfer the said request post the 30 days period. You are therefore required to process this request within 30 days from receipt of this letter.
5. A copy of our response letter to the requester is attached hereto for ease of reference.

Sincerely yours



Mr. Mkhomane
Head of Department

Date: 12/05/2017



X34



provincial treasury

Department:
Provincial Treasury
North West Provincial Government
Republic of South Africa

Second Floor, Garona Building, Mmabatho
Private Bag X2030
MMABATHO 2735
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Enquiries: A. Morare
Tel: 018 388 3349
Fax:
Email: amorare@nwpg.gov.za

OFFICE OF THE HOD

Mr S. Mpanza
The Administrator
Office of the Premier
Garona Building
Mmabatho
2735

By email: sibusiso.mpanza@dpsa.gov.za

Dear Mr Mpanza

RE: TRANSFER OF REQUEST FOR INFORMATION IN TERMS OF SECTION 20 OF PROMOTION OF ACCESS TO INFORMATION ACT OF 2000 (PAIA)

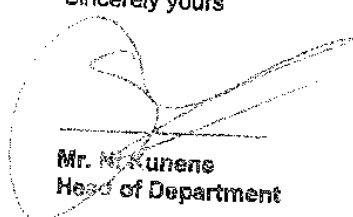
1. The above subject matter and the attached PAIA request refer.
2. In terms of Section 20 of PAIA; if a request is made to the Information Officer of a public body in respect of which the record is not in possession or control of that body but in possession of other public body; the information officer to whom the request is made must transfer the request to the information officer of the other body.
3. In accordance with the latter provision, Provincial Treasury hereby transfers the attached request for your attention and further handling. Your response should be directed to the requester herein.



Together we move North West Province forward.

4. The requester granted Provincial Treasury permission to transfer the said request post the 30 days period. You are therefore required to process this request within 30 days from receipt of this letter.
5. A copy of our response letter to the requester is attached hereto for ease of reference.

Sincerely yours



Mr. M. Kunene
Head of Department

Date: 17/10/2021



X 3 5

Prokureurs • Aktevervaardigers • Attorneys • Conveyancers

Your ref:

**THE INFORMATION OFFICER
DEPARTMENT: PROVINCIAL TREASURY
NORTH WEST PROVINCIAL GOVERNMENT
MMABATHO**

By e-mail: amorare@nwpg.gov.za
kgill@nwpg.gov.za
apetersen@nwpg.gov.za

PAIA: SAKELIGA NPC / PROVINCIAL DEPARTMENT OF FINANCE: NORTH WEST PROVINCIAL GOVERNMENT

1. We refer to your letters of 12 February 2021.
2. We have noted that your offices have yet to implement measures in terms of section 139 of the MFMA. You have however confirmed that you are currently considering such measures.
3. Please confirm when you intend to implement the section 139 measures referred to in your correspondence.

Yours faithfully

KRIEK WASSENAAR & VENTER INC
PÉTER WASSENAAR – DIREKTEUR / DIRECTOR
 (f) 086 596 8516
 (e) peter@kriekprofi.co.za

www.kvvv-inc.com

(t) (+27) 12 756 7566 • (f) (+27) 86 596 8799 (a) 3rd Floor, HB Forum Building, 13 Stamvrug Road, Val de Grace, Pretoria 0184



Elbie Swanepoel

From: Elbie Swanepoel <elbie@kriekprok.co.za>
Sent: 16 February 2021 10:09
To: 'amolare@nwpg.gov.za'; 'kgill@nwpg.gov.za'; 'apetersen@nwpg.gov.za'
Subject: PAIA: Sakeiga NPC / Provincial Department of Finance: North West Provincial Government
Attachments: MEC of Finance NWP sent 2021-02-15.pdf
Sensitivity: Private

Good day,

We refer to the above and attach hereto a letter for your attention.

Yours faithfully,



ELBIE SWANEPOEL

Kriek Wassenaar & Venter Ing

Regsekretaresse / Legal Secretary

• (t) (+27) 12 803 4719 • (f) (+27) 86 596 8516

• (a) 3de Vloer / 3rd Floor, HB Forum Gebou / Building, Stamvrugstraat 13 Stamvrug Street, Val de Grace, Pretoria, 0184

• (p) Postnet Suite # A7, Privaatsak / Private Bag X592, Silverton, 0127 • BTW Reg: 4020260685 • Reg: 2012/030418/21



X 36

Database Government Gazettes
Gazette No 32703
Notice No 72
Regulation 9186
Gazette No
Gazette GOV
Date 20091110

PROCLAMATION

by the

President of the Republic of South Africa

No. R. 72, 2009

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTER TO EXISTING SPECIAL INVESTIGATING UNIT AND SPECIAL TRIBUNAL

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (the Act), have been made in respect of the affairs of Municipalities of the North West Province mentioned in Column A of the Schedule (hereinafter collectively referred to as the "Municipalities");

AND WHEREAS the Municipalities suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and justiciable civil disputes emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the said Act refer the matters mentioned in Column B of the Schedule in respect of the Municipalities listed in Column A of the Schedule, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the said Act, any alleged -

- (a) serious maladministration in connection with the affairs of the Municipalities;
- (b) improper or unlawful conduct by councillors, officers and/or employees of the Municipalities;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;



- (f) offence referred to in Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004, and which offences were committed in connection with the affairs of the Municipalities; or
- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which have taken place between 01 January 2005 and the date of publication of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the said Act, in relation to the said matters in the Schedule, for the purpose of the recovery of any losses suffered by the Municipalities.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Eight day of November Two thousand and nine.

J. G. ZUMA
President

By Order of the President-in-Cabinet:

J. T. RADEBE
Minister of the Cabinet

SCHEDULE

COLUMN A (MUNICIPALITIES)	COLUMN B (ALLEGATIONS)
1. Madiheng Local Municipality	1. The appointment, extension of
2. Greater Taung Local Municipality	appointment, and promotion of
3. Mafikeng Local Municipality	municipal staff contrary to the
4. Ventersdorp Local Municipality	prescripts of applicable laws,
5. Dr Kenneth Kaunda District Municipality	municipal policies and procedures.
6. Matlosana Local Municipality	2. The external manipulation of and
7. Maquassi Hills Local Municipality	undue preference in the appointment
8. Tlokwe Local Municipality	and promotion of municipal staff.
	3. The disproportionate appointment
	and excessive remuneration of



- | | |
|--|---|
| 9. Ngaka Modiri Molema District Municipality | municipal staff. |
| 10. Ditsobotla Local Municipality | 4. The appointment and disproportionate remuneration of |
| 11. Tswaing Local Municipality | under qualified and unsuitable candidates in municipal staff |
| 12. Ramotshere Moiloa Local Municipality | establishments. |
| 13. Ratlou Local Municipality | 5. The remuneration of non- |
| 14. Moses Kotane Local Municipality | performing and under performing municipal staff without taking |
| 15. Kettlegrivier Local Municipality | appropriate disciplinary steps against such staff. |
| 16. Dr Ruth Mompati District Municipality | 6. Losses of municipal funds due to |
| 17. Rustenburg Local Municipality | theft, fraud and misallocation. |
| 18. Naledi Local Municipality | 7. Disproportionate, wasteful and |
| 19. Kagisano Local Municipality | irregular expenditure of municipal |
| 20. Molepo Local Municipality | funds. |
| 21. Mmusa Local Municipality | 8. Mismanagement of expenditure of municipal funds and resources, and |
| 22. Lekwa-Teemane Local Municipality | the accumulation of municipal debt. |
| 23. Bojanala Platinum District Municipality | 9. Losses to municipalities caused by inadequate management of, and control over municipal contracts and resources. |
| 24. Moretele Local Municipality | 10. The procurement and alienation of goods and services contrary to the provisions of the Local Government: |
- Municipal Finance Management Act, 2003 (Act No. 56 of 2003), and other applicable laws, as well as municipal policy and procedures, including -

(a) the failure to procure and alienate according to a system that is fair, competitive, equitable, transparent and cost-effective;

(b) the external influence over, and manipulation of procurement and alienation processes;

(c) undue preference to and favouring of certain parties in the awarding of contracts;

(d) the impairment of the independence and integrity of bid structures and processes; and

(e) the unnecessary procurement of services of external service providers to perform municipal services.

11. The alienation of municipal land contrary to the provisions of section 14 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), and not by way of a fair, competitive, equitable, transparent and cost effective process.

12. Interference by councillors in the administration of municipal affairs in contravention of the applicable provisions of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

13. The misuse and misappropriation of funds deriving from the Municipal Infrastructure Grant.

14. The misuse of municipal resources for private benefit.

Handwritten signature and initials in the bottom right corner of the page.

Special Investigating Unit (SIU) findings on North West Municipalities

NCOP Finance

13 September 2012

Chairperson: Mr C de Beer (Northern Cape, ANC)

Meeting Summary

The objective of the meeting was to engage with the Special Investigating Unit (SIU) and to get insight into its work and issues which could be shared with the Committee. This was the first engagement between the Committee and the SIU, and the meeting was intended to lay the groundwork for further Parliamentary involvement. The Chairperson outlined the role of the Committee in line with the operations and duties of the SIU.

The SIU gave a summary of the historical origins, vision, mission and functions of the SIU. It had been created by Statute, and received its work from the President by proclamation. The SIU also received complaints from whistleblowers, the Public Protector and other anti-corruption agencies in the country. The SIU had the role of investigating maladministration in government institutions, and was a body of forensic investigators and lawyers.

In a report on the Presidential Proclamation on some municipalities in the North West, the Committee was told about the work which had been done in four prioritised municipalities; Madibeng, Greater Taung, Ventersdorp and Mahikeng. Besides these four municipalities, the SIU had received proclamations to investigate a further 24 municipalities in the North West. There was widespread corruption, misappropriation and maladministration in the Madibeng, Moses Kotane, Bojanala, Rustenburg, Ventersdorp, Greater Taung, Tswaing, Ramotshere, Dr Kenneth Kaunda and Mafikeng municipalities. These irregularities were in the form of fraudulent financial transactions, irregular supply chain management practices, irregular appointments and a general breach of the Municipal Finance Management Act. Very specific cases and circumstances were presented to the Committee. The SIU reported on the disciplinary proceedings, sanctions, dismissals, acknowledgements of debt, and criminal and civil proceedings which had been recommended and engaged. The SIU had registered tangible results and had recovered money. Municipalities had been assisted in the tightening of their financial systems and disciplinary matters had been facilitated, with dismissals registered. In some cases, people had been dismissed and reinstated as a result of the politics within municipalities. The issues of dismissal and reinstatement of culprits was beyond the jurisdiction of the SIU. Some matters were with the SAPS and the SIU was working closely with the Hawks.

In the execution of their duties and in the conducting of investigations, the SIU had experienced the following challenges: A lack of supporting documents; Inadequate information technology and communication systems; Poor filing records and archive systems; An absence of governance structures in the municipalities; Noncompliance with the MFMA; Most of the policies in the municipalities were in draft form and had not been approved. There were cases where policies had been drafts for three years; Many of the municipal managers were in acting positions, and this led to poor accountability. In the entire country, there were few permanently-appointed municipal managers; Municipalities were using council decisions to contravene the law. There were instances where officials were suspended for disciplinary reasons but the council took decisions requesting that these officials be reinstated; A major challenge was the non-enforcement of the recommendations of the SIU; Threats made to potential witnesses in investigations. These situations and threats were always reported to the SAPS; The destruction of documents was a major challenge. In one Mafikeng municipality, the building of the municipality had actually been burnt down in an attempt to destroy documents. Fortunately, the documents in this matter had been removed from the premises the previous night.

Members of the committee asked questions relating to the role of the SIU in relation to the other anti-corruption agencies such as the South African Police Service, the National Prosecuting Authority, the Public Protector, and the South African Revenue Service. The need for strengthened collaboration between these agencies was emphasized by the members. The funding of the SIU, prosecutorial powers, efficiency, relevance and legislative mandate were also discussed. It was agreed that at the earliest convenience of the Committee, a workshop should be facilitated which would bring under one roof the various agencies charged with anti-corruption, law enforcement and statutory compliance so as to enhance collaboration, performance monitoring and evaluation, and ultimately the fight against corruption, fraud, misappropriation and maladministration.

Meeting report

Introduction by Chairperson

The Chairperson welcomed members and the delegates from the Special Investigating Unit (SIU). The objective of the meeting was to engage with the SIU and to get insight into its work and issues which could be shared with the Committee. This was the first engagement between the committee and the SIU and the meeting was going to lay the foundation for further Parliamentary involvement.

The Chairperson outlined the objectives of the Committee. These were oversight over national, provincial and local governments so as to ensure good governance, sound financial management, work ethics and the population getting value for money. The Committee

was serious about its work and ensured compliance with the legislation referring to financial management, as stated in the Public Financial Management Act (PFMA) and the Municipal Finance Management Act (MFMA). The legislation set out instructions and obligations and breach of the law attracted sanctions and consequences.

The Committee was also going to present to the SIU all committee reports which had been compiled after meetings with municipalities in five provinces. These provinces were Mpumalanga, Free State, North West, Northern Cape and the Eastern Cape. The Committee was going to do three follow-ups before 2014 to show the seriousness of the situation.

Mr T Chaane (ANC, North West) said that since there were no documents from the SIU, the assumption was that the information was confidential and some of the matters were before the court. He suggested that what the SIU presented should be information which could be available to the public, and not just general information. General information was not going to help the Members. The details were not very necessary, but at least the Members should be given numbers and the state of affairs.

Special Investigating Unit presentation

The delegation from the SIU comprised the Acting Head of the SIU, Advocate Nomvula Mokhatla, and two programme managers, Mr Paul Modipa and Ms Mary-Anne Whittles.

Adv Mokhatla outlined the origin and history of the SIU, with details of the previous heads. The SIU had been created by Statute, and received its work from the President by proclamations. The SIU also received complaints from whistleblowers, the Public Protector and other anti-corruption agencies in the country. The SIU had the role of investigating maladministration in government institutions. The SIU was a body of forensic investigators and lawyers. The agency had programme managers and project directors and had regional offices in Pretoria (Gauteng), East London (Eastern Cape), Bishops Court – Hillcrest (KwaZulu Natal) and the Western Cape, as well as four satellite offices in the North West, Limpopo, Mpumalanga and the Free State.

The SIU Act provided that the SIU was to get its work through Presidential proclamations, which the SIU motivated for, through the help of the complainant agency. The Minister of Justice then submitted the complaint to the president, who then issued a proclamation once he had applied his mind to it. The SIU did not just hear complaints and act on them. The SIU made its own findings and satisfied itself with the legitimacy of complaints. The SIU did scoping by looking into submitted documents and listening to the complainants. It then verified its competence and jurisdiction over the matter. The processes of the basic investigations were explained to the committee. The costs and necessary resources for the investigations were determined after the basic investigations, but there were instances where the process of investigation was longer and more complex than forecast, and this meant stretching the resources previewed for the investigation. This was why the time frame for investigations was often prolonged beyond the expected time frame. There was always pressure from society for results from investigations, such as arrests.

The second aspect of the SIU's work was civil recovery and litigation, including getting culprits to sign acknowledgements of debt (AOD). The SIU had helped Departments in drafting letters of demand and assisted in the collection of outstanding debts. On issues of litigation, the tribunal of the SIU had ceased to exist, but the agency was in the process of reviving the tribunal, as there was a backlog in the courts and there was a need for the speedy recovery of money.

Report on the Proclamation on Municipalities

The Programme Manager, Mr Paul Modipa, said that in 2009 the SIU, in consultation with the Minister of Cooperative Governance and Traditional Affairs (CoGTA), had put together a Ministerial Task Team to look into complaints of maladministration, corruption, nepotism and political infighting in various municipalities. The Task Team had compiled a report which the SIU and CoGTA had used to motivate for a proclamation. The allegations had been taken from reports on each municipality. In some municipalities, there were no clear allegations, and that was one of the challenges which had been noted. A Task Team had been formed, including the South African Police Service (SAPS), CoGTA, the Auditor-General (AG) and the National Prosecuting Authority (NPA). The purpose of the team was to facilitate the criminal cases and refer matters to the South African Revenue Service (SARS) for assistance with big recoveries. The mandate was under Proclamation 72 of 2009, and it covered the period from 1 January 2005 to 10 November 2009.

In the engagement between CoGTA and the SIU, there were prioritised municipalities and the SIU had been requested to look into four municipalities. The project plan and resources were allocated for the four municipalities. These municipalities included Madibeng, Greater Taung, Ventersdorp and Mahikeng. When the proclamation had come back from the Presidency, it had been extended to 24 municipalities. This meant that the resources for the four municipalities had to be used for 24 municipalities. This was one for the reasons why the investigations had lasted longer than 30 months.

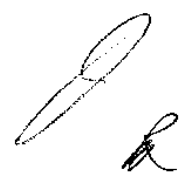
Mr Modipa said that the SIU had registered tangible results and had recovered money. Municipalities had been assisted in the tightening of their financial systems and disciplinary matters had been facilitated, with dismissals registered. In some cases, people had been dismissed and reinstated as a result of the politics within municipalities. The issues of dismissal and reinstatement of culprits was beyond the jurisdiction of the SIU. Some matters were with the SAPS and the SIU was working closely with the Hawks.

The SIU had currently investigated 12 municipalities from the original number of four. The SIU had made provision to investigate eight more municipalities from 1 of April 2012 to the end of the financial year.

Progress Report on Municipalities

The Programme Manager, Ms Mary-Anne Whittles, gave a report on investigations done within the Madibeng, Moses Kotane, Rustenburg and Bojanala municipalities.

Madibeng Local Municipality



A number of successful investigations had been carried out. All investigations in Madibeng had been finalized, and a number of disciplinary hearings had been finalized. A problem had arisen, in that all recommendations with regards to the disciplinary actions against certain officials had been reversed by the new Municipal Manager. Suspended and dismissed officials had been reappointed into their positions. This situation had been reported to the Head of Department (HOD) in the North West and the issues were currently being dealt with.

The Chief Financial Officer in the Madibeng Municipality had resigned after she had been presented with charges of financial mismanagement. The Supply Chain Manager had been dismissed for non-compliance with the MFMA and non-disclosure of interest during tender processes. A criminal case had been opened against her and her relatives involved in the deal. There were disciplinary proceedings opened against a financial officer who had submitted fraudulent claims and a criminal case had been opened against him. These disciplinary cases had been withdrawn by the new Municipal Manager. There were smaller matters, such as negligence in the driving of vehicles and theft of fuel. The SIU had secured AOD's and some officials had paid the money back and had received verbal warnings. There was a situation where a traffic officer had admitted to a charge of theft of fuel to the value of R30 000. A criminal case had been opened against him.

There were conflict of interest matters, where officials had failed to disclose interests during tender processes. In the period under review, 12 officials had been identified, to whom an amount of R1.8 million had been paid by the municipality in the conduct of business. Criminal cases had been registered against the officials and disciplinary actions recommended. The recommendation from the SIU was that these officials be blacklisted from the municipality supply database. A total of 351 officials had not disclosed their interests, but had not done business with the municipality and verbal warnings had been given to the officials. An annual vetting process for officials to disclose business interests was recommended.

The SIU had identified 76 266 debtors who had defaulted in payments in excess of R470 million to municipalities. The top 100 debtors had been identified and by March 2011, the municipality had recovered R12 million from the debtors. Government departments accounted for 243 of the debtors, and they owed the municipalities a total amount of R7 million. Letters of demand had been issued. This had been when an administrator had still been in charge of the municipality and since a new Municipal Manager had taken over, there had been no reports of progress. The administrator had also appointed a firm of attorneys to recover the outstanding debt. A total of 449 cheques to the value of R4.7 million which had not been honoured by the bank had been identified. Contact had been made to ensure payments, and feedback was being requested.

Ten "ghost" employees had been identified who were still being paid by the municipality.

A contract for sweeping streets had been identified, which had been awarded to 20 service providers by the former municipal manager. These service providers had received payments of R240 000 each, but no work had been done. It had been impossible to trace the service providers, because false names had been used and some did not exist. A criminal matter had been opened against the former municipal manager. Four services providers had been identified who were not registered for VAT, but had claimed VAT and had been paid by the municipality. The matter had been referred to SARS. The SIU was currently working on signing a Memorandum of Understanding with SARS for the conducting of more joint investigations.

A contract was identified where a relative of a senior official in the municipality had received a contract for the cutting of grass. The official had not recused himself from the process and instead of the rightful amount of R200 000 being paid for the contract, an amount of R7 million had been paid. Because it was the cutting of grass, it had not been possible to identify if the work had been done or not. A criminal case had been registered with the SAPS.

All recommendations with regard to improving the financial controls within the municipality had been implemented. There were certain allegations that corroborating documents could not be found.

Moses Kotani Municipality

The SIU had registered more success in this municipality than in Madibeng. There were 33 disciplinary matters against officials and there were a number of conflict of interest matters, and recommendations had been made to council in this regard. There were instances of financial mismanagement and fraudulent payments. AOD's had been signed in this regard.

Mr Modipa said that there had been no control on the use of cheques in the municipality. Follow-ups were being made and recoveries were in progress. There were instances where payments had been made in cash to the municipality, but the money which had been received had not been put into the municipal account. The position of the SIU was that there was a need to improve internal controls in municipalities. It was recommended by the SIU that municipalities should not accept personal cheques and only business cheques should be used.

The SIU had identified 115 officials who had undisclosed business interests with the municipality, and 16 of these officials had done business with the municipality. Disciplinary proceedings had been recommended and the officials blacklisted from the municipal database. A legal opinion had been obtained which stated that these officials could be charged with Section 17 of the Preventing and Combating of Corruption Act. The matter had been referred to the SAPS. The disciplinary proceedings against the former Municipal Manager had been facilitated. He had been charged with 21 offences and found guilty of all charges. He had been dismissed, but was contesting his dismissal at the CCMA. Some of the charges related to irregular appointments. From a civil recovery point of view, the irregular and wasteful expenditure should be recovered from him.

An official had been identified who had used a municipal truck for the transportation of building materials for his private home. This same official had stolen an amount of R10 000 from the social club account of the municipality. He had admitted to the crime and had signed an AOD. He had broken into the municipal tender box and tampered with submitted tenders. The Municipal Manager said that

the officials had been given a written warning, but in the personal file of the official, there had been no written warning. After a week, when the file was checked, a written warning which was backdated had been inserted. A criminal case had been registered against the official and the SIU had recommended his suspension. Instead of being suspended, the said official had been promoted to the position of Director in charge of Community Services.

In some cases, investigations had been carried out, but the results had been negative as no anomalies or irregularities found. This was the case in Makwasi Hills, where an investigation had been conducted on the matter of high-mast lights and no irregularities found.

There was a situation where the municipality had paid a service provider an amount of R17 000 for catering services, which had not been provided. The matter had been taken to the SAPS, who took the matter further to the Senior Public Prosecutor. The Senior Public Prosecutor had said that it was not a criminal matter, but rather an administrative error. The SIU was of the opinion that it was a criminal matter because the service provider had submitted a claim for payment for a service which they knew had not been rendered. That was misrepresentation and it was a criminal matter. There were investigations on the building of the Civic Centre, where the contract was worth R20 million and the service provider had invoiced the municipality for an amount of R1.6 million for a steel door which had not been erected. There was also an investigation into the purchase of the mayoral house which had not been put out to tender.

There was the challenge of the statutory contravention of the MFMA. In some cases, the MFMA had clearly been contravened and recommendations had been made to SAPS for charges to be pressed against the officials. The SAPS had the mandate to follow up on statutory offences. An example was the need for some of the Municipal Managers to be charged with contravening the Archives Act, as they did not archive documents properly and this had led to the hiding of evidence.

Adv Mokhatla said that the SIU was putting systems in place to cover the gaps where investigations were done by the SIU, and later handed over to the SAPS, who did not carry on with the case properly as the SAPS investigating officers were not abreast with the necessary information on the crimes and related matters. The SIU had met with the NPA and the SAPS to work on ways of closing the gaps.

The Chairperson said that he was going to recommend to the Acting Chairperson of the Portfolio Committee on Police and the Chairperson in the NCOP dealing with Police matters, to engage with the SIU to get SAPS involved with legislation.

Mr B Mashile (ANC, Mpumalanga) asked if the SIU did not have imbedded prosecutorial powers. What legislation was the SIU using to revive its tribunal, as there was the need to curb the disjuncture in the track of cases going to the NPA and falling along the way?

Adv Mokhatla replied that in the past there was a secondment to the SIU of NPA officials who had prosecutorial powers, but since the delegations had been withdrawn in 2010 by the NDPP, no one in the SIU had the power to prosecute. The tribunals were in the SIU Act, but the issue in the court of law was that one could not sit as the head of the SIU and be an investigator and arbiter at the same time. That was how the SIU had distanced itself from doing litigation. The SIU had identified the need for the speedy recovery of misappropriated funds. The agency was doing a legal review which was going to be finalised by the end of the month of September 2012. The review was going to motivate for the forensic investigations, and 28 lawyers were being groomed to be able to take the matters to the courts and eventually, to the tribunals. The SIU was going to provide a motivation to the Minister of Justice on the process.

Bojanala Municipality

The SIU had just started investigating this municipality. The former mayor had requested that the SIU investigate the awarding of 279 bursaries which had been awarded irregularly by the municipality. In some cases, the beneficiaries of the bursaries did not attend school and did not submit results to the municipality.

Rustenburg Municipality

The SIU had investigated a security contract where the security manager had business interests in the company that had been awarded the tender. The Security Manager had died last year, but the investigation was continuing. There had been problems with the service level agreements and there could be recovery. The company had been paid R8.7 million over a period of about 24 months and there had been some theft of municipal property. There was also the theft of R360 000 from the safe in the municipality which was currently being handled by the SAPS. The SIU had assisted the municipality with the fixed asset register and the land audit, and there was an irrecoverable loss of R24.3 million.

Some of the investigations had been done with the objective of assisting the municipalities to strengthen their internal controls. The SIU had made recommendations to the municipalities and in cases where the recommendations had not been followed, the situation had been reported to the HOD and the MEC for Local Government.

The Chairperson asked how long the SIU waited before it did follow-ups on the municipalities.

Mr Modipa replied that the SIU made follow-ups one month after a recommendation had been made.

Ventersdorp Municipality

The SIU had reviewed 11 contracts to the value of R14.6 million. These included information technology contracts and Municipal Infrastructure Grant (MIG) projects.

The difficulty in this municipality was the lack of supporting documents. This was one of the worst municipalities in terms of filing. There had been many acting municipal managers who had all failed to archive documents properly. The second challenge was that there were no supply chain management policies. The municipality had used random council decisions in the appointment of service

providers and this was completely irregular and not in accordance with the MFMA. The appointment procedures in the municipalities were also based on the discretion of the Municipal Manager.

Most of the investigations in Vendersdorp had been concluded in an untimely manner because of a lack of documentation. There was not even a means to get electronic documents, because the IT system was outsourced, the contracts with the companies were for 12 months, and there was no back up. These service providers changed every year, and there was no coherence.

Greater Tzong Municipality

The SIU had reviewed four contracts to the value of R18.1 million. In one of the MIG projects, it had been discovered that the service provider had invoiced the municipality for six hydroponics, but only four had been delivered. The service provider had paid back an amount of R278 900. The matter had been referred to the SAPS. Disciplinary action had also been recommended against the official in the municipality who had authorized the payment.

An investigation was carried out on the purchase of the Mayoral motor vehicle to the value of R301 000, but no irregularities had been found.

The SIU was also investigating matters in Tswaing, Ramotse, Dr Kenneth Kaunda, and Mafikeng municipalities.

Challenges and Constraints

Mr Modipa said that in the execution of their duties and in the conducting of investigations, the following challenges had been experienced:

- Lack of supporting documents;
- Inadequate information technology and communication systems;
- Poor filing records and archive systems;
- An absence of governance structures in the municipalities;
- Noncompliance with the MFMA;
- Most of the policies in the municipalities were in draft form and had not been approved. There were cases where policies had been drafts for three years;
- Many of the municipal managers were in acting positions, and this led to poor accountability. In the entire country, there were few permanently-appointed municipal managers;
- Municipalities were using council decisions to contravene the law. There were instances where officials were suspended for disciplinary reasons but the council took decisions requesting that these officials be reinstated;
- A major challenge was the non-enforcement of the recommendations of the SIU;
- Threats made to potential witnesses in investigations. These situations and threats were always reported to the SAPS.
- The destruction of documents was a major challenge. In one Mafikeng municipality, the building of the municipality had actually been burnt down in an attempt to destroy documents. Fortunately, the documents in this matter had been removed from the premises the previous night.

The Chairperson asked when the recommendations of the SIU were usually sent to the HOD and the MEC.

Ms Whittles replied that the HOD and the MEC were usually copied in as recipients of the reports and recommendations.

Mr Modipa said that the SIU was part of a steering committee with the North West local government, and the HOD was represented on the committee. Once in a while, the SIU met with the MEC to brief him on the progress and the challenges faced.

Adv Mokhatla said that when it was said that the SIU was making recommendations, it did not mean that the SIU were experts in the field. The legal review process was meant to ensure that recommendations of the SIU were within its area of competence. The investigations were in the concluding stages and there were senior officials who were implicated. In some circles, the information provided in the reports was used for bad, rather than good. The SIU was working to make sure that its reports were used for the purposes for which they were intended, and not to thwart people's careers and progress.

Discussion

The Chairperson said that the details of the presentation emphasised the need for the committee to conduct oversight. He asked the SIU if they felt they were making progress.

Adv Mokhatla replied that the SIU was winning and making progress, but there were challenges which were being faced. The SIU welcomed the proposal by the Chairperson to have a joint meeting with the other anti-corruption agencies to map the way forward and to have an active preventive strategy.

The Chairperson said an integrated approach was needed in the fight against corruption.

Mr B Mashile (ANC, Mpumalanga) asked if the absence of electronic copies in municipalities and the poor archiving systems were the result of "innocence" rather than deliberate malicious activities. He was of the opinion that people and officials who transgressed should be arrested and locked up. Was there any record of arrests and people locked up as a result of the investigations? Many of the issues raised were criminal matters and the culprits had to be locked up. What did the SIU think could be amended in any establishing legislation which would empower it to run the processes through to completion? There was the risk that the SIU could become irrelevant. The SIU could not be doing serious investigations and at the end rely on the police, which did not have officials of the calibre of the SIU investigators. The specialized work of the SIU could not be transferred to people who were not specialized. How

effective was the Provincial Task Team, and was it responding to the challenges on the ground with any meaningful contributions? Why did the problems persist if the task team was working? In the MFMA, there were responsibilities and obligations of individuals starting from municipal officials, through to the MEC and on to the Premier. Had any recommendations been made to the MEC's and the Premier in terms of their responsibilities and obligations? Was the SIU still relevant, and were they making a difference in the field? What help was needed to improve its relevance?

Mr S Montsitsi (ANC Gauteng) said that the process of enabling the SIU to investigate was very long. The whole process of complaints, referrals and proclamations was extensive, and until this process was finished, the agency would not be able to investigate anything. There was a thin line between the Public Protector and the SIU, as their functions were similar. The SIU had to be different from the Public Protector. On some of the investigations, there was a lot of wrong doing and breaching of legislation but it was rare to hear of charges pressed. Many of the matters were handled through disciplinary proceedings. Why was the strength and application of the PFMA and the MFMA not visible and carried through in the SIU recommendations? In seeking to assist the SIU with its work, what type of information or assistance did the SIU need from the Committee? What partnership could be established to ensure that the issue of corruption was dealt with?

Mr T Chaane (ANC, North West) asked whether all the remaining municipalities could be completed by the end of the financial year. It was clear that there were gaps and challenges facing the SIU, so was any progress being made in the direct combating of corruption? From the presentation, it appeared there was not much collaboration between the SIU, the NPA, SAPS and the Asset Forfeiture Unit. The relationship of these institutions needed to be strengthened. There was also the need to look at the establishing legislation, so that the work could easily flow and the work of government in combating corruption could be seen. The law which established the SIU had to be reviewed so as to allow the agency some flexibility and ability to prosecute. There were a lot of resources put into investigations but after the investigations, the processes became very slow and almost halted. The results of forensic investigation were never used. The hand of justice was too long and there was a need for it to be shortened if progress was to be made. The committee, in overseeing how public finances were spent, had to find a way of bringing all the anti-corruption agencies under one roof. At the earliest convenience of the Committee, a workshop should be organised to ensure cooperation of the anti-corruption units. There was the need for processes to be strengthened so that when files were taken to court, there were ready and complete. The matters in municipalities which could be handled legally had to be dealt with as fast as possible, while political matters should be left with the politicians. What were the engagements between the SIU and the MEC for CoGTA in the North West? The MFMA and the PFMA gave directives as to the responsibilities of the MEC and the provincial treasuries. What was the MEC doing to help the SIU? Had the SIU presented any of these preliminary reports to the President, and what was the outcome? If there were no outcomes, people were going to use the results of investigation for other political reasons. If the people in power could not act, the people who put them in power were going to act.

Mr R Lees (DA, KwaZulu Natal) asked if it was not part of the mandate of the SIU to work with prosecuting authorities to get convictions. What was causing a hindrance in the collaboration? It was sad that many bad deeds had been uncovered but these acts were still being carried out in the municipalities. Was there nothing more that the SIU could do to stop some of the issues uncovered?

Mr Montsitsi asked if the SIU and the Hawks could accompany the Committee on its next round of oversight visits to the provinces. The SIU could make use of its satellite and regional offices.

Mr Mashile asked how the SIU got its budget and if the SIU funds were adequate in terms of the work that it was doing. Was there any intervention that the SIU needed? The Public Protector was receiving more prominence than the SIU because after the investigations had been done by the SIU, it was the Public Protector that made public announcements and seemed to have done all the work. Did the SIU deem it necessary to make media statements and press releases?

The Chairperson asked what the SIU wanted the Committee to do to support it and give it more teeth in the execution of its duties and ensure that action was taken quickly. It was the role of the committee to assist the SIU. The Auditor General had made a finding on the Secretary of Parliament in an audit report and Parliament had taken action. That was the kind of action that had to be taken at municipal level.

The Legal Adviser to Parliament, Advocate F Jenkins, said that in terms of the principle of legality, authority was required before any legal action could be taken. In looking at the functions of the Public Protector and the SIU, the Public Protector received complaints from anybody and they had to make all their investigations public. The SIU received mandates on a case by case basis from the President to deal with corruption. The SIU did not have the obligation to make their findings public. The SIU had to be cautious of basic freedoms and human rights. Adv Jenkins said that it was far worse for government to jail an innocent person than for government not to jail guilty people. This meant that there had to be stringent measures to ensure that whoever went behind bars was guilty beyond any reasonable doubt.

Mr Mashile asked if the SIU had ever been accused of corruption in the execution of the duties. If such had happened, how was the SIU handling the matter?

Adv Mokhatla said that the SIU was going to respond to some of the question in writing within seven days, as some of the issues needed some serious consultations and reviews. This particularly pertained to the amending of legislation.

Ms Whittles said that the destruction of documents was a big challenge as the absence of corroborating documents could halt an investigation. The SIU had found instances where it was of the opinion that the destruction was malicious and in some instances, the documents had been misplaced by the some of the many forensic firms that had participated in the investigations. Municipalities gave out documents without having the investigators acknowledge receipt and this caused difficulties in the tracing of missing documents. Liability could therefore not just be assigned to an official if the SIU could not actually pinpoint what had happened to the documents

On the issue of the process after the completing of investigations, it was important to respect the mandate of other law enforcement agencies. The SIU was a civil investigating institution and they had a specific mandate. The SIU did not have prosecutorial powers because it was a civil entity and the main mandate was to recover loss suffered by government institutions. However, it did not mean that the involvement of the SIU in a matter ended after the preparation of the criminal docket. The SIU worked hand in hand with the investigating officers. It was predominantly a matter of lack of skills within SAPS. The SIU also assisted with the preparation of arrests. The accountability and responsibilities of MECs and the Premier were covered in the reports submitted by the SIU and all findings and conclusions were based on legislative provisions. The legislation was always quoted and specific reference was made.

Mr Modipa said that the SIU had received confirmation that the President had signed a proclamation, and the resources of the SIU were currently depleted. The last 17 proclamations had been received without an increase in resources. The SIU was currently overstretched in terms of resources. It was sadly true that all the investigations could not be finished by March 2013 because there was the need to ensure quality and efficiency. The SIU would, however, make contingency plans.

On the support from the MECs and the Premiers, the SIU had addressed the provincial cabinet of the North West, and the Premier had requested the MEC for Local Government, Finance and the Provincial Treasury to support the SIU in terms of finances, but every time the SIU made any requests, no help was forthcoming. The SIU was of the opinion that local government and municipalities should have a uniform IT system like in National government. The diverse technologies and systems made performance monitoring and evaluation very difficult and this had a very negative effect on service delivery.

The Task Team operated at a national level and was meant to facilitate operational audits and collaboration between the various anti-corruption and law enforcement agencies. It was also meant to track the cases which came from all municipalities in the country.

Adv Mokhatla said some matters were still absent and still being processed, which is why there were many gaps in the report presented to the Committee. The SIU was having talks with the Auditor General's office on a possible partnership to work on the issues of corruption in municipalities. It was important for the various stakeholders to sign MOUs and agreements to complement each other. The SIU was hoping to sign the MOU with the AG's office by the end of September 2012.

It had been found that some of the disciplinary proceedings were just slaps on the wrist and were not commensurate with some of the crimes committed. The fight against corruption needed to be done speedily. Anti-corruption agencies had the tendency to act slowly and not trust each other. There was the need for more collaboration and sharing of knowledge and information. This was going to ensure that the results of investigations would go through the court processes successfully. Adv Mokhatla gave an example of a situation where 34 cases had been taken to court, but there had been frustration when the NPA had thrown them out. It was only later realised that the information in the files was not sufficient and had not come in on time. In the haste of trying to satisfy public opinion, the police had registered the dockets and sent them through to the NPA when there was not enough information in them.

It was important to make clear the role of each agency and how they complemented each other. The SIU did not have an education wing and that was why it did not have a clear means of letting people know what its work was all about.

On collaboration, the SIU collaborated with the NPA and its various bodies, SAPS and SARS. In terms of the cases investigated, however, there was no major collaboration and there was thus need for the strengthening of ties between the various institutions. The SIU was still relevant but it just had to work harder.

The SIU was going to reply to the rest of the other major questions, especially the ones related to legislative amendments, in writing by the end of the month of September 2012.

Mr Chaane said that the image of the government and the entire nation was being dragged into the mud because of corruption and the opportunity to curb it was being thwarted by haste, delays and poor collaboration. It was very important for a concerted and integrated effort to be made to combat corruption at all levels of government.

Consideration and Adoption of Minutes

The minutes of the committee meeting of the 1st of September 2012 were considered.

Mr Chaane moved for the adoption of the minutes. The motion for adoption was seconded by Mr Lees.

The meeting was adjourned.



IN THE HIGH COURT OF SOUTH AFRICA
(NORTH WEST DIVISION, MAHIKENG)

CASE NO.: _____/2021

In the application between:

SAKELIGA NPC

Applicant

and

THE MEMBER OF THE EXECUTIVE COUNCIL:

**NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS**

1st Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL:

NORTH WEST PROVINCE: FINANCE

2nd Respondent

THE MINISTER: NATIONAL DEPARTMENT OF

COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

3rd Respondent

THE MINISTER OF FINANCE

4th Respondent

DITSOBOTLA LOCAL MUNICIPALITY

5th Respondent

NALEDI LOCAL MUNICIPALITY

6th Respondent

THE PREMIER: NORTH WEST PROVINCE

7th Respondent

ESKOM SOC LTD

8th Respondent

MAGALIES WATER BOARD

9th Respondent

SEDIBENG WATER BOARD

10th Respondent

SUPPLEMENTARY FOUNDING AFFIDAVIT

