



## **Ephraim Mogale Local Municipality**

### **2011/12 Medium Term Revenue and Expenditure Framework (MTREF) Policy Review**

#### **INDIGENT SUPPORT POLICY**

# **EPHRAIM MOGALE LOCAL MUNICIPALITY INDIGENT POLICY**

## **PRINCIPLES AND POLICY ON SUBSIDY SCHEME FOR INDIGENT HOUSEHOLDS**

### **1. INTRODUCTION**

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

### **2. PURPOSE OF THE POLICY**

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

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

- 3.1 Grants-in-aid may, within the financial ability of the Municipality, be allocated to owners or tenants of premises who receive electricity, water, sanitation, or refuse removal or other services from the Municipality, in respect of charges payable to the Municipality for such services.
- 3.2 These grants may be allocated if such a person or any other occupier of the property concerned can submit proof or declare under oath that all occupants over 18 years of age had no income or a verified total gross monthly income of less than the amount indicated in terms of the definitions below for the preceding three consecutive months.
  - 3.2.1 Definition of a Destitute Indigent. If the total income of all occupants is not more than an amount as determined by the Council from time to time.

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Currently, this amount is deemed to be equal than the amount received by one state pensioner.

- 3.2.2 Definition of an Indigent. If the total income of all occupants is more than the amount determined for a destitute indigent and less than an amount as determined by the Council from time to time. Currently, this amount is deemed to be equal than the amount received by two state pensioners.
- 3.3 Only one application per person (household consumer) in respect of one property only shall qualify for consideration. A business, school, corporate body, club or governing body shall not qualify for consideration.
- 3.4 The subsidy will apply to the owner or tenant of the property concerned.
- 3.5 The subsidy will not apply in respect of households owning more than one property and who will therefore not be classified as indigent.

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

- 4.1 An application form as approved by Council called an “Application for Indigent Household Subsidy”, must be completed by all consumers who qualify in terms of this policy and wishes to be subsidised in terms of this policy.
- 4.2 The account holder must apply in person and must present the following documents upon application:-
- (a) The latest Municipal account in his/her possession.
  - (b) The account holder's identity document.
  - (c) Information relating to the names and identity numbers of all occupants/residents over the age of 18 years, who reside at the property in the form of an affidavit.
  - (d) Documentary proof of income where possible or an affidavit of financial means and monthly cash flows.
  - (e) Statement of monthly income and expenditure.
- 4.3 Information in respect of all applications must be verified by an official or municipal agent appointed by Council. The relevant Ward Councillor must be involved during the evaluation process and must verify the application together with the relevant officials and local community leaders or ward committee members appointed by Council in this regard.
- 4.4 Application forms must be considered in conjunction with this policy.
- 4.5 The list of indigent households may be made available at any time to the Information Trust Corporation (ITC) for the purpose of exchanging credit information. Households qualifying for consumer credit elsewhere will not be regarded as indigents.
- 4.6 If an application is favourably considered, a subsidy will only be granted during that municipal financial year and the subsequent twelve (12) month budget cycle. The onus will rest on the approved account holders to apply for relief on an annual basis.

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

- 5.1 The Chief Financial Officer will be responsible to compile and administer the database for households registered in terms of this policy.

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- 5.2 Council reserves the right to send officials or its agents to premises/households receiving relief from time to time for the purpose of conducting an on-site audit of the information and details supplied.

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

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

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

#### **7.1 Electricity**

- 7.1.1 All registered indigents will receive 50 units of electricity per month free of charge. Unused free electricity units shall not be carried over to the next month. Any meter tampering or dishonesty shall result in the termination of the subsidisation.

#### **7.2 Water**

- 7.2.1 All registered and approved indigent consumers will receive the first 6 kilolitres of water fully subsidised. Depending on the availability of funds for this purpose, a subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year for consumption in excess of 6 kilolitres per month. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

#### **7.3 Refuse Removal**

- 7.3.1 All registered destitute indigents shall be fully subsidised for refuse removal. All registered indigents shall be subsidised for refuse removal as determined and provided for by the Council in the annual budget from time to time. Depending on the availability of funds for this purpose a subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

#### **7.4 Sewerage**

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7.4.1 All registered destitute indigents shall be fully subsidised for sewerage services. All registered indigents shall be subsidised for sewerage services as determined and provided for by the Council in the annual budget from time to time.

Depending on the availability of funds for this purpose a subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

### **7.5 Site Rental**

7.5.1 All registered destitute indigents shall be fully subsidised for the payment of site rental. All registered indigents shall be subsidised for the payment of site rental as determined and provided for by the Council in the annual budget from time to time. Depending on the availability of funds for this purpose a subsidy, determined at the beginning of every financial year and not more than the applicable tariff for that year, will be applied for the duration of that particular financial year. The amount of the subsidy will be determined and approved as part of the tariff policy applicable for the financial year.

### **7.6 Property Rates**

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

## **8. TARIFF POLICY**

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

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

- The amount individual users pay for their services should generally be in proportion to their use of that service;
- Poor households must have access to at least basic services through-
  - tariffs that cover only operating and maintenance costs;
  - special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or

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- any other direct or indirect method of subsidisation of tariffs for poor households; and
- The extent of subsidisation of tariffs for poor households and other categories of users should be fully disclosed.

8.3 Council's tariff policy as adopted by council conforms to the principles and conditions contained in paragraphs 8.1 and 8.2 above and shall be applied in conjunction with this policy.

### **9. SOURCES OF FUNDING**

- 9.1 The extent of subsidisation contemplated in this policy shall be subject to the *quantum* of the equitable share received by Council on an annual basis. This amount may vary from year to year according to the new allocation for a particular financial year.
- 9.2 If approved as part of the tariff policy the amount of subsidisation may be increased through cross subsidisation, i.e. step tariff system.

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

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

### **11. ARREAR ACCOUNTS**

- 11.1 The approved account holder shall remain responsible for any outstanding amount at the date of application as well as for future charges.
- 11.2 The arrears on the accounts of households, approved as indigent, will be submitted to Council for consideration to be written off in full (including any interest charged). This submission will only be valid as a once-off exercise after approval and will not be applicable for future consumption in excess of the approved subsidy accumulated.

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

- 12.1 If an application is approved, services will be restored free of charge. If services are to be suspended thereafter in terms of the approved credit control policy the approved tariff for reconnection will be payable.

### **13. CONSUMPTION SUBJECT TO MUNICIPAL RESTRICTIONS**

- 13.1 Where restriction of consumption applies to a particular service, applicants must comply with such restrictions in the same manner as any other consumer and may not refuse to be restricted in terms of Council policy. Where restrictions are not

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possible the account holder will be responsible for the consumption in excess of the approved subsidy.

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

#### **14.1 Aims of the Policy.**

14.1.1 The credit control policy of the Council aims to achieve the following:-

- ❑ To distinguish between those who can and cannot genuinely pay for services;
- ❑ To identify and provide for those who cannot pay to register with the municipality in order to consider subsidies to such consumers;
- ❑ To enable the municipality to determine and identify defaulters to ensure appropriate credit control procedures; and
- ❑ To establish an indigent directory of all persons who complies with the policy.

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

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

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

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

### **15. IMPLEMENTATION AND REVIEW OF THIS POLICY**

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

15.1 In terms of section 17(1)(e) of the Municipal Finance Management Act, 2003 this policy must be reviewed on annual basis and the reviewed policy tabled to Council for approval as part of the budget process.

#### **CERTIFICATE OF ENDORSEMENT:**

The Agreement to this Policy shall come into effect on the date of endorsement and shall cease only in the event where such changes/variations has been reduced to writing and been signed by the Accounting Officer. Unless in the event where any changes in any applicable Act, Legislation has jurisdiction to supersede.