

CONSOLIDATED DELEGATION FRAMEWORK FOR OVERBERG DISTRICT MUNICIPALITY - 2025/2026

MUNICIPAL FINANCE AND GOVERNANCE DELEGATIONS								
Section From Source	Source of Delegation	Power & Function Conferred	Applicable Condition/Limitation	Responsibility		DELEGATION CHANNEL		
				Origin/ Owner	Delegations from Act, Council, Mayor and Accounting Officer to ...	Delegation to Directors, Senior Managers/HOD's	Delegation To Directorate Community Services	Sub-Delegated/ Delegation to Managers
62(1)(d)	MFMA	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful Expenditure and other losses are prevented	-	Accounting Officer	Act - Delegated to All Directors and Senior Managers	Accounting Officer - Delegated to All Managers and HOD's	Accounting Officer - Delegated to All Managers and HOD's	Managers + HOD's
116(2)(b)	MFMA	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	-	Accounting Officer	Act - Delegated to All Directors and Senior Managers	Accounting Officer - Delegated to All Managers and HOD's	Accounting Officer - Delegated to All Managers and HOD's	Managers + HOD's
8 (1)	Minimum Competency Regulations	Any financial official of a municipality at or below middle management level must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that official.	-	Accounting Officer	-	-	-	Managers + HOD's
8 (3)	Minimum Competency Regulations	A financial official referred to in sub-regulation (1) or (2) must note that any failure to comply with the financial management responsibilities, functions and powers entrusted in terms of the Act to that official may constitute financial misconduct.	-	Accounting Officer	-	-	-	Managers + HOD's
9	Minimum Competency Regulations	A financial official of a municipality or municipal entity at middle management level must comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out in regulation 9	-	Accounting Officer	-	-	-	Managers + HOD's
17(2)	Municipal Systems Act, Act Of 2000	Must assist the Municipal Manager to develop and implement mechanisms for community participation, including: - Receipt, processing and consideration of petitions and complaints - Notification and public comment procedures - Public meetings and hearings - Consultative meetings with CBO's - Report back to communities	-	Council	Council - Delegated to All Directors	Accounting Officer - Delegated to All Managers and HOD's	Accounting Officer - Delegated to All Managers and HOD's	Managers + HOD's
18	Municipal Systems Act, Act Of 2000	Must assist the Municipal Manager to communicate information concerning community participation with regard to: - The mechanisms that will be used to facilitate community participation - The matters with which community participation is encouraged - The rights and duties of members of the local community - Municipal governance, management and development When communicating the above information, the municipality must take into account: - Language preference and usage in the municipality, and - The special needs of people who cannot read or write	-	Council	Council - Delegated to All Directors	Accounting Officer - Delegated to All Managers and HOD's	Accounting Officer - Delegated to All Managers and HOD's	Managers + HOD's
4	Agricultural Land Act, Act Of 1970	To comment in the event of application to subdivide the land	-	Accounting Officer	Accounting Officer - Delegated to Director Community Services	Accounting Officers - Not Delegated	Accounting Officer - Managers + HOD's	All Managers and HOD's
7 (1)	PPP Regulations	As soon as a municipality initiates a project that may be a public-private partnership, the accounting officer must appoint a person with appropriate skills and experience, either from within or outside the municipality, as the project officer for the public-private partnership.	-	Accounting Officer	Act - Delegated to Senior Manager: Contract, Legal, ICT and Building Management	-	-	Senior Manager: Contract, Legal, ICT and Building Management
8	PPP Regulations	The accounting officer of a municipality which has entered into a public-private partnership agreement must, in addition to complying with section 116 (2) of the Act, take all reasonable steps to ensure - (a) that the outsourced activity is effectively and efficiently carried out in accordance with the agreement; (b) that municipal property which is placed under the control of the private party in terms of the agreement is appropriately protected against forfeiture, theft, loss, wastage and misuse; and (c) that the municipality has contract management and monitoring capacity.	-	Accounting Officer	Act - Delegated to Senior Manager: Contract, Legal, ICT and Building Management	-	-	Senior Manager: Contract, Legal, ICT and Building Management
59	Municipal Systems Act, Act Of 2000	Develop a system of delegations that will maximize administrative and operational efficiency and provide for adequate checks and balances in consultation with the Municipal Manager.	-	Council	Council - Delegated to All Directors	Accounting Officer - Not Delegated	-	Senior Manager: Contract, Legal, ICT and Building Management
Section 59 Municipal Systems Act	Council Resolution	The Director Corporate Services has the power to delegate to the Senior Manager Corporate Support Services to approve all requisitions up to the amount not exceeding R150 000 (VAT Inclusive) subject the SCM policy.	-	Council		Council - Delegated to CFO	Council - Delegated to Director Community Services	All Managers and HOD's
5 (2)	SCOA	The financial and business applications or systems used by a municipality or municipal entity must- (c) provide a portal allowing for free access, for information purposes, to the general ledger of the municipality or municipal entity, by any person authorised by the Director-General or the Accounting officer of the municipality	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
5 (3)	SCOA	Each municipality and municipal entity must have, or have access to, computer hardware with sufficient capacity to run the software which complies with the requirements in sub-regulation (2)	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
6 (2)	SCOA	Each municipality and municipal entity must implement the minimum business process requirements by the date determined in the notice referred to in subregulation 6 (1)	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
7 (2)	SCOA	(2) Each municipality and municipal entity must implement the minimum system requirements by the date determined in the notice referred to in sub-regulation 7 (1).	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician

13 (c)	SCOA	The accounting officer of a municipality or municipal entity must take all necessary steps to ensure that these Regulations are implemented by at least- (c) ensuring that the financial and business applications of the municipality or municipal entity have the capacity to accommodate the implementation of these Regulations and that the required modifications or upgrades are implemented; and	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
14 (1)	SCOA	All municipalities and municipal entities must ensure that- (a) the business and financial applications used by them incorporate a portal allowing for free access to their general ledgers for information purposes to any person authorised by the Director-General; and (b) such access is provided	-	Council	Act - Delegated to CFO	-	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
14 (2)	SCOA	The accounting officer of a municipality and a municipal entity must ensure that its system providers cooperate with the National Treasury to implement the necessary programme amendments to provide the standard of access required by the National Treasury	-	Council	Act - Delegated to CFO	Accounting Officer - Delegated to CFO	CFO - Senior Manager: Contract, Legal, ICT and Building Management	Senior ICT Administrator/Technician
Section 59 Municipal Systems Act	Council Resolution	Specific Delegations - Contract, Legal and Building Management The following powers are hereby delegated to the Senior Manager: Contract, ICT, Legal and Building Management, which powers he or she may from time to time exercise in consultation with the Municipal Manager: 1. To advise on the lease of municipal buildings, and subject to all necessary prescribed approvals having been obtained and procedures complied with. 2. To advise the Municipal Manager and Executive Mayor whether to institute, defend, review, appeal and/or settle matters in the High Court, Labour Court, Equality Court, Supreme Court of Appeal and the Constitutional Court. 3. To settle any arbitration that is not before any court, in consultation with the Municipal Manager. 4. To instruct attorneys to enter notice of appearance on behalf of the Municipality in any matter instituted against the Municipality in the High Court or a court of equal stature where time is of the essence, and to sign all the necessary documents for this purpose, pending the submission of a report to the Municipal Manager and Executive Mayor advising as to how the matter should be proceeded with. 5. To appoint attorneys and counsel in respect of any litigation which has been duly authorised in terms of Council's System of Delegation. 6. To serve as the overall district co-ordinator of Information Technology activities to ensure maximum efficiency and effectiveness in meeting all the business needs of the organization. 7. Advise on SLAs contracts and lease agreements. 8. Draft and implement a building management maintenance plan.		Council		Accounting Officer - Delegated to Director: Corporate Services	Director: Corporate Services- Senior Manager: Contract, Legal, ICT and Building Management	Senior Manager: Contract, Legal, ICT and Building Management
Section 59 Municipal Systems Act	Labour Relations Act, Act 66 Of 1995	Consultation before dismissal based on operational requirements.	-	Council	Council - Delegated to Director: Corporate Services	Accounting Officer - Senior Manager: Human Resources	-	HOD/Manager and Senior Manager: Human Resources
62(1)©(i)	MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective, efficient and transparent risk management systems		Accounting Officer	Act - Delegated to All Directors and Senior Managers	Accounting Officer - Delegated to All Managers and HOD's	Accounting Officer - Delegated to All Managers and HOD's	Managers + HOD's