

MUTALE MUNICIPALITY INDIGENT POLICY



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MUTALE MUNICIPALITY DARFT INDIGENT POLICY

1. INTRODUCTION

Access to social services is part of the socio economic rights enshrined in the Constitution, which obliges government departments and municipalities to avail social security services, including social assistance to those who are unable to support themselves and their dependents, and to take certain reasonable legislative and other measures within their available resources to achieve the realization of this right.

At local government level indigent services is one of the means to provide social security services to the poor people. Social support at municipal level is implemented through the provision of water and sanitation services, electricity services, rebates on property rates and taxes, other services and levies charged by municipalities.

2. LEGISLATIVE FRAMEWORK

2.1. Sections 26(1)(2) and 27 (1)(2) of the Constitution of RSA provides that everyone has the rights to have access to adequate housing, health care, food water and social security. The right to adequate housing requires availability of land, appropriate services such as water and removal of sewerage and the financing of all these including the house itself.

Subsections 2 of the above section states that the State must take reasonable legislative and other measures within its available resources to achieve the progressive realization of these rights.

2.2. Section 152(1) (b,c,d) provides the objects of local government

which include among others:

- to ensure the provision of services to the communities in a sustainable manner;
- to promote social and economic development; and
- to promote a safe and healthy environment.

2.3. Section 153 (a) provides that a developmental municipality must structure and manage its administration and budget and planning process to give priority to the basic need of the community and to promote the social and economic development of the community.

2.4. Section 104(1) reads with section 120 and 97 of the Municipal Systems Act mandates the DPLG to issue guidelines or regulations which serve as a guide for municipalities indigent policies and provide advice among others on the development and implementation of municipal indigent policy.

2.5. Section 15 of the Property rate Act(Act N0.6 of 2004) provides for the exemption of certain category of persons from pay full account.

3. DEFINITIONS

In this policy unless stated otherwise the following words shall bear the meanings below:

3.1 A “household” means:

- a family unit of persons or individuals in occupation of a building or part or part of a building designed for residential occupation by such family unity or individual.

3.2. An indigent household means:

- the category of people being the unemployed , disabled and pensioners who are at and below the determined poverty thresh hold and are unable to pay the full cost of the average municipal account;

- those households who due to a number of socio-economic factors are unable to make a full monetary contribution towards services;

3.3 “Municipal basic” services means:

A service provided by a municipality and includes:

- water and sanitation
- Refuse removal
- Housing
- Electricity
- Roads and storm water

3.4. “Market value” means the amount the property would have realized if sold on the date of valuation in the open market by a willing seller to a willing buyer.(Property Rate Act sec 46)

3.5. “Property” means property as defined in chapter 1 of the Property Rate Act (Act N0.6 of 2004)(Property rate Act definition)

3.6 “Rate” means municipal rate on property as envisaged in section 229(1)(a) of the Constitution (Property rate Act definition)

3.7. “Rebate” in relation to rate payable on property means discount granted in terms of section 15 of the municipal property rate on the amount of the rate payable on the property (Property rate Act definition).

3.8. “Indigent tariff” means a tariff as determined by council designed for indigent households.

3.9. “Thresh hold” means total house hold income that does not exceed R1100-00 per month.

4. OBJECTIVES OF THE POLICY

The main objectives of this policy are:

- to give effect to sections 26,27,152 and 153 of the Constitution as alluded above ;
- to comply with the guidelines set by the DPLG with regard to the development and implementation of indigent policy ;
- to comply with the recommendations set by water services framework regarding the provision of free basic water; and
- to comply with the EBSST policy on the provision of free basic electricity.

5. QUALIFICATION CRITERIA FOR AN INDIGENT

Based on the definitions of an indigent person or households outlined above, Mutale municipality shall regard any person or households with a total income of R1500.00 and below per months as an indigent.

6. SCOPE AND SERVICES

Mutale municipality shall provide indigent services to an indigent person or households as defined above inline with the Constitution and DPLG guidelines. The scope of services in which indigent support will be offered covered the following:

- Water and sanitation
- Free basic electricity (FBE)
- Refuse removal
- Property rate

- Roads and storm water

The municipality shall provides indigent support to qualifying persons or households as tabulated below:

Type of service	Level or standards of Service	Frequency	Indigent support	
Water and sanitation	25 liters per person within 200 meters	daily	6000 kiloliters free monthly	
Refuse removal	On site refuse collection in towns and communal refuse collection in rural areas	<ul style="list-style-type: none"> - twice per week - Once per week 	<ul style="list-style-type: none"> - 50% discount in onsite collection - Flat rate 	
Electricity	Grid electricity to none connections and In house connections where there is	Monthly Monthly	<ul style="list-style-type: none"> - R40-00 per household for grid electricity - R19.98 per house hold for none grid 	

	a line			
Property Rate	Assessment rate per	Monthly	<ul style="list-style-type: none"> - None payment on property with a market value of less than R15000.00 - A rebate of 5% on any property with the value more than R15 000.00. 	
Roads and storm water	Protection from floods by putting storm water drainage	Annually	- Targeting areas with a large number of indigents	

7. PROCESS OF IDENTIFYING INDIGENTS

7.1 The municipality shall use a self targeting approach in terms of which households with a gross monthly income of R1500-00 and below qualify to apply for an indigent status and will receive basic services charged at an indigent tariff.

7.2. The Municipality recognizes its responsibilities in terms of the Municipal Systems Act(Act N0 32 of 2000) of ensuring that poor house holds have access to at least basic services through:

- tariffs that cover only operating and maintenance or
- special tariffs for basic level services, or
- any other direct or indirect subsidization of tariffs for the poor.

7.3. No person will receive an indigent subsidy unless:

- An application has been made to the municipality for indigent status on a prescribed form.
- Such an application is accompanied by an affidavit which indicates the applicant's declaration that he/she qualifies to be an indigent.
- In the case of an indigent who is employed, a pay slips are attached to the application form to substantiate indigent status.
- The application form has been duly signed by the applicant himself/herself.
- The application has been advertised in a local or national newspaper and no members of the public has lodged an objection to the applicant being given an indigent status.

7.4. An application for indigent status approved by the municipality constitute an agreement between the applicant and the municipality and take effect upon approval by the municipality.

7.5. A person approved by the municipality as an indigent will be responsible to make arrangements with the municipality for the payment of any outstanding amounts where the applicant's indigent status has changed while he/she is still owing the municipality.

7.6. The applicant will be informed in writing or in other means of communication if the municipality decline his/her application for the provision of indigent services.

7.7. The application form should undergo the process of verification whereby the following minimum requirements will be checked:

- residential address of Mutale municipality
- SA bar coded I.D
- physical or postal address
- Pay slips showing household income as defined or an Affidavit in support of self employment
- Confirmation of indigents status by traditional leader and ward councilor

8. COMPILATION OF AN INDIGENT REGISTER

The process of compiling an indigent register will begin with campaigns in all wards informing people to apply for indigent status. Application forms will be distributed using the self targeting approach. Ward committees, municipal officials, councilors and CDWs must assist the communities in the completion of the application forms.

All approved applications will be captured in the computer where after an indigent register is produced. The indigent register must be approved by council before implementation.

9. RENEWAL OF INDIGENT STATUS

The indigent status shall be renewed every year. It is the responsibility of an individual to renew and declare the change on his or her indigent status.

10. WITHDRAWAL FROM THE REGISTER

An individual will be withdrawn from the indigent register on the following conditions:

- Death
- Change of indigent status.
- Submission of fraudulent documents
- Relocation from the municipality
- Abuse of indigent status

11. APPEAL PROCESS

Every person has the right to appeal in writing to the Municipal Manager if he/she is not satisfied with the process of compiling an indigent register or not happy with the decision to disapprove his/her applications based on whatever reasons given. An appeal should be lodged within two weeks after the advertisement of the register.

12. FUNDING FOR INDIGENT SERVICES

Due to low revenue collection Mutale municipality shall depend largely on equitable shares and other subsidies to finance indigent services. However this does not imply that the municipality will not use its own sources to finance indigent services where possible a budget for indigent services will be made available annually.

The municipality will also use other means of financing indigent services such as discounts, EPWP and other government programs to support the indigents.

13. PAYMENT OF INDIGENT SERVICES

13.1 All prescribed tariffs or charges payable in respect of indigent services rendered by the municipality in terms of this policy are determined by the council in accordance with;

- the rates and tariff policy of the municipality.
- any applicable regulations from the provincial and national acts.

13.2. The council should as part of the budgetary process determine an indigent tariff. The amount payable by an indigent household should be determined as follows:

Actual tariff:	xxxx
Less indigent tariff:	xxx
Amount payable:	xx

13. INSTITUTIONAL ARRANGEMENTS WITH REGARD TO CO-ORDINATION AND IMPLEMENTATION OF INDIGENT SERVICES

The following departments shall be responsible for the coordination and implementation of indigent services:

- Corporate services will be responsible for the development and review of the indigent policy and compilation of the register.
- Technical services will be responsible for implementation by providing the necessary services and infrastructure
- Finance department will be responsible for the billing and payment of services.

14. DATE OF EFFECT

This policy shall become effective on the date of approval by council.

