

TABLING OF THE DRAFT ANNUAL REPORT FOR 2012 / 2013 (5/14/1/1) (DIRECTOR STRATEGY & SOCIAL DEVELOPMENT)

Purpose of report

To submit to Council the 2012/ 2013 Draft Annual Report for consideration.

Background

The Annual Report 2012/ 2013 of the Langeberg Municipality **will be distributed separately in CD-format at the meeting.**

In terms of the Municipal Systems Act, 2000 (Act 32 of 2000), section 46 (1) and (2) and the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) Section 127,129,130, determines that an annual report must be tabled before Council.

The Municipal Systems Act, 2000 (Act 32 of 2000), section 46(1) and (2) reads as follows:

“46. Annual performance reports.—

- (1) *A municipality must prepare for each financial year a performance report reflecting—*
 - (a) *the performance of the municipality and of each external service provider during that financial year;*
 - (b) *a comparison of the performances referred to in paragraph (a) with targets set for and performances in the previous financial year; and*
 - (c) *measures taken to improve performance.*
- (2) *An annual performance report must form part of the municipality’s annual report in terms of Chapter 12 of the Municipal Finance Management Act.*

[S. 46 substituted by. s. 6 of Act No. 44 of 2003.]
(Date of commencement of s. 46: 1 July, 2001.)”

The Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) Section 127,129,130 reads as follows:

“127. Submission and tabling of annual reports.

- (1) *The accounting officer of a municipal entity must, within six months after the end of a financial year, or on such earlier date as may be agreed between the entity and its parent municipality, submit the entity’s annual report for that financial year to the municipal manager of the entity’s parent municipality.*
- (2) *The mayor of a municipality must, within seven months after the end of a financial year, table in the municipal council the annual report of the municipality and of any municipal entity under the municipality’s sole or shared control.*
- (3) *If the mayor, for whatever reason, is unable to table in the council the annual report of the municipality, or the annual report of any municipal entity under the municipality’s sole or shared control, within seven months after the end of the financial year to which the report relates, the mayor must—*
 - (a) *promptly submit to the council a written explanation referred to in section 133 (1) (a) setting out the reasons for the delay, together with any components of the annual report listed in section 121 (3) or (4) that are ready; and*

- (b) submit to the council the outstanding annual report or the outstanding components of the annual report as soon as may be possible.
- (4) The Auditor-General may submit the financial statements and audit report—
 - (a) of a municipality directly to the municipal council, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of state, if the mayor fails to comply with subsection (2) or (3); or
 - (b) of a municipal entity directly to the parent municipality, the National Treasury, the relevant provincial treasury, the MEC responsible for local government in the province and any prescribed organ of state, if the accounting officer of the entity fails to comply with subsection (1).
- (5) Immediately after an annual report is tabled in the council in terms of subsection (2), the accounting officer of the municipality must—
 - (a) in accordance with section 21A of the Municipal Systems Act—
 - (i) make public the annual report; and
 - (ii) invite the local community to submit representations in connection with the annual report; and
 - (b) submit the annual report to the Auditor-General, the relevant provincial treasury and the provincial department responsible for local government in the province.
- (6) Subsection (5), with the necessary modifications as the context may require, is also applicable if only components of the annual report are tabled in terms of subsection (3).

(Date of commencement of s. 127: 1 July, 2005.)

130. Council meetings open to public and certain public officials.—

- (1) The meetings of a municipal council at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken, must be open to the public and any organs of state, and a reasonable time must be allowed—
 - (a) for the discussion of any written submissions received from the local community or organs of state on the annual report; and
 - (b) for members of the local community or any organs of state to address the council.
- (2) Representatives of the Auditor-General are entitled to attend, and to speak at, any council meeting referred to in subsection (1).
- (3) This section, with the necessary modifications as the context may require, is also applicable if only components of the annual report were tabled in terms of section 127 (3).

(Date of commencement of s. 130: 1 July, 2005.)”

Recommendation / Aanbeveling

That the Annual Report for 2012/ 2013 be approved in principle by Council and that the report be advertised for public comment for oversight purposes.

Dat die Jaarverslag vir 2012/ 2013 in beginsel deur die Raad goedgekeur word en dat dit adverteer word vir publieke kommentaar vir oorsigdoeleindes.

Hierdie verslag het voor die Raad gedien op 3 Desember 2013

This item served before Council on 3 December 2013

Eenparig Besluit / Unanimously Resolved

That the Annual Report for 2012 / 2013 be approved in principle by Council and that the report be advertised for public comment for oversight purposes.

Dat die Jaarverslag vir 2012 / 2013 in beginsel deur die Raad goedgekeur word en dat dit adverteer word vir publieke kommentaar vir oorsigdoeleindes.