

OVERSIGHT REPORT IN RESPECT OF 2010/11 ANNUAL REPORT FOR THE LANGEBERG MUNICIPALITY (5/1/1 - 2010/11) (SENIOR MANAGER: EXECUTIVE SUPPORT SERVICES)

1. PURPOSE OF THE REPORT

To enable the Committee to execute its oversight responsibility in considering the Langeberg Municipality's Annual Report in terms of Section 129 of the Local Government: Municipal Finance Management Act (Act No 56 of 2003) (MFMA).

2. BACKGROUND

STRATEGIC INTENT

Organisational Transformation and Good Corporate Governance

3. LEGAL IMPLICATIONS

3.1. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

3.2. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) Chapter 6, as read with the Local Government: Municipal Systems Amendment Act, 2003 (Act 44 of 2003)

3.3. Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

4. EXECUTIVE SUMMARY

4.1. The Municipality's Annual report process has been prepared according to Section **121**. (1) of the MFMA, which prescribes that, every municipality must for each financial year prepare an annual report. The council of a municipality must within nine months after the end of a financial year deal with the annual report of the municipality in accordance with section 129

4.2. **In terms of Section 129 of the MFMA**, The council must consider the annual report of the municipality, and by no later than two months from the date on which the annual report was tabled in the council, adopt an oversight report containing the council's comments on the annual report, which must include a statement whether the council—

(a) has approved the annual report with or without reservations;

(b) has rejected the annual report; or

(c) has referred the annual report back for revision of those components that can be revised.

4.3. MFMA Circular Number 32 recommends the establishment of an oversight committee for the detailed analysis and review of the annual report(s), following their tabling in Council, receiving and reviewing representations made by the public, inputs from other councillors and Council Portfolio Committees and then drafting an oversight report that may be taken to full Council for discussion.

4.4. In terms of MFMA Circular Number 32, in order to approve the Annual Report without reservations, Council should be able to agree that the information contained in the report is a fair and reasonable record of the performance of the municipality in the financial year reported upon. Approval means that the executive and administration have discharged in full, their accountability for decisions and actions and that their performance meets the criteria set by performance objectives and measures and is also acceptable in the community.

5. OVERSIGHT COMMITTEE:

The oversight committee convened on the 6 December 2011 to discuss the draft Annual report and the following were raised:

- 5.1 Statistical information on Injuries and deaths in the workplace should be included the human resource section of the Annual report. This information will be collected and included in the next annual report.
- 5.2 Draft Annual report should also be referred to the different Ward Committees through the ward councillor.
- 5.3 The Annual report should be published in Afrikaans.
- 5.4 The Oversight Committee reconvened on 12 March 2012 to discuss the Draft Annual Report and requested that the annual report be produced in a simpler format.

6. NATIONAL AND PROVINCIAL TREASURY:

The Annual Report was submitted to the National and Provincial treasury office on 2 February 2012. The comments of Provincial Treasury were received on 16 March 2012 and is attached as Annexure B. Copies of the Annual Report were distributed in January 2012 to all Councillors and in March 2012 to members of the Oversight Committee.

7. PROVINCIAL DEPARTMENT OF LOCAL GOVERNMENT

The Annual Report was submitted on 2 February 2012 to the Provincial Department of Local Government There was no comments received from the offices

PUBLIC PARTICIPATION PROCESS

No public comments were received during the public participation process that closed on 9 March 2012. Attached find the confirmation that no comments were received. (Annexure A)

RECOMMENDATIONS OF OVERSIGHT COMMITTEE

The Oversight Committee having considered the 2010/2011 Draft Annual Report of the Municipality recommends that:

1. The Annual report be considered and adopted by Council without reservations.

This item served before the Mayoral Committee on 20 March 2012
Hierdie item het voor die Burgemeesterskomitee gedien op 20 Maart 2012
Aanbeveling / Recommendation

The Oversight Committee having considered the 2010/2011 Draft Annual Report of the Municipality recommends

That the Annual report be considered and adopted by Council without reservations.

Dat die Jaarverslag oorweeg word en sonder voorbehoude deur die Raad aanvaar word.

Hierdie verslag het voor die Raad gedien op 28 Maart 2012

This item served before Council on 28 March 2012

Eenparig Besluit / Unanimously Resolved

1. That the Annual report be considered and adopted by Council without reservations.

Dat die Jaarverslag oorweeg word en sonder voorbehoude deur die Raad aanvaar word.

2. That it be investigated why Cllr SW Nyamana did not receive his agenda for the meeting of the Oversight Committee in time.

Dat ondersoek ingestel word waarom Rdl SW Nyamana nie sy agenda vir die Oorsig Komitee vergadering betyds ontvang het nie.