



RAND WEST CITY LOCAL MUNICIPALITY
INDIGENT MANAGEMENT AND SUPPORT
POLICY

DIRECTORATE COMMUNITY SERVICES

2019/2020

1. POLICY STATEMENT OF INTENT

The intent of this Policy is to provide a framework and structures to support poverty alleviation within the Municipality by providing an Indigent Management Programme for, amongst others, financial assistance to Indigent Households and Indigent Persons.

The Policy aims to create processes and procedures to register all Indigent Households and Indigent Persons residing within the jurisdiction of the Municipality on a central database (the Indigent Register) to determine which residents of the community need the Municipality's assistance.

Notwithstanding the financial assistance outlined in the Policy, the Policy also aims to create the following opportunities for registered Indigents:

- Participation in skills development and job creation programmes developed by the Municipality.
- For any Department in the Municipality developing a measure or programme to target the poor to be able to access the Indigent Register and use this database as the main source of their programme participants.

2. STRUCTURE OF THE POLICY

Clauses 1-14 of the Policy deal with the Overall Purpose, Outcomes, General Definitions and the Criteria for registration on the Indigent Register and matters relating thereto and is applicable to all Indigent Households and Indigent Persons as defined in the Policy.

Section I (Clauses 15-24) – This Section provides guidelines and procedures for the subsidization of Basic Services and tariff charges to Indigent Households who receive Basic Services from the Municipality and is only applicable to households registered as *Category 'A'* Indigent Households.

Section II (Clauses 25-33) – This Section provides guidelines and procedures for financial assistance to registered Indigent Households and defined Destitute Individuals and Families towards the Indigent Burial of deceased persons.

Clauses 34-38 deal with Control Measures, Right to Appeal, the Effective Date and Title of the Policy and the Repeal of previous Policies.

3. OVERALL PURPOSE OF THE POLICY

- 3.1 To ascertain appropriate targeting options for the defined Indigent Households so as to ensure inclusiveness in the approach and application of the Policy in an equitable manner.
- 3.2 To ensure the implementation of an exit strategy to support the increased mobility of the poor from the Indigent Register.
- 3.3 To ensure that the Rand West City Local Municipality remains financially sustainable while meeting the needs of Indigent Persons.
- 3.4 To improve monitoring systems, provide support and to strengthen capacity of the Rand West City Local Municipality to implement the Policy.
- 3.5 To effectively manage co-ordination between internal departments with regard to the implementation of the Policy.
- 3.6 This Indigent Management and Support Policy is formulated in accordance with the Constitution of the Republic of South Africa, 1996, (Act No 108 of 1996 and other applicable legislation, amongst others, the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) which provides that everybody has a right to administrative justice that is lawful, reasonable and procedurally fair.
- 3.7 Rand West City Local Municipality must, where possible; ensure that any relief is in accordance with the Constitution and is cost effective, sustainable, practical, fair, equitable and justifiable.
- 3.8 In line with the objective of creating a vibrant and growing Municipality, this Policy is also aligned with the principles of Batho Pele, which aims to ensure that attitudes, systems and procedures are capable of delivering enhanced public service.
- 3.9 Misuse and abuse of any support or grant or supply of any invalid information will lead to punitive action by the Municipality against indigent support beneficiaries.
- 3.10 The Community Services Directorate shall be the Directorate responsible for the Management of the Policy.
- 3.11 The Finance will provide support in terms of the provision of Free Basic Services to the approved indigent community members.

4. POLICY OUTCOMES

The following are anticipated outcomes of the implementation on the Policy Management:

- 4.1 Consistent practice in the implementation of the Indigent Management and Support Policy.
- 4.2 Satisfactory levels of compliance with provisions of the Policy.
- 4.3 Quarterly updated Indigent Register.
- 4.4 Quarterly reporting on the implementation of the Indigent Management Programme.

5. DEFINITIONS RELATING TO THE POLICY AS A WHOLE

- 5.1 “Applicant” means a person or household who applies to be registered on the Indigent Register.
- 5.2 “Assessor” means an official of Rand West City Local Municipality who is duly mandated by the Municipality to conduct an assessment of an Indigent Household or Indigent Person’s circumstances.
- 5.3 “Bylaw” means a Bylaw adopted by the Council.
- 5.4 “Calendar Days” means all the days in a month inclusive of Saturdays and Sundays.
- 5.5 “Child Headed Households” is deemed to be minor dependents of the owner, tenant or occupier of a residential structure on a property where the minor child is responsible for the management of the household.
- 5.6 “Constitution” means the Constitution of South Africa, Act 108 Of 1996.
- 5.7 “Council” means the Municipal Council of the Rand West City Local Municipality as referred to and constituted in terms of the provisions of section 157 of the Constitution and established by Provincial Notice No. 6768, as amended, exercising its legislative and executive authority through the Municipality.
- 5.8 “Dependent” means a person under the age of 18 years who is financially dependent and resides permanently with the owner and/or tenant of property in a residential structure on a property within the area of jurisdiction of Rand West City Local Municipality.

- 5.9 “Designated Administrators” means the designated officials mandated by the Municipality to administer Indigent Applications.
- 5.10 “Household Income” means any form of remuneration and/ or income as defined in the Sixth Schedule to the Income Tax Act, 58 of 1962 but excluding certain Support grants as stipulated in this Policy.
- 5.11 “*Category ‘A’* Indigent Household” means individuals living together in a single Relevant Qualifying Property which is supplied by the Municipality of the following Municipal Services:
- Energy Supply
 - Water Supply
 - Sanitation Services
 - Refuse Removal Services
- And who receives Municipal Account Statements from the Municipality.
- 5.12 “*Category ‘B’* Indigent Household” means individuals who live together in a residential structure on a property which is not supplied by the Municipality of the Municipal Services stipulated in Clause 5.11 and includes, amongst others, residents in Informal Settlements and tenants or occupiers of property which is not owned by them.
- 5.13 “Indigent Person” means an individual who is a member of an Indigent Household. “Indigents” shall have a corresponding meaning.
- 5.14 “Indigent Management Programme” means the Programme to identify, register and manage Indigents on the Indigent Register.
- 5.15 “Indigent Management System” means an electronic system used by the Municipality for the management of Applications to be registered on the Indigent Register.
- 5.16 “Indigent Register” means the electronic database of Indigent Households and Indigent Persons.
- 5.17 “IPIMEC” refers to the Indigent Policy Implementation Management and Evaluation Committee
- 5.18 “Municipal Finance Management Act or MFMA” means the Local Government: Municipal Finance Management Act, Act 56 of 2003.

- 5.19 “MTREF” Means the Medium Term Revenue and Expenditure Framework prepared and approved by the Municipality in terms of the MFMA.
- 5.20 “Municipality” means the Rand West City Local Municipality, a local government and legal entity with full legal capacity as contemplated in section 2 of the Systems Act read with the provisions of Chapter 7 of the Constitution and sections 12 and 14 of the Structures Act, with its main place of business and the offices of the Municipal Manager, as envisaged in terms of the provisions of section 115(3) of the Systems Act, at: c/o Sutherland and Pollock Streets, RANDFONTEIN, GAUTENG PROVINCE, and may, depending on the context, include:
- (a) Its successor in title; or
 - (b) A functionary, employee or official exercising a delegated power or carrying out an instruction, in the event of any power being delegated as contemplated in terms of the provisions of section 59 of the Systems Act, or exercising any lawful act in the furtherance of the Municipality’s duties, functions and powers; or
 - (c) An authorized Service Provider fulfilling a responsibility assigned to it by the Municipality through a Service Delivery Agreement.
- 5.21 “Municipal Manager” means the Municipal Manager of the Municipality appointed in terms of the provisions of section 54A of the Systems Act and as referred to in the definition of “Accounting Officer” in section 1 of the MFMA, and also referred to in section 60 of the MFMA, and includes a person acting as an Accounting Officer, or the person to whom the Accounting Officer has delegated his/her authority to act.
- 5.22 “Occupants or Occupier” means the owner and/or tenant or occupier of property and all individuals who live permanently, or for at least 6 (six) months prior to the date of the Application, in a residential structure on the property. Should there be more than one residential structure on the property, each residential structure’s occupants must apply to be registered on the Indigent Register.
- 5.23 “Pensioner” means a person whom is 60 (sixty) years of age or older.
- 5.24 “Registration Method” means the registration processes and procedures applied by the Municipality in the Indigent Application Process.
- 5.25 “Relevant Qualifying Property” means a property which is supplied by the Municipality of the following Municipal Services:
- Energy Supply

- Water Supply
- Sanitation Services
- Refuse Removal Services

And who receives Municipal Account Statements from the Municipality.

- 5.26 “Resident” means a person residing permanently or for at least 6 (six) months within the area of jurisdiction of the Rand West City Local Municipality.
- 5.27 “Verification Officer” means an official duly authorized by the Municipality, or an employee of a Service Provider appointed by the Municipality, to assist with the verification and oversight over the Indigent Management Programme.
- 5.28 “Week Days or Working Days” means Monday to Friday excluding weekends and Public Holidays.

6. COMMUNICATION

The Marketing and Communication Section will, within the framework of the Communication Strategy for the Indigent Management Programme, champion communication to inform the residents of Rand West City Local Municipality about the Programme.

7. CRITERIA FOR REGISTRATION ON THE INDIGENT REGISTER

7.1 Registered Household

Approval for registration on the Indigent Register will be based on the following criteria:

- 7.1.1 The combined household income of all occupants above the age of 18 (eighteen) years and/or dependents residing in a residential structure on a property, is less than R4 000.00 (Four Thousand Rand) per month per household.
- 7.1.2 For registration as a *Category ‘A’* Indigent Household, the combined household income of all occupants above the age of 18 (eighteen) years and/or dependents residing in the Relevant Qualifying Property, is less than R4 000.00 (Four Thousand Rand) per month per household. In terms of salaried residents, the gross salary of the employed applicant will be used.
- 7.1.3 The undermentioned social grants received will be excluded from determining household income:

- Old Age Grant
- Foster Child Grant
- Pension Grant
- Donations
- Child Support Grant
- Care Dependency Grant

7.1.4 The Applicant must be a South African Citizen.

7.1.5 The tenants and occupiers listed by the Applicant to be included on the Indigent Register, must be South African Citizens.

7.1.6 For registration as a *Category 'A'* Indigent Household, the following additional criteria shall apply:

7.1.6.1 The Relevant Qualifying Property is used for residential purposes only;

7.1.6.2 The Applicant must reside on the Relevant Qualifying Property.

7.1.6.3 The Municipal Account in respect of Basic Services and/or Assessment rates must be in the name of the Applicant. An applicant applying for Indigent on a property that is not registered in his/her name must provide substantial evidence of right of use. This can be done via letters of authority or executorship over the estate and providing copies of death certificate or any court order acceptable.

7.2 Child Headed Households

7.2.1 The normal qualifying criteria for registration on the Indigent Register in respect of the remaining members of the household must be complied with.

7.2.2 The oldest child signs the Application to register on the Indigent Register, assisted by an appointed legal guardian.

7.2.3 The status of the household is reviewed in terms of this Policy every 12 (twelve) months.

7.2.4 For registration as a *Category 'A'* Indigent Household (Child Headed), the following additional criteria shall apply:

7.2.4.1 The Municipal Account in respect of Basic Services and/or Assessment rates in the name of the deceased parent/s, is closed.

7.2.4.2 The oldest child signs the User Agreement in respect of Municipal Services assisted by an appointed legal guardian.

7.2.4.3 The Relevant Qualifying Property is not occupied by any member other than minor dependent children of the deceased owner/tenant or legal guardian.

8. EXCLUSIONS

8.1 General Exclusion

Registration on the Indigent Register will not be approved where the Applicant, household occupants/residents or dependents of a household, as the case may be, receive significant benefits or regular monetary income that is above the indigent qualification threshold.

Specific Exclusions for Category 'A' Indigent Households are dealt with in Section I (Clause 22) of this Policy.

9. REMOVAL FROM THE INDIGENT REGISTER

9.1 General Termination and Removal from Indigent Register

An Indigent Household or Indigent Person will be removed from the Indigent Register when any one of the following events occur:

9.1.1 It is found that any information provided on the Application was falsified or untrue.

9.1.2 The household income status of the Applicant improves to an extent that it exceeds the registration criteria.

9.1.3 Voluntary exist by an Indigent Household or Indigent Person.

9.1.4 On expiry of indigent relief in absence of an Application to renew.

9.1.5 Relief will be stopped with immediate effect if it is found that a registered Indigent has supplied information known to have been untrue in order to register on the Indigent Register to obtain relief in terms of this Policy. It will further be stopped if it is discovered that a registered Indigent failed to inform Rand West City Local Municipality of changes in his/her/their financial circumstances which would disqualify them from receiving assistance in terms of this Policy.

- 9.1.6 Providing misleading information constitutes fraud and Rand West City Local Municipality may claim any financial benefits that have been granted, from the person who claimed to be Indigent and such an Applicant will not be eligible to apply for assistance for a period of 5 (five) years.
- 9.1.7 In addition to having to repay the financial benefits, the person who claimed to be Indigent who has received the benefits, will be guilty of committing an act of fraud which is a criminal offence and criminal charges may be brought against such person/s.
- 9.1.8 A penalty of R5,000 (Five thousand Rand only) excl. VAT may also be imposed on any person due to falsified or untrue data on an Application.

Specific circumstances for Termination and Removal from the Indigent Register for Category 'A' Indigent Households are dealt with in Section I (Clause 21) of this Policy.

10. APPLICATION FOR REGISTRATION ON THE INDIGENT REGISTER

The Applicant must present his/her South African Identity Document at the point of Application, where after the following will be required:

An Applicant must complete an official Indigent Management Registration Form, supported by the following documents:

- 10.1 A valid South African Identity Document.
- 10.2 An affidavit by the head of the household mentioning each member and beneficiary in the household by name and Identity Number and declaring the status of income for each member and beneficiary.
- 10.3 If unemployed, an affidavit stating since when the Applicant has been unemployed.
- 10.4 A copy of three months' Bank statements where an Applicant is self-employed.
- 10.5 A copy of a salary advice where an Applicant is employed.
- 10.6 A Letter of Authority where the Applicant is the Executor of a Deceased Estate.
- 10.7 Proof of receipt of Pension or Grant for Pensioners and Recipients of Grants.

- 10.8 For registration as a *Category 'A'* Indigent Household, if the Applicant is the registered owner, legal tenant or occupier of the Relevant Qualifying Property, the Property details must be supplied with a copy of the monthly Account Statement and/or Prepaid Meter Token, along with an affidavit of names and Identity Numbers of each individual residing on the Property.
- 10.9 The declaration of residence in a *Category 'A'* Indigent Household Application will be captured as an appended record to the relevant Identity Number and that will be the only Property for which the individual bearing that Identity Number can claim any benefits in terms of Section I of this Policy.

11. ASSESSMENT, SCREENING AND APPROVAL PROCESS

- 11.1 After the Application Form has been completed, an effective and efficient evaluation system must be used in order to verify the information furnished by the Applicant and to reach a decision within 21 days after the date on which the Application was lodged.

After the Application Process, all information must be verified by the Designated Administrator or a person approved by the Municipality.

(a) *Indigent Management System Check*

The information on the Municipality's Indigent Management System must be checked to determine whether an Applicant and beneficiaries are already registered within the system, as well as to determine dates when these existing Applicants should be reviewed.

(b) *Data Capturing*

The Indigent registration data must be captured in an Indigent Management System as per the Application Form or as identified on the Municipality's Financial System.

(c) *Verification – Site Visit*

The Indigent Management System must assign an Application to a duly appointed Verification Officer to perform an on-site verification.

The Verification Officer must then verify the registration Application and complete a questionnaire, which contains the inventory. The Applicant must sign the completed questionnaire. The Verification Officer then assesses the Application and recommends that the Application be considered for further investigation using the External Scan as described below.

The information shall be entered into the Indigent Management System within 72 (seventy two) hours after receiving the information from the Verification Officer.

(d) **Verification – Ward Councilor**

Once a site verification visit has been concluded, the Application is sent to the Ward Councilor for final verification. The Ward Councilor signs the Application Form once he/she has commented.

(e) **Verification – External Scans**

An external scan of Applicants recommended as suitable households for registration on the Indigent Register, must be concluded with UIF, SARS, Department of Social Development, Retail and Credit Bureau or any other relevant institution.

The external scan must immediately follow the process after the information from the site visitation has been captured. The information of the external scan must then also be captured in the Indigent Management System.

The external scan must be done separately from the site verification.

(f) **Recommendation**

Once all the verification processes have been completed, the Indigent Management System must generate a recommendation based on the information captured in database. Those Applications that qualify to be registered on the Indigent Register will then be referred to the IPIMEC for final approval. The date on which the record was submitted to the IPIMEC should be noted on the Indigent Management System in order to track the status of the Application within the process.

In the event of a successful Application, the Indigent Register must be updated to reflect this and a written notification must be sent to the Applicant informing them of approval of their Application.

The Indigent Management System software must be able to generate a list of all successful Indigent Applications received on request. This report must be produced at least every three months for management information purposes.

In the event that the Application is declined, it must be captured as such in the Indigent Management System and a written notification must be sent to the Applicant informing them of the disapproval.

(g) ***Commencement of Status as an Indigent***

The status of a household and person as an Indigent and the benefits related to such status only commence on date of registration on the Indigent Register.

- 11.2 Whilst the Application is under review for a *Category 'A'* Indigent Household, all credit control actions will be suspended on the precondition that the Applicant settles the monthly levied accounts. Failure to comply may result in credit control actions taken.
- 11.3 If a household is found to be indigent, his/her personal particulars must be registered on a database linked to the debtor's system with immediate effect.
- 11.4 The onus is on the recipient of relief in terms of this Policy to inform the Municipality of any change in his/her status or personal household circumstances.
- 11.5 In the case of there being any dispute as to the residence of a given individual, that individual's declaration *in person* at his or her indigent office will take precedence over any declaration made by another individual that the person in question resides in their household.
- 11.6 All Indigents who appear on the Indigent Register should be re-evaluated after every 12 months from the date of registration on the Indigent Register in order to assess the need for the continuation of relief in terms of this Policy. In the event where the socio-economic status of the household improves beyond the indigent threshold, the Applicant has a responsibility to apply for cancellation of the Indigent Status as prescribed.

12. PROJECT COMMITTEE

A Project Committee will be established to plan, monitor and evaluate the implementation of the Indigent Management Programme. It will identify any gaps and challenges and make recommendations to the Municipality.

The Committee must be established to comprise of the nominated officials of the Municipality and any relevant Service Provider involved in the implementation of this Policy.

The Project Committee must hold progress meetings at least once a month.

13. INDIGENT POLICY IMPLEMENTATION, MANAGEMENT AND EVALUATION COMMITTEE (IPIMEC)

13.1 An IPMEC must be established to receive data, approve/disapprove Applications and ensure the implementation, management and evaluation of the Indigent Management Process.

13.2 The committee shall comprise of Members of the Mayoral Committee for Community Services, Finance, Infrastructure Services, as well as the Executive Managers of these Departments. The Committee shall be chaired by the Executive Manager Community Services.

13.3 The IPMEC shall meet at least once a month to deal with Applications tabled before them.

13.4 The IPMEC shall do the following:

13.4.1 *Monitoring*

(a) Ongoing monitoring of the execution of the Policy so as to determine its effectiveness and efficiency.

(b) Consider inputs received from affected stakeholders inclusive of Councilors, Ward Committee Members, the Project Committee and administrative officials will assist in the monitoring process of the Policy implementation.

13.4.2 **Quality Management**

- (a) Implement systems and processes of reporting, monitoring and reviewing the Policy.

13.4.3 **Reporting**

- (a) Report on all information captured during monitoring and quality assessment in terms of this Policy.

13.4.4 **Evaluation**

- (a) Evaluate all processes outlined in the Policy to ensure a clean audit trail for all Applications, processes and reporting.

14. EXIT PROGRAMME

Members of households registered as Indigent must be prepared to participate in exit programmes co-ordinated by the Municipality in collaboration of other Government Departments and the Private Sector.

SECTION I

This Section is applicable only to Category 'A' Indigent Households registered on the Indigent Register.

15. PURPOSE OF THIS SECTION

- 15.1 Section 74 of the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000), requires that the Council should, in formulating a Tariff Policy for the Municipality, at least take into consideration the extent of subsidization of tariffs for poor households.
- 15.2 This Section of the Indigent Management and Support Policy is designed to ensure that the households registered as *Category 'A'* Indigent Households have access to

Basic Services as defined in the Constitution of the Republic of South Africa, Act No 108 of 1996.

- 15.3 This Section is a tool of intervention to alleviate the plight and to encourage Indigent Households to live within affordable consumption levels. It is furthermore aimed at ensuring that the State fulfil its constitutional obligation contained in the Bill of Rights.
- 15.4 This Section must be read in conjunction with the Municipality's Credit Control Policy and applicable legislative frameworks.

16. OBJECTIVES OF THIS SECTION

The objectives of this Section are to ensure: -

- 16.1 The provision of Basic Municipal Services to *Category 'A'* Indigent Households registered on the Indigent Register, in a sustainable manner and within the financial and administrative capacity of the Rand West City Local Municipality.
- 16.2 The establishment of procedures and guidelines for the effective subsidization of Basic Service Charges to such registered Indigent Households, within budgetary and Intergovernmental Grant Guidelines.

17. DEFINITIONS SPECIFIC TO THIS SECTION

- 17.1 "Essential Household Services Package" means provision of water supply, sanitation, refuse removal and supply of basic energy.
- 17.2 "Services" means Basic Municipal Services.

18. LEGISLATIVE FRAMEWORK AND GUIDELINES TO THIS SECTION

- 18.1 This Section is designed and must be implemented within the framework of *inter alia* the following legislation:
- (a) The Constitution of the Republic of South Africa, Act No 108 of 1996.
 - (b) The Local Government: Municipal Systems Act, Act No 32 of 2000.
 - (c) The Municipal Finance Management Act, Act 56 of 2003.
 - (d) The Promotion of Administrative Justice Act, Act 3 of 2000.

- (e) The Local Government: Municipal Property Rates Act, 2000, Act 6 of 2000.
- (f) The Water Service Act, Act 108 of 1997 and Regulations thereto; and
- (g) The Waste Act, Act 59 of 2008 and the Regulations thereto.

18.2 There are several strategies and guidelines relating to free basic services which compliment this Section of the Policy and which must be taken into consideration in the implementation of this Policy, including:

- (a) National Policy on Free Basic Services, National Policy on Free Basic Water, National Policy on Free Basic Electricity, National Policy for the Provision of Basic Refuse Removal Services to Indigent Households.
- (b) Free Basic Water Strategy and Guideline prepared by the Department of Water and Forestry (DWAF).
- (c) Free Basic Sanitation Strategy and Guidelines prepared by the DWAF.
- (d) Electricity Basic Support Tariff (Free Basic Electricity) Policy, 1 April 2003, prepared by the Department of Minerals and Energy.
- (e) National Policy on Free Basic Alternative Energy, 2007.

19. FUNDING

19.1 The main source of funding for the indigent subsidy relevant to this Section is the Equitable Share Grant (ESG) allocation received by the Municipality from the National Fiscus.

19.2 In exceptional circumstances this can be supplemented from other sources of revenue. Council will determine the percentage subsidy amount, per service category, per household, on an annual basis, taking into consideration the Municipality's Medium Revenue and Expenditure Framework (MTREF) budget proposals.

19.3 The subsidy allocation must be contained in the Tariff Schedule and must be reviewed annually with the annual budget and tariffs.

20. SPECIFIC EXCLUSIONS

In addition to the General Exclusion contained in Clause 8 of this Policy, the following Specific Exclusions are applicable to this Section:

20.1 Where the Applicant owns more than 1 (one) property, registered individually or jointly.

- 20.2 Where the Applicant rents or sub-let her/his Property or part thereof to any third party during the duration of the grant period.
- 20.3 Where the Applicant or any tenant or occupier tampers or illegally connects or reconnects services prior to the Application, until such time as the total costs, penalties, other fees, illegal consumption and any applicable tariffs and rates due to the Municipality have been paid in full.
- 20.4 Where business activities are being conducted on the Property referred to in Application to register on the Indigent Register as a *Category 'A'* Indigent Household, however minute.
- 20.5 Where the Property is classified as vacant on the Valuation Roll.
- 20.6 This Section specifically excludes households registered on the Indigent Register as *Category 'B'* Indigent Households and nothing in this Policy shall be construed as to entitle a *Category 'B'* Indigent Household to receive Municipal Services.

21. SPECIFIC CIRCUMSTANCES FOR TERMINATION OF RELIEF AND REMOVAL FROM THE INDIGENT REGISTER

In addition to the General Circumstances for Termination of Relief and Removal from the Indigent Register as contained in Clause 9 of this Policy, the following Specific Circumstances are applicable to this Section:

The Indigent Relief will be terminated and the Indigent Household removed from the Indigent Register as a *Category 'A'* Indigent Household when any of the following events occur:

- 21.1 Death of the Account Holder;
- 21.2 Sale of the Property; All historically granted subsidies within the current Indigent cycle will be reversed and same demanded from the owner of the property, which is the seller.
- 21.3 When the Applicant vacates the Property;
- 21.4 If it is established that the Applicant or any tenant or occupier has tampered with any of the utility connection of the Municipality;
- 21.5 Refusal to adhere to any of the corrective steps referred to in Clause 24.

21.6 Refusal to accept any of the limitations on provision of basic services contained in Clause 22 of this Policy.

22. EXTENT OF INDIGENT SUPPORT FOR REGISTERED CATEGORY A INDIGENT HOUSEHOLDS

22.1 Indigent support will be given on a monthly basis, and the extent of the monthly support will be determined by the National Policy Guidelines and the Municipality's annual budgetary proposals and MTREF in respect of:

22.1.1 Free basic water of 6kl per household per month;

22.1.2 Free refuse collection;

22.1.3 Free basic electricity or energy (depending on which service level is applicable) of 50KHW per household per month;

22.1.4 Free basic sanitation; and

22.1.5 Assessment rates in respect of residential property registered in name of qualifying indigent owner subject to the maximum amount of R 450,000 (One Hundred and fifty Thousand Rand Only) or as determined by the Municipality from time to time.

22.2 The level of indigent support granted shall not exceed the actual monthly billing to the Account in respect of the Services referred to in the preceding Clause.

22.3 The relief will be subject to National Policy Guidelines and the Municipality's approved budgetary provisions.

22.4 The total amount due by a registered Indigent will be written off upon initial approval of the Application for indigent support.

22.4 In terms of late submission of Indigent renewal, subsidies will only be granted from the date of the application. The indigent now approved must acknowledge any debt that may have accrued on his/her account prior to the application being made.

22.6 In the case of tenants occupying Municipal Properties, all rental amounts due on approval of the Application for indigent will be written off.

- 22.6 Annual write offs of arrear Indigent debtors may also be considered by the Municipality, subject to approval by council
- 22.7 The recipient's monthly levy per service will be credited with the amount of indigent relief granted in terms of this Section of the Policy.
- 22.8 A household may apply for the continuation of relief on expiry of the specified relief period subject to compliance with the applicable Policy qualification criteria.
- 22.9 The municipality will offer free clearance certificates only on Section 45 transfers where both partners/owners were indigent and approved as such.
- 22.10 The municipality must recover all subsidies provided to any indigent seller in an open sale transfer process. The extent of such recovery will be limited to all subsidies granted during the current indigent cycle. Any further recover beyond the current indigent cycle will be approved by the Accounting Officer or his/her nominee.
- 22.11 All indigents who had their status terminated will be subjected to a two year exclusion period or within current indigent cycle.

23. SECTION 89 – DECEASED ESTATES

Children who have lost both parents and who have inherited fixed property and subject to the inability of the estate to pay arrear Municipal Accounts can register as Indigents on the Indigent Register and the Municipality can write off the arrears on such fixed property due to the Municipality upon application and successful consideration of the application.

23.1 Documentation Required in Application of Indigent Status for this Specific Registration:

- 23.1.1 Certified copy of the South African ID of Account Holder and all occupants of the Property.
- 23.1.2 Certified copy of the Death Certificate.
- 23.1.3 Proof of Income of the Applicant.
- 23.1.4 Proof of Grant-Main Applicant and Children claimed for.

- 23.1.5 Bank Statement of the Applicant if applicable
- 23.1.6 Sworn Affidavit by the Applicant declaring any source of income.
- 23.1.7 Latest Municipal Account Statement and latest prepaid electricity token if applicable.
- 23.1.8 Copy of Rental Agreement if renting from Municipal Property.
- 23.1.9 For all other private property rentals, Certified ID copy of the owner and written confirmation that the Applicant has permission to stay in the property at cost of the owner.

24. CORRECTIVE STEPS

On approval of an Indigent Registration Application of a *Category 'A'* Indigent Household, the following will be implemented, as part of the Application, to these corrective steps:

- 24.1 Installation of a Pre-Paid Electrical Meter.
- 24.2 Installation of a Pre-Paid Water Meter.
- 24.3 Any water leaks within the Indigent's place of residence will be repaired by and at the cost of the Municipality if reported within 24 hours of detection.
- 24.4 Registered Indigent Households who consume double their monthly subsidized amounts for a period of three consecutive months for any utility service will be considered for review.
- 24.5 No estimates of consumption for Indigent Households will be allowed. All meters must be read on a monthly basis.
- 24.6 Registered Indigent Households who are in arrears with their Municipal Accounts in excess of 30 Days will be subjected to Normal credit control and debt collection processes.

SECTION II

This Section is applicable to all Indigent Households registered on the Indigent Register, as well as qualifying Destitute Individuals and Families.

25. PURPOSE OF THIS SECTION

- 25.1 With prevailing high levels of unemployment, many people are faced with financial constraints generally and more so where there is an impeding burial in the family. This has resulted in the increasing demand for financial assistance for burials.
- 25.2 The purpose of this Section of the Indigent Management and Support Policy is to ensure proper management, administration and control of Indigent Burials.

26. OBJECTIVES OF THIS SECTION

- 26.1 To provide guidelines towards Indigent Burial requirements to the community as well as to the Contracted Undertakers.
- 26.2 To enable an Indigent Household and Destitute Individuals or Families to bury their loved ones in a decent and dignified manner.
- 26.3 To ensure that an Indigent Household and Destitute Individuals or Families in need of this service are not stigmatized.
- 26.4 To ensure that an Indigent Household and Rand West City Local Municipality are not abused in the process of rendering this service.

27. DEFINITIONS SPECIFIC TO THIS SECTION

- 27.1 “Contracted Undertaker” means an Undertaker, registered on the Panel of Undertakers on the Municipality’s database with whom a Service Level Agreement has been concluded.
- 27.2 “Destitute Individual or Family” refers to an extremely poor individual or family who lacks the means to provide for themselves.

- 27.3 “Foreign National” means a non-South African Citizen who is in the country legally or illegally.
- 27.4 “Gravesite” means a single grave per deceased person dug to the required specifications and paid for by the Contracted Undertaker. The Gravesite shall exclude tombstones and related decorative and memorial finishes.
- 27.5 “Indigent Burial List” means the written record of all Indigent Burials performed in terms of this Section of the Policy.
- 27.6 “Pauper” means a person who died as an unknown, or the body is not claimed, no family or friends could be traced for a period of six weeks to identify the body or bury the deceased person or pay for the burial or cremation of the deceased person.

28. LEGISLATIVE FRAMEWORK AND GUIDELINES TO THIS SECTION

This Section of the Policy is based on the following legislation:

- (a) The Constitution of the Republic of South Africa, Act No 108 of 1996.
- (b) The Health Act, Act No 63 of 1977.
- (c) The Municipal Finance Management Act, Act 56 of 2003.
- (d) The Promotion of Administrative Justice Act, Act 3 of 2000.
- (e) The Regulations Relating to Management of Human Remains No R363 of 2013.
- (f) The Cemetery Bylaws of the Municipality.

29. FUNDING

- 29.1 The main source of funding for the indigent subsidy relevant to this Section is internal funding and the Municipality shall include, in its annual budget, an amount approved by the Municipality for Indigent Burials.
- 29.2 Council will determine the percentage subsidy amount on an annual basis, taking into consideration the Municipality’s Medium Revenue and Expenditure Framework (MTREF) budget proposals, increasing burial costs and other relevant considerations.
- 29.3 The subsidy allocation must be contained in the Tariff Schedule and must be reviewed annually with the annual budget and tariffs.

29.4 The budget for Indigent Burials as a line item should be incorporated in the Directorate Community Services in the Poverty Alleviation and HIV/AIDS program, but not from the HIV/AIDS Grant funding.

30. ELIGIBILITY CRITERIA

30.1 All Indigent Households registered on the Indigent Register in terms of this Policy shall be eligible for Indigent Burials, subject to the Municipality's right to verify such Indigent Status at any time, and subject to the conditions contained in Clauses 30.3 – 30.5.

30.2 Destitute Individuals or Families who are not registered on the Indigent Register, can request an Indigent Burial by means of an affidavit, substantiated by an official letter from a social worker or religious leader, as well as a report from the relevant Ward Councilor. The abovementioned documentation must indicate specifically that an individual or family is Destitute and is subject to verification by a Verification Officer and any further information which the Municipality may require. Should the deceased person not have any Identification Documentation or if such Identification Documentation cannot be found, an affidavit made by a family member must confirm that the deceased person was indeed born in South Africa which affidavit must accompany the request for Indigent Burial.

30.3 No person with funeral cover will be allowed an Indigent Burial and the affidavit accompanying the request for Indigent Burial, must confirm that the person making the affidavit is not aware of the existence of any funeral benefit covering the cost of burial of the deceased person or a part thereof.

30.4 Only Residents of the Municipality will be considered for Indigent Burials. Where the deceased person or household is not registered on the Indigent Register, the affidavit accompanying the request for Indigent Burial must confirm that the deceased person permanently, or for at least 6 (six) months prior to the request, resided within the boundaries of the Rand West City Local Municipality.

30.5 Residents who die outside the jurisdiction and boundaries of the Municipality will be assisted with an Indigent Burial provided that the family bears the transport costs from the place of death back within the jurisdiction of the Municipality.

30.6 Foreign Nationals will be eligible for Indigent Burials subject to the Municipality's financial ability to assist with such a burial.

30.7 Paupers will not be eligible for Indigent Burials in terms of this Policy. According to Section (2) of the Health Act, Act No 63 of 1977, the Local Authority responsible for removal and burial of a Pauper as defined, is the local authority of the district in which the dead body is at the time when the necessity for removal thereof first arises. This means that the West Rand District Municipality is responsible for burial of Paupers.

31. REPORTING A DEATH FOR PURPOSES OF INDIGENT BURIALS

31.1 When an Indigent Burial is requested, the death must be reported to the Ward Committee Member or Ward Councilor who will confirm the Indigent Status on the Indigent Register. Where an Indigent Burial is requested on behalf of a Destitute Individual or Family, the requirements of Clause 28.2 must be complied with. The Ward Committee Member and Ward Councilor must assist with the request for the Indigent Burial.

31.2 The relevant Death Certificate must be submitted to the Designated Administrator;

31.3 The request for Indigent Burial will be considered by the Municipality only after the Indigent Household or Destitute Individuals or Family has exhausted all other possible options.

31.4 On receipt of the required documentation by the Municipality, the approval of a request for Indigent Burial must be concluded within 48 hours and a Contracted Undertaker assigned to continue with the Indigent Burial process.

31.5 On receipt of written authorizations by the Municipality, the relevant Contracted Undertaker assigned will start the process for the Indigent Burial.

31.6 The Contracted Undertaker on whose premises the deceased is being stored, will be assigned to do the Indigent Burial and communicate with the bereaved family.

31.7 The Indigent Burial must be conducted within (5) five days of the written authorizations by the Municipality and the burial must take place during a Week Day.

32. INDIGENT BURIAL PACKAGE AND RESPONSIBILITIES OF THE CONTRACTED UNDERTAKERS

- 32.1 The Municipality shall only utilize the services of Contracted Undertakers.
- 32.2 It is a specific condition that the relevant Contracted Undertaker receives a written confirmation from the Municipality, before any services commence, that the person to be buried is indeed a person who qualifies to receive an Indigent Burial.
- 32.3 The Indigent Burial package will include the following:
- 32.3.1 Fetching of the body, storage at the mortuary for an average of five days and preparation of the body for burial.
- 32.3.2 A coffin as specified to the Contracted Undertaker by the Municipality in terms of the Service Level Agreement.
- 32.3.3 A Hearse for transportation of the body of the deceased from the mortuary to the home of the deceased and thereafter to the Gravesite.
- 32.3.4 The body of the deceased will **not** be transported from outside the boundaries of Rand West City Local Municipality at the Municipality's cost.
- 32.3.5 The Indigent Burial will be at the cemetery nearest to the deceased person's residence.
- 32.3.6 The Indigent Burial must be conducted during a Week Day;
- 32.3.7 Payment for the grave site will be included in the Indigent Burial Package.
- 32.7 The total Indigent Burial package for the year 2019/20 will be:
- R2 200.00 (Two Thousand Two Hundred Rand) for a still born child.
 - R2 650.00 (Two Thousand Six Hundred and Fifty Rand) for a new born
 - R3 200.00 (Three Thousand Two Hundred Rand) for children aged 1 month up to 12 years.
 - R4 250.00 (Four Thousand Two Hundred and fifty Rand) for persons older than 12 years.
- 32.8 The Indigent Burial package will be reviewed annually in terms of Clause 29 of this Policy.

32.9 The following documents will be provided to the Municipality by the Contracted Undertaker before payment to the Contracted Undertaker will be processed:

32.9.1 The written authorization from the Municipality to commence Indigent Burial services.

32.9.2 The Burial Order

32.9.3 The Grave number

32.9.4 Proof of payment for the Gravesite

32.9.5 The Death Certificate

32.9.6 A valid Tax Clearance Certificate

32.9.7 An Invoice with quotation and statement attached.

32.10 No Contracted Undertaker may refuse to perform an Indigent Burial after accepting the body of the deceased for keeping of the body due to non-payment of the Municipality for services previously rendered by the Contracted Undertaker. Should any Contracted Undertaker act in contravention of this Clause they will be removed from the Panel of Contracted Undertakers with immediate effect.

33. MONITORING OF INDIGENT BURIAL PROCEDURES

33.1 The Designated Administrator shall open a file for each request for Indigent Burial.

33.2 The file shall bear the reference number of entry as per the Indigent Burial List.

33.3 The file should contain the letter of request and all supporting affidavits and documentation.

33.4 The information will be recorded in the Indigent Burial List for monitoring and reporting purposes.

33.5 The file will contain copies of the Burial Order, Death Certificate, Grave number, proof of payment for the Gravesite and invoice from the Contracted Undertaker;

33.6 Quarterly report will be submitted to Council in terms of Clause 4 of this Policy and will be included in the Service Delivery and Budget Implementation Plan.

34. CONTROL MEASURES FOR PROVISION OF INDIGENT SUPPORT IN TERMS OF THE INDIGENT MANAGEMENT AND SUPPORT POLICY

34.1 Any person who is aware of abuse in any way of any of the provisions of this Indigent Management and Support Policy, may lodge an objection to the Municipality.

34.2 A Designated Assessor must, within 14 (fourteen) Working Days, provide a report to Designated Administrator with an assessment of the objection received in terms of Clause 34.1.

35. RIGHT TO APPEAL

An Applicant defined as such for purposes of this Policy who feels aggrieved by any decision taken in respect of his/her Application to be registered on the Indigent Register or a decision to exclude or remove him/her from the Indigent Register, may lodge an appeal in terms of Section 62 of the Municipal Systems Act.

36. EFFECTIVE DATE

This Policy shall be effective from 1 July 2019.

37. TITLE

This Policy shall be called the Indigent Management and Support Policy of the Rand West City Local Municipality.

38. REPEAL OF PREVIOUS POLICIES

All previous Policies dealing with Indigent Management and Support to the Residents of Rand West City Local Municipality, is herewith repealed.