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GOVERNMENT NOTICE

NATIONAL TREASURY

No. 179

14 March 2014

**LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003
- EXEMPTION FROM REGULATIONS 15 AND 18 OF MUNICIPAL
REGULATIONS ON MINIMUM COMPETENCY LEVELS, 2007**

I, Pravin J Gordhan, the Minister of Finance, acting in terms of section 177(1)(b) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), hereby exempt all municipalities and municipal entities from regulations 15 and 18 of the Municipal Regulations on Minimum Competency Levels, 2007 (promulgated under Government Notice R493 of 15 June 2007), as set out in the Schedule.



**PRAVIN J GORDHAN
MINISTER OF FINANCE**

SCHEDULE**Exemption**

1. Subject to the period and conditions in paragraphs 2 and 3, all municipalities and municipal entities are exempted from regulations 15 and 18 of the Municipal Regulations on Minimum Competency Levels, 2007 (herein called "the Regulations"), to the extent that the regulations prevent a municipality or municipal entity to—
 - (a) continue employing, in terms of regulation 15 or 18(2) of the Regulations, a financial official or supply chain management official who has not attained the required qualification and competency levels by the date stipulated in regulation 15 or 18(2), as the case may be;

- (b) appoint, in terms of regulation 18(1) of the Regulations, a person as a financial official or supply chain management official who does not meet the required qualification and competency levels.

Period of exemption

- 2. The exemption referred to in paragraph 1 is for the period 1 April 2014 to 30 September 2015.

Conditions of exemption

- 3. A municipality or municipal entity must implement the following conditions:
 - (a) A financial official or supply chain management official that is employed by virtue of the exemption in paragraph 1(a) must attain the required qualification and competency levels by 30 September 2015. This condition must be included in the personal development plan, which forms part of the performance agreement, of the official, if such agreement and plan is required.
 - (b) A financial official or supply chain management official appointed by virtue of the exemption in paragraph 1(b) must attain the required qualification and competency levels within 12 months from the date of appointment.

This condition must be included in-

- (i) the employment contract, by stipulating that, if the required qualification and competency levels are not attained within 12 months after appointment, the official's employment will terminate automatically within one month after the end of the 12 month period; and
 - (ii) the personal development plan, which forms part of the performance agreement, of the official, if such agreement and plan are required.
- (c) A municipality or municipal entity must post the performance agreements and personal development plans, referred to in subparagraphs (a) and (b), on the official website of the municipality or any other website the municipality may use for its postings.

4. A municipality must submit a report to the National Treasury on the implementation of the conditions, referred to in paragraphs 3(a) and (b), in respect of the municipality and each of its municipal entities in such format and on such dates as the National Treasury determines.
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