



# **CREDIT CONTROL AND DEBT COLLECTION BY LAW**

# MAHIKENG LOCAL MUNICIPALITY CREDIT CONTROL AND DEBT COLLECTION BYLAWS

## Bylaw

To give effect to the implementation of the Mahikeng local Municipality's Credit Control and Debt Collection Policy and to provide for matters incidental thereto.

## Preamble

WHEREAS the Mahikeng Local Municipality has adopted a Credit Control and Debt Collection Policy on .....

AND WHEREAS section 98 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), requires a municipal council to adopt bylaws to give effect to the municipality's credit control and debt collection policy;

BE IT THEREFORE ENACTED by the Council of the Mahikeng Local Municipality, as follows:

## 1. Definitions

In this By Law any word or expression to which a meaning has been assigned in the Act, shall bear the same meaning in these bylaws, and unless the context indicates otherwise —

“**Act**” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended from time to time;

“**Council**” means the Council of the Mahikeng Local Municipality; and “**rate**” or “**rates**” means a rate on property and or services as approved by council.

## 2. Objective of the Bylaw

The objective of this bylaw is to —

- i. ensure that all monies due and payable to the Council are collected;
- ii. provide for customer management, credit control procedures and mechanisms and debt collection procedures and mechanisms;
- iii. provide for indigents in a way that is consistent with rates and tariff policies and any national policy on indigents;
- iv. provide for extension of time for payment of accounts;
- v. provide for charging of interest on arrears, where appropriate;
- vi. provide for termination of services or the restriction of the provision of services when payments are in the arrears;
- vii. provide for matters relating to unauthorized consumption of services, theft and damages.

### **3. Application of Bylaw**

This bylaw shall only apply to money due and payable to the Council for –

- a. Assessment rates and taxes levied on the property
- b. Fees, surcharges on fees, charges and tariffs in respect of municipal services, such as –
  - i. provision of water;
  - ii. refuse removal;
  - iii. sewerage;
  - iv. removal and purification of sewerage;
  - v. municipal services provided through prepaid meters.
  - vi. all other related costs for services rendered in terms of the property
  - vii. interest which has accrued or will accrue in respect of money due and payable to the Council;
  - viii collection charges in those cases where the Council is responsible for
    - (aa) the rendering of municipal accounts in respect of any one or more of the municipal services;
    - (bb) the recovery of amounts due and payable in respect thereof, irrespective whether the municipal services, or any of them, are provided by the Council itself or by a service utility with which it has concluded a service provider agreement to provide a service on the municipality's behalf

### **4. Short title and commencement**

This Bylaw is the Credit control and Debt collection Bylaw of Mahikeng Local Municipality, and takes effect from the date of publication in the provincial gazette