

Infrastructure Investment and development Policy



GREATER LETABA MUNICIPALITY

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1. Policy

1.1. Overview

Greater Letaba Local Municipality has developed its capital project and infrastructure investment policy to include activities at all departments at which municipality business is conducted. This in recognising its:

- i. community orientation; and
- ii. the need for good governance.

The capital project and infrastructure investment policy is a transparent and codified internal control system aimed at promoting its core Local Objectives to ensure that the limited resources at the disposal of Greater Letaba Local Municipality will be focused towards serving the various stakeholders in the pursuit of their interactions with Greater Letaba Local Municipality both efficiently and congruent to approved budgets and broader financial policies of Greater Letaba Local Municipality, whilst minimising the temptation of misuse of municipality funds.

1.2. Purpose

The capital project and infrastructure investment policy seeks to institutes the necessary control measures to facilitate the daily activity of the municipality by providing:

- i. A guideline for all stakeholders as to the what is required for the formulation of capital projects and infrastructure investment;
- ii. An internal dynamic document detailing the processes required for the efficient discharge of duties relative to financial controls necessary to ensure the efficient administration of the Greater Letaba Local Municipality budgets;
- iii. A guideline for business units to plan and promote capital projects.

1.3. Objective

To ensure procedures and internal controls are in place to drive capital projects and infrastructure developments by:

The responsibility of capital projects and infrastructure development lies with the Accounting Officer and Chief Financial Officer, or delegated official, who has to ensure that reasonable controls exist to support the implementation of policies. In delegating this function to subordinates, it does not alleviate the responsibility of the Chief Financial Officer. The

1.4.2 Accounting Framework

In particular, Regulation 7 of the Municipal Budget and Reporting Regulations (MBRR) governs this policy.

The *Municipal Systems Act (No. 32 of 2000) (MSA)*, *Municipal Finance Management Act (MFMA) (No. 56 of 2003)*, the *King IV Code on Corporate Governance in South Africa (2016)* and other applicable legislation informs and seeks to regulate the functioning of cash handling so as to lead to the early detection of irregular and unauthorised activity, and allow for reporting thereof in terms of the Code of conduct for Councilors and Municipal Staff Members.

1.4.1 Legislative Framework

1.4. Business Process Framework

- i. Infusing business processes into internal control which complies with all legislation and statutory requirements;
- ii. Safeguarding cash resources and optimizing cash flow via effective, efficient and economical use of the Greater Letaba Local Municipality cash resources;
- iii. Driving a culture of accountability over Greater Letaba Local Municipality by skilling staff and stakeholders alike;
- iv. Ensuring the budgetary process is not compromised;
- v. Ensure that staff assigned to capital projects should be appropriately trained and be aware of relevant policies and procedures.
- vi. Communicate to all staff that any monetary loss as a result of non-compliance with this policy is deemed to be gross negligence and could be cause for disciplinary action.

HOD has to ensure all policies and procedures are communicated to and implemented by the responsible individual(s).

1.5. Recommendations

- i. This policy, processes and procedures document supersedes all previously issued references to capital projects and infrastructure development;

- ii. This policy, processes and procedures document be recognised as providing the framework of operation and internal control mechanisms for all staff members of the municipality charged with capital projects and infrastructure development in a particular vote;

- iii. This policy document be adopted by Council of Greater Letaba Local Municipality as the framework for Capital Projects and Infrastructure Development.

2. Processes

2.1 Regulatory Context

The Municipal council is compelled to annually approve a budget before the commencement of that particular year – Chapter 4 of the MFMA. The budgetary process comprises monetary allocations per vote categorised in operating budgets and capital budgets. The former seeks to provide the framework for operational dictates whilst the latter seeks to plan and sustain longer term visioning of the municipality.

Subsection 19 of the MFMA holds that:

1) A municipality may spend money on a capital project only if:

- a. The money for the project, excluding the feasibility study conducted by or on behalf of the municipality, has been appropriated in the capital budget;

- b. The project, inclusive of land cost has been approved by council;

- c. Section 33 has been complied with to the extent it refers to the capital project;

d. The sources of funding has been considered, are available and have been committed for the purposes

2) Before approving a capital project as per subsection (1)(b), the council needs to consider:

a. The total project cost covering all financial years until the project is operational;

b. The future operational costs and revenue on the project, including municipal tax and tariffs implications.

3) A municipal council may in terms of subsection (1)(b) approve capital projects below a prescribed value either individually or as part of a consolidated capital programme

2.2 Role players

The following non exhaustive lists are of the various stakeholders who participate in the process:

2.2.1 Capital Budget Office in the Finance Department

i. Charged with the administrative and technical oversight to the compilation of a capital budget;

ii. Review policies, strategies, legislations and strategic imperatives to satisfy compliance and good governance;

iii. Play the financial oversight role on the project through constant interaction with the designated project leader or project finance official.

2.2.2 Directorates and Departments

i. Originate and place the capital project in the budgetary process;

ii. Post approval, through the mandated reporting line – both political and administrative – inform the budget office of the approved budget;

- 2.3.8 Funding sources for the capital project needs to be clearly appropriation;
 - 2.3.7 Capital expenditure is only permissible post capital budget for replacement assets or new capital expenditure;
 - 2.3.6 Care has to be taken as to whether the capital expense is to be possible future economic benefits derived;
 - 2.3.5 The fair value of the asset may be determined by examining property rates and service tariffs;
 - 2.3.4 The net effect – realistic revenue expectation as opposed to fees attracted needs to be examined for impact on future depreciation, maintenance and all other charges;
 - 2.3.3 The full spectrum of charges ancillary to the project are to be tabled inclusive but not limited to, finance charges, for capital projects;
 - 2.3.2 Realistic revenue streams are to serve as the funding source year;
 - 2.3.1 The zero based method is used to initiate new capital projects – except if there is a contractual obligation in excess of one financial
- 2.3 Deriving a Capital budget**

Budget:
The Municipal Council is responsible for the approval of the Capital

2.2.4 Municipal Council

- iii. Provide information on any amendments to the adopted budget, as and when they arise.
 - i. Draft the intended capital project into the broader budgets;
 - ii. Have an oversight role in all capital projects via monthly reporting mechanisms.
- 2.2.3 Chief Financial Officer**

identified and ring fenced for that specific project

2.4 Funding a Capital Budget
MFMA National treasury Circular 42 holds that the budget process is to ensure that the budget is appropriately funded from:

- 2.4.1 Realistic and collectable revenue; or
- 2.4.2 Cash backed accumulated funds; or
- 2.4.3 Borrowed Funds at affordable rates.

2.5 Sources of Funding

2.5.1 Surplus / accumulated own resources

– there needs to be sufficient revenue for the implementation of the entire project;

2.5.2 External Funding –

- i. normally linked to the useful life of the asset;
- ii. Secured by the asset;
- iii. Interest payable is costed into the operating budget;
- iv. Finance charges are to be costed into the operating budget.

2.5.3 Capital Replacement Reserve (CRR)

i. The municipality will establish a CRR for the purposes of financing capital projects and replacing capital goods. The CRR will be established by:

- a. Unappropriated cash surpluses which are not required for operational purposes;
- b. Interest on investments of the CRR;
- c. Additional amounts appropriated as contributions at the annual adjustment budget.

- ii. The reserve needs to be able to fund the proposed capital project in cash i.e. the commitment needs to be covered;
- iii. Should there not be sufficient cash available to cover the proposal then the limit of the fund needs to be adjusted to equal the available cash.

2.5.4 Grant Funding

- for SA Government grants (whether national through the Division of Revenue Act – DORA – or provincially motivated should be absorbed into the municipal capital budget programme);
- i. Interest earned on investments of conditional grant funding shall be capitalised if it is a condition of funding;
 - ii. If not conditional then it may be allocated to the revenue account;
 - iii. The grant fund spending should be linked to a service level agreement which directs the spending.

2.5.5 Other sources of funding:

- 2.5.5.1 Donated Assets – subject to acceptance by council, based on a report by the relevant business unit. The asset needs to be attributed a fair market value and capitalised on the asset register. Council acceptance is relative to the operating costs;
- 2.5.5.2 Donations – whether foreign or local it needs to be applied for the purpose donated;
- 2.5.5.3 Public / Private Partnerships – capital costs can be borne by participating entities;

3. Procedures

3.1 Regulatory Procedures


Regulation 13 of the MBRR holds that -

- (1) Within 10 days of the municipal council giving individual approval for a capital project in terms of section 19(1)(b) of the MFMA, the municipal manager must as per section 21A of the MSA publish:

- a. The municipal council resolution approving the capital project;
- b. Details of the nature, location and total project cost of the approved capital project.

- (2) Sub regulation (1) above does not apply if the total project costs are within the confines of sub regulation (2). Conversely projects above the limits of sub regulation (2) need to be individually approved by council;
- 3.2 Expenditure needed for capital projects which are below the limits of sub regulation (2) may be included in the annual budget prior to final approval in terms of section 19(3) of the MFMA.
- 3.3 Implementation**
- Business units based on annual plans need to in consultation with both their political heads and heads of department prepare:
- 3.2.1 Revised capital budget reflecting revised estimates for the current financial year;
- 3.2.2 A draft Capital Budget for the ensuing year with a Capital programme for the next four financial years based on:
- i. Year two of the capital Budget becoming Year 1 of the new years budget and Year 3 becoming Year 2;
 - ii. New projects will enter in Year 3;
 - iii. Exceptions thereto are at the discretion of the Budget Steering Committee;
 - iv. Total project costing and the operational impact for all financial years cited, inclusive of cash flow impact;
 - v. Rollovers from the previous year will be accommodated if they fall within the limits of the existing levels of the capital budget. Such rollovers are to be identified at the midyear review for the adjustment budget;
 - vi. New or additional projects not previously approved by Council, need to be endorsed by both the Mayoral Committee member and the relevant head of department, and also not prejudice existing projects;
 - vii. The draft capital budget and capital Programme need to be aligned and consistent with the IDP.

- 3.4 Reconciling and Monitoring
 - 3.4.1 Consistent monitoring will ensure early detection of constraints and blockages and such need to be addressed;
- 3.5 Implementation and Review of Policy
 - This policy shall be implemented as at 1 July 2021 and shall be reviewed on an annual basis to ensure that it is in line with the municipality's strategic objectives and with legislation.


Municipal Manager
Mankgaba MF