



LAINGSBURG MUNICIPALITY

Private Bag X4, Laingsburg, 6900;
02 Van Riebeeck Street, Laingsburg, 6900

Tel: 023-5511 019

Fax: 023-5511 019

DRAFT OVERSIGHT REPORT ON ANNUAL REPORT: 2020/2021

1. PURPOSE OF REPORT

To consider the municipality's Annual Report for the 2020/2021 financial year and to adopt an Oversight Report containing Council's comments on the Annual Report in terms of Section 129(1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (hereafter indicated as MFMA)

2. BACKGROUND

A. Legal Requirements

Section 121(1) (2) and (3) of the MFMA determines as follows:

121 (1) Every Municipality must for each financial year prepare an Annual Report. The Council must within nine months after the end of a financial year deal with the annual report of a municipality in accordance with section 129.

The purpose of the Annual Report is:-

- (a) To provide a record of the activities of the municipality during the financial year to which report relates;
- (b) To provide a report on performance against the budget of the municipality for the financial year; and
- (c) To promote accountability to the local community for the decisions made throughout the year by the municipality.

The annual report of municipality includes the following:-

- (i) The annual financial statements of the municipality, and in addition, if section 122(2) applies, consolidated annual financial statements, as submitted to the Auditor-General for audit in terms of section 126(1);
- (ii) The Auditor-General Audit Report in terms of section 126(3) on those financial statements;
- (iii) The Annual Performance Report of the municipality prepared by the municipality in terms of section 46 of the Municipal Systems Act;
- (iv) The Auditor-General's Audit Report in terms of section 45(b) of the Municipal Systems Act, Act 32 of 2000;
- (v) An Assessment by the municipality's Accounting Officer of any arrears on municipal taxes and service charges;
- (vi) An assessment by the municipality's Accounting Officer of the municipality's



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performance against the measurable performance objectives referred to in section 17(3)(b) for revenue from each source and for each vote in the municipality's approved budget for the relevant financial year;

- (vii) Particulars of any corrective action taken or to be taken in response to issues raised in the audit reports referred to in paragraphs (b) and (d);
- (viii) Any explanations that may be necessary to clarify issues in connection with the financial statements;
- (ix) Any information as determined by the municipality;
- (x) Any recommendation as determined by the municipality; and
- (xi) Any other information as may be prescribed;

In terms of section 127(5) of the MFMA, the Accounting Officer must immediately after the Annual Report is tabled, make public the annual report, invite the local community to submit representations in connection with the annual report and submit the annual report to the Auditor-General, relevant provincial treasury and the provincial department responsible for local government in the province.

According to section 129(1) of the MFMA, the council must consider the Annual Report by no later than two months from the date on which the annual report was tabled, adopt an oversight report containing the Council's comments on the annual report which must include a statement whether –

- The Council has approved the Annual Report with or without reservations;
- Has rejected the Annual Report, or
- Has referred the Annual Report back for revision of those components that can be revised

3. PROCESS

a) Submission and tabling of the Annual Report

The Annual Report of the Municipality for the 2020/2021 financial year is tabled on 24 January 2022 in terms of section 127(2) of the Local Government: Municipal Finance Management Act, 56 of 2003.

Council resolved at item 9.2.5 at the minutes of the meeting of the Council held on 24 January 2022:

1. *That the Draft Annual Report for the 2020/2021 financial year be approved; and*
2. *That the Draft Annual Report 2020/2021 be advertised for public comment;*

b) The Oversight Committee

Municipal Public Accounts Committee (MPAC) formed the Oversight Committee on 24 February 2022, and assumed such oversight role to analyse and review the Annual Reports in detail before tabling the Annual Report to Council for consideration.

The Committee comprises of Municipal Public Accounts Committee Councillors, and



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administratively, the Municipal Manager, Internal Auditor and Administration Clerk.

In terms of the resolution by Council regarding the advertisement of the Draft Annual Report:

- The local community was invited via the Community Notices No. 29/2021 to submit comments/ objections received in connection with the Annual Report from 26 January 2022 to 25 February 2022; **No comments and objections were received**
- The Draft Annual Report has been placed on the municipal website, www.laingsburg.gov.za
- The Draft Annual Report has been submitted to the relevant government departments.

At the closing date for public comments on 25 February 2022, no representations were received. However, Provincial Department comments were received.

4. OVERSIGHT COMMITTEE COMMENTS

During the Oversight Committee Meeting, that was held on Wednesday, 23 March 2022 at 14:00am in the Municipal Council Chambers, Laingsburg.

Submission of the Annual Report

Kommentaar:

- (a) Jaarverslag is reeds aan die MPAC Komitee voorgelê.
- (b) Die Vergadering het nie binne die tydsraamwerk plaasgevind nie.
- (c) Die Jaarverslag voldoen aan die vereistes.
- (d) Die Jaarverslag is geplubliseer en kommentaar is ontvang vanaf die Departement van Plaaslike Regering (bls 177)

Die Komitee is tevrede

Oversight Report on the Annual Report

Kommentaar:

Mnr P Post moet nou Konsep Oorsigverslag voorhou aan die Raad,

- (a) Die verslag voldoen aan die vereistes
- (b) Geen kommentaar is vanaf die publiek ontvang nie.
- (c) Geen kommentaar is vanaf die plaaslike publiek ontvang nie.
- (d) Die Komitee beveel die volgende aan



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5. RECOMMENDATIONS TO COUNCIL:

- THAT THE OVERSIGHT REPORT ON THE ANNUAL REPORT 2020/2021 BE APPROVED IN TERMS OF SECTION 129 (1) OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE ACT (MFMA ACT NO.56 OF 2003);
- THAT THE ANNUAL REPORT 2020/2021 BE APPROVED IN TERMS OF SECTION 129 OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT (MFMA ACT NO.56 OF 2003) WITHOUT RESERVATIONS
- THAT THE 2020/2021 OVERSIGHT REPORT OF LAINGSBURG MUNICIPALITY BE MADE PUBLIC IN TERMS OF 129(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, NO.56 OF 2003, AND
- THAT THE OVERSIGHT REPORT BE SUBMITTED TO THE PROVINCIAL LEGISLATURE IN TERMS OF SECTION 132(2) OF THE MUNICIPAL FINANCE MANAGEMENT ACT.

6. COUNCIL RESOLUTION:

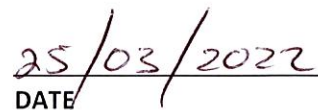
Council **resolved** on Thursday, 24 March 2022, Special Council Meeting held in the Municipal Council Chambers, Laingsburg that:

- The Oversight Report on the Annual Report 2020/2021 be approved;
- The Annual Report 2020/2021 be approved without reservations;
- The 2020/2021 Oversight Report be made public; and
- The Oversight Report be submitted to the Provincial Legislature;

7. SIGNATURES:



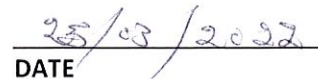
EXECUTIVE MAYOR



DATE



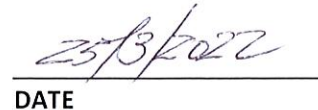
SPEAKER



DATE



ACCOUNTING OFFICER



DATE