



## LAINGSBURG MUNICIPALITY / LAINGSBURG MUNISIPALITEIT

### LAINGSBURG MUNICIPALITY

#### INDIGENT MANAGEMENT BY-LAW (DEERNIS VERORDENING)

Notice is hereby given in terms of section 75(1) of the Municipal Systems Act, 2000 (Act 32 of 2000), that the following By-Law was approved by the Laingsburg Municipal Council on [approval date].

#### PREAMBLE

- Section 152(1)(b) of the Constitution requires municipalities to ensure the provision of services in a sustainable manner.
- Section 153(a) requires municipalities to prioritise the basic needs of the community.
- Section 97(c) of the Municipal Systems Act requires provision for indigent debtors in the credit control and debt collection policy.
- Section 98 requires municipalities to adopt by-laws to give effect to such policies.
- Section 104 empowers the Minister to regulate indigent policies.

#### OBJECTIVE

The objective of this By-Law is to give legal effect to the Laingsburg Municipality's Indigent Management Policy, ensuring that indigent households have access to basic services in a sustainable and affordable manner, while maintaining the financial integrity of the Municipality.

#### ADOPTION AND IMPLEMENTATION

The Municipality shall adopt and implement the Indigent Management Policy, and this By-Law shall give effect to its enforcement.

#### CONTENTS

The Policy shall, inter alia:

- Define indigent households and criteria for qualification.
- Provide subsidies for basic services (water, electricity, refuse, sewerage).
- Establish procedures for application, verification, and registration.
- Provide for **debt write-offs** in terms of the Bad Debt Policy, where arrears are economically irrecoverable, even if a previous write-off has already been granted.



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- Ensure that all write-offs are tabled monthly to Council for ratification, in compliance with the MFMA and MSA.
- Establish an indigent register and assistance committees.
- Outline termination and exit strategies.

### WRITE-OFFS

- At first application for registration as an indigent household, all outstanding debt of the applicant will be written off, excluding reconnection/connection charges, penalties for theft, or other contractual costs.
- Further debt write-offs beyond the initial approval may only be considered after a period of three (3) years, in terms of the Municipality's **Bad Debt Write-Off Policy**, specifically for households that are economically unable to pay their accounts.
- Such renewal write-offs are classified as **Bad Debt Write-Offs** and must follow the procedures and authorisations set out in the Bad Debt Write-Off Policy.
- The type of write-off (First Time, Renewal/Bad Debt, Council Recommended) must be clearly indicated on the Indigent Application Checklist and recorded in the indigent register and Council minutes.
- In terms of Council policy and consumer code 13 (indigent households), no interest shall be levied on arrear balances of registered indigent consumers.
- No debt write-off shall be effected prior to Council resolution. Any indigent or bad debt write-off must be tabled monthly to Council for ratification.

### INDIGENT ASSISTANCE COMMITTEE AND OFFICIAL DUTIES

- The Indigent Assistance Committee shall meet monthly, as formally scheduled and approved by Council.
- No application may be tabled unless it has been fully verified by the Chief Clerk: Credit Control and captured in the indigent register.
- Minutes of each meeting must be signed by the Chairperson and all members present, and submitted monthly to the CFO and Municipal Manager for approval.
- The Chief Clerk: Credit Control, Clerk: Credit Control, and Accountant: Revenue shall perform their duties in accordance with the Indigent Policy and their Job Descriptions.
- Failure by officials to perform these duties shall constitute non-compliance with this By-Law and may result in disciplinary action in terms of the municipal labour policy.



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### ENFORCEMENT

This By-Law shall be enforced through the Municipality's Indigent Management Policy and the Bad Debt Policy, and any further enforcement mechanisms stipulated therein.

### REPEAL

Any previous by-laws relating to indigent management are hereby repealed insofar as they relate to matters provided for in this By-Law.

### INTERPRETATION

This By-Law must be read in conjunction with the Indigent Management Policy and the Bad Debt Policy, and gives effect to the implementation thereof.

### APPROVAL

Given effect to the Indigent Management Policy of Laingsburg Municipality.


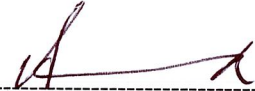
### SHORT TITLE AND COMMENCEMENT

This By-Law shall be known as the *Indigent Management By-Law (Deernis Verordening) of Laingsburg Municipality* and shall take effect on the date of publication in the Provincial Gazette.



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**DOCUMENT CONTROL**

<b>VERSION AND DOCUMENT CONTROL</b>			
<b>POLICY NAME:</b>	Indigent Management By-Law		
<b>POLICY OWNER:</b>	Finance and Compliance Services / Revenue		
<b>RELATED POLICIES:</b>	Budget Policies		
<b>REVIEW:</b>	Annually	<b>Budget Policy</b>	Yes
<b>POLICY EFFECTIVE DATE:</b>	01 July 2026	<b>Policy No</b>	22
<b>Version</b>	<b>Date</b>	<b>Adoption</b>	<b>Revision</b>
1	April 2023	2 <sup>st</sup> Adoption	
2	30 May 2025	28 March 2024	1 <sup>st</sup> Revision
3	29 March 2026		2 <sup>nd</sup> Revision
4	28 May 2026		3 <sup>rd</sup> Revision
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Municipal Manager J. Booyesen		Mayor A. Theron	
Date: 28 May 2026		Date: 28 May 2026	