

**CENTRAL KAROO DISTRICT
MUNICIPALITY**

POLICY:

**TOOLS OF TRADE, CELLULAR PHONE
ALLOWANCES AND DATA ALLOWANCES
FOR COUNCILLORS**

25 MAY 2017

INDEX

<u>NR.</u>	<u>CONTENT</u>
1.	Introduction
2.	Purpose of the Policy
3.	Tools of Trade
4.	Cellular Phone Allowances
5.	Data Allowances
6.	Tax Implications for Cellular Phone and Data Allowances
7.	Maintenance or Loss of Equipment
8.	Insurance
9.	Limits
10.	Monitoring, Evaluation and Control
11.	Use of Municipal Vehicles
12.	Councillor Debt
13.	Approval of Policy

1. INTRODUCTION:

1.1 The Central Karoo District Municipality continuously endeavours to achieve best practice policies and procedures in its administration and operations. In order to enable and enhance the productivity of the municipality's strategic business units it is critical that we make use of sound and latest means of communication technology. It is on this premise that municipal political office-bearers should have access to tools of trade, cellular phones and data in the performance of their daily duties.

2. PURPOSE OF THE POLICY:

2.1 The purpose of the policy will be to:

2.1.1.1 The purpose of this policy is to develop a means or framework for the allocation, management and control of tools of trade, cellular phone allowances and data allowances to political office-bearers.

2.1.1.2 To provide for replacement of a system of Cellular phone contracts and data contracts by the municipality with the salary allowance system.

2.1.1.3 To release the municipality and its officials of the administrative burden of for cellular phone and data contracts.

2.1.1.4 To enable the municipality and its officials to focus on its core responsibility of providing services to its jurisdictional citizens.

3. TOOLS OF TRADE:

3.1 A framework for providing support to public office bearers is contained in the Remuneration of Public Office Bearers Act, and is renewed annually by the Minister of Cooperative Governance and Traditional Affairs.

3.2 Currently a municipal council may provide tools of trade to a councillor in terms of Section 15(a) of the Act, taking into account Section 15(b) of the Act, that *"where a municipal council makes available tools of trade in terms of paragraph (a) above, such a municipal council must take into account accessibility, affordability and cost control; equity; flexibility; simplicity; transparency and accountability and value of tools of trade."*

3.3 Tools of trade that may be extended include:

	<u>TOOL OF TRADE</u>	<u>CONDITIONS</u>	<u>CKDM POSITION</u>
1.	Braille reader	To be provided to all visually impaired councillors	NO
2.	Office space and furniture	To be provided to full-time councillors, part-time Executive Mayors or Mayor; part-time Deputy Executive Mayors or Deputy Mayors, part-time Speakers, part-time Members of Mayoral Committee or Members of Executive Committee and part-time Chairpersons of Section 79 Committees	Mayor & Speaker
	Parking bay		Mayor & Speaker
	Business Cards		NO
	Calculators		NO
	Letter-heads		NO
	Stationary		NO
	Toner Cartridges		NO
	Diaries		YES
	Postage Costs		NO
	Office Telephone		Mayor & Speaker
	Appropriate mobile technology and multi-digital office (excluding cell phones and data card)		NO
	Laptop and/or desktop computer		Full-time councillors and directly elected councillors
	Facsimile		Mayor & Speaker (1 unit to share), rest of councillors to be provided with access
Printer	Mayor & Speaker (1 unit to share), excluding non-directly elected Councillors		
Photocopier	Mayor & Speaker (1 unit to share), excluding non-directly elected Councillors		
Scanner	Mayor & Speaker (1 unit to share), excluding non-directly elected Councillors		
3.	Business cards; Calculators; Letter-heads; Stationary; and Diaries	To be provided to part-time councillors and the usage must comply with policy directives of the municipality	Only diaries to be provided

4.	Postage Costs; Office telephone; and Multi-digital office, facsimile, printer, photocopier and scanner	Part-time councillors to have access to these tools of trade at the municipal offices	Access in Municipal Building - excluding non-directly elected Councillors
5.	Personal security to Executive Mayors or Mayors	Subject to a threat and risk analysis conducted by the South African Police Service	As and when required
6.	Personal security to any other councillor	Subject to a threat and risk analysis conducted by the South African Police Service	As and when required
7.	Official accommodation and furniture	To be provided to full-time Executive Mayors or Mayors	NO
The extension and implementation of the above tools of trade must be done in consultation with the member of the Executive Council responsible for local government in the province concerned.			

3.4 Full-time Councillors are housed in official Municipal Offices fully equipped as envisaged under 3.3 *supra*

3.5 Full-time councillors to have access to the following tools of trade at the municipal head office and to be assisted by the office of the speaker:

Office telephone, facsimile, printer, photocopier and scanner.

Part-time councillors are not entitled to be issued with any stationary and can also not use postage of the municipality or newsletters.

3.6 The municipality will not be issuing the following items:

Calculators, Letter-heads, tippex or any eraser ink, coloured pens or pencils, highlighters, flags or markers.

Business Cards will be provided to full-time and directly elected Councillors.

4. CELLULAR PHONE ALLOWANCES:

- 4.1 Directly elected councillors will qualify for an Cellular allowance in terms of the upper limits on cell phone allowances for councillors as per the annual Government notice by the Department of Cooperative Governance and Transitional Affairs in terms of the Remuneration of Public Office Bearers Act, 1998 (Act 20 of 1998): Determination of upper limits of salaries, allowances and benefits of different members of Municipal Councils.
- 4.2 A monthly cellular phone allowance will be paid and reflected in their salaries to acquire cellular phone service from either of the mobile phone operators in the Republic of South Africa.
- 4.3 The method for acquiring the cellular phone service could either be through a personal contractual agreement or prepaid.
- 4.4 Political office-bearers must furnish the Corporate Services department with cellular numbers that they use for official purposes as soon as they have entered into a contract or obtained a gadget through prepaid that will enable them to effectively and efficiently perform their assigned official functions as and when it is necessary to do so.
- 4.5 Any contractual agreement entered into between political office-bearers and the service provider is binding on the said official and the municipality is absolved whatsoever, in any shape or form from that agreement.
- 4.6 Political Office-bearers who already have private contracts or any means of cellular phone access may use same for official purposes for as long as they can be accessed at any time of the day, including after hours.
- 4.7 In the event that the Political Office-bearer or Councillor cease to hold office at the Central Karoo District Municipality the allowance shall also be discontinued immediately.

5. DATA ALLOWANCES:

- 5.1 Directly elected councillors qualify for a Data allowance in terms of the upper limits on data allowances for councillors as per the annual Government notice by the Department of Cooperative Governance and Transitional Affairs in terms of the Remuneration of Public Office Bearers Act, 1998 (Act 20 of 1998): Determination of upper limits of salaries, allowances and benefits of different members of Municipal Councils.
- 5.2 A monthly data allowance will be paid and reflected in their salaries to acquire data service from either of the mobile data operators in the Republic of South Africa.
- 5.3 The method for acquiring the data service could either be through a personal contractual agreement or prepaid.
- 5.4 Political Office-bearers who already have private contracts or any means of data access may use same for official purposes.
- 5.5 In the event that the Political Office-bearer or Councillor cease to hold office at the Central Karoo District Municipality the allowance shall also be discontinued immediately.

6. TAX IMPLICATIONS FOR CELLULAR PHONE AND DATA ALLOWANCES:

- 6.1 A Cellular phone and data allowance is affected through the payroll system and is therefore subjected to tax.
- 6.2 The determination of allowance, through the Budget and Treasury department, shall also take into consideration tax implications of the allowances.
- 6.3 Because it is a taxable allowance, cellular phone and data allowances should not be misconstrued as inclusive of a negotiated remuneration package.

7. MAINTENANCE AND LOSS OF EQUIPMENT:

7.1 The repairs and maintenance of cellular phones, data cards, data dongles and/or any other gadgets by means of which data can be supplied will be for the cost of Users and in no way shall Council be held responsible, be it for a sim swap, wear and tear or replacement of the gadget thereof; whether lost through theft or under any form of duress.

8. INSURANCE:

8.1 Political Office-bearers are responsible for insuring of their cellular phones, and data gadgets, against any theft, loss or damage.

8.2 Political Office-bearers must ensure that the cellular phone, and data gadgets, is accessible for council activities and functions at all times, failing which the user may risk losing the allowance.

8.3 If a Political Office-bearer is consistently unavailable on cellular phone for a two months period, the Municipal Manager have the discretion to stop the allowance of the said official.

8.4 The reactivation of the allowance shall be done once a satisfactory written explanation is provided to the Municipal Manager.

9. LIMITS:

9.1 Limits are promulgated annually in the government gazette.

9.2 A monthly Cellular Phone Allowance in the maximum amount as allowed for by the Remuneration of Public Office Bearers Act, 20 of 1998 (as revised) will be given to full time political office-bearers.

9.3 A monthly Data Allowance in the maximum amount as allowed for by the Remuneration of Public Office Bearers Act, 20 of 1998 (as revised) will be given to full time political office-bearers.

9.4 These limits will under no circumstances be varied, exceeded or altered by the Municipality, unless provided for in the government gazette.

10. MONITORING, EVALUATION AND CONTROL:

10.1 The Finance Section, as well as Mayor of the Central Karoo District Municipality, will be the implementing agents of this policy and shall ensure that all councillors comply with the provisions thereof.

10.2 This policy shall become the official policy of the municipality once it is adopted and approved by the Council of the Central Karoo District Municipality.

10.3 All cellular phone contracts held by Political Office-bearers under the name of the Central Karoo District Municipality shall be cancelled as soon as they expire, after which the allowance system shall commence on the next immediate salary date.

10.4 The policy shall be reviewed at the end of every financial year to cater for legislative amendments as well as environmental changes.

11. USE OF MUNICIPAL VEHICLES:

11.1 A vehicle allowance forms part of the remuneration package of all Councillors, therefore no Councillor will be allowed to make use of any Municipal owned vehicle for the purposes of travelling.

12. COUNCILLOR DEBT:

12.1 Should any councillor become indebted to the Municipality in any form or manner, such debt will be dealt with in accordance with Section 16 of the Remuneration of Public Office Bearers Act, 20 of 1998 (as revised), read with the provisions of the official Credit Control and Debt Collection Policy of the Central Karoo District Municipality.

13. **APPROVAL OF POLICY:**

13.1 Date of Approval by Council: