

**2020/2021  
PERFORMANCE AGREEMENT**

Made and entered into by and between

**UMHLABUYALINGANA LOCAL MUNICIPALITY**

(Herein represented by **MRS N.P GAMEDE** in her capacity as)

**“The Municipal Manager”**

and

**N.P.E MYENI**

(ID No. 810720 5417 087)

(Hereinafter referred as the)

**“CHIEF FINANCIAL OFFICER”**

*NPE  
ON JP*

## CONTENTS

1. INTRODUCTION .....	3
2. PURPOSE OF THIS AGREEMENT.....	4
3. COMMENCEMENT AND DURATION.....	5
4. PERFORMANCE OBJECTIVES.....	5
5. PERFORMANCE MANAGEMENT SYSTEM .....	6
6. THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS .....	6
7. EVALUATING PERFORMANCE.....	9
8. SCHEDULE FOR PERFORMANCE REVIEWS.....	11
9. DEVELOPMENTAL REQUIREMENTS .....	12
10. OBLIGATIONS OF THE EMPLOYER .....	12
11. CONSULTATION.....	12
12. MANAGEMENT OF EVALUATION OUTCOMES .....	13
13. DISPUTE RESOLUTION.....	13
14. GENERAL .....	14

**Annexure A – Performance Plan**

**Annexure B – Personal Development Plan**

**Annexure C – Financial Disclosure**

**Annexure D – Code of Conduct**

## PERFORMANCE AGREEMENT

### ENTERED INTO AND BETWEEN:

The Municipality of uMhlabuyalingana herein represent by **Mrs. Nonhlanhla Patricia Gamede** (full name) in her capacity as The Municipal Manager hereinafter referred to as the Employer or Reporting Officer) and **Mr. Nkosinathi Phumulani Emmanuel Myeni** (full name) Employee of the Municipality of uMhlabuyalingana (hereinafter referred to as the Employee).

### WHEREBY IT IS AGREED AS FOLLOWS:

#### 1. INTRODUCTION

- 1.1 The Employer has entered into a contract of employment with the Employee in terms of section 57(1) (a) of the Local Government: Municipal Systems Acts 32 of 2000 ("the System Act"). The Employer and the Employee are hereinafter referred to as "the Parties".
- 1.2 Section 57(1) (b) of the Systems Act, read with the Contract of Employment concluded between the parties to conclude an annual performance Agreement.
- 1.3 The parties wish to ensure that they are clear about the goals to be achieved, and secure the commitment of the Employee to a set of outcomes that will secure local government policy goals.
- 1.4 The parties wish to ensure that there is compliance with Sections 57(4A), 57(4B) and 57(5) of the Systems Act.
- 1.5 The parties wish to ensure that there is compliance with Sections 60 and 61 of the MFMA.

## 2. PURPOSE OF THIS AGREEMENT

The Purpose of this Agreement is to -

- 2.1 Comply with the provisions of Section 57(1) (b), 4(A), (4B) and (5) of the Systems Acts as well as the Contract of Employment entered into between the parties;
- 2.2 Comply with the provisions of Section 60 and 61 of the MFMA;
- 2.3 Specify objectives and targets established for the Employee and to communicate to the Employee the Employer's expectations of the Employee's performance expectations and accountabilities;
- 2.4 Specify accountabilities as set out in the Performance Plan (Annexure A);
- 2.5 Monitor and measure performance against set targeted outputs;
- 2.6 Use the Performance Agreement and Performance Plan as the basis for assessing the suitability of the Employee for permanent employment and /or to assess whether the Employee has met the performance expectations applicable to his/her job;
- 2.7 Appropriately reward the Employee in accordance with the Employer's performance management policy in the event of outstanding performance; and
- 2.8 Give effect to the Employer's commitment to a performance-orientated relationship with the Employee in attaining equitable and improved service delivery.

*SN NPE wf*

### 3. COMMENCEMENT AND DURATION

- 3.1 This Agreement will commence on the **01<sup>st</sup> of July 2020** and will remain in force until **30 June 2021** whereafter a new Performance Agreement, Performance Plan and Personal Development Plan shall be concluded between the parties for the next financial year or any portion thereof.
- 3.2 The parties will review the provisions of this Agreement during June each year. The parties will conclude a new Performance Agreement and Performance Plan that replaces this Agreement at least once a year by not later than the beginning of each successive financial year.
- 3.3 This Agreement will terminate on the termination of the Employee's contract of employment for any reason.
- 3.4 The content of this Agreement may be revised at any time during the abovementioned period to determine the applicability of the matters agreed upon.
- 3.5 If at any time during the validity of this Agreement the work environment alters (whether as a result of government or council decisions or otherwise) to the extent that the contents of this Agreement are no longer appropriate, the contents shall immediately be revised.

### 4. PERFORMANCE OBJECTIVES

- 4.1 The Performance Plan (Annexure A) sets out-
- 4.1.1 The performance objectives and targets that must be met the Employee; and
- 4.1.2 The time frames within which those performance objectives and targets must be met.
- 4.2 The performance objectives and targets reflected in Annexure A are set by the Employer in consultation with the Employee and based on the Integrated Development Plan and the Budget of the Employer, and shall include key objectives; key performance indicators; target dates and weighting which amongst other things include targets on the following:
- Elimination of Unauthorised, Irregular, Fruitless and Wasteful expenditure
  - Records Management with a view to providing quality portfolio of evidence for all targets achieved
  - Steering the Municipality towards achieving unqualified audit opinion

- 4.3 The key objectives describe the main tasks that need to be done. The key performance indicators provide the details of the evidence that must be provided to show that a key objective has been achieved. The target dates describe the timeframe in which the work must be achieved. The weightings show the relative importance of the key objectives to each other.
- 4.4 The Employee's performance will, in addition, be measured in Terms of contributions to the goals and strategies set out in the Employer's Integrated Development Plan.

## **5 PERFORMANCE MANAGEMENT SYSTEM**

- 5.1 The Employee agrees to participate in the Performance Management System that the Employer adopts or introduces for the Employer, management, and municipal staff of the Employer.
- 5.2 The Employee accepts that the purpose of the Performance Management System will be to provide a comprehensive system with specific performance standards to assist the Employer, management, and municipal staff to perform to the standards required.
- 5.3 The Employer will consult the Employee about the specific performance standard that will be included in the Performance Management System as applicable to the Employee.

## **6 THE EMPLOYEE AGREES TO PARTICIPATE IN THE PERFORMANCE MANAGEMENT AND DEVELOPMENT SYSTEM THAT THE EMPLOYER ADOPTS**

- 6.1 The Employee undertakes to actively focus towards the promotion and implementation of KPA's (including special projects relevant to the employee's responsibilities) within the local government framework.
- 6.2 The criteria upon which the performance of the Employee shall be assessed shall consist of two components, both of which shall be contained in the Performance Agreement.
- 6.2.1 The Employee must be assessed against both components, with a weighting of 80:20 allocated to the Key Performance Areas (KPAs) and the Leading Competencies (LCs) and Core Competencies.
- 6.2.2 Each area of assessment will be weighted and will contribute a specific part to the total score.

6.2.3 KPA's covering the main areas of work will account for 80% and LCs and CCs will account 20% of the final assessment.

6.3 The Employee's assessment will be based on his/her performance in terms of the outputs / outcomes (performance indicators) identified as per attached Performance Plan (Annexure A), which are linked to the KPAs, and will constitute 80% of the overall assessment result as per the weightings agreed to between the Employer and Employee.

KEY PERFORMANCE AREAS (KPA'S)	WEIGHTING
1. Municipal Transformation and Institutional Development	10%
2. Basic Service Delivery	5%
3. Municipal Financial Viability and Management	80%
4. Good Governance and Public Participation	5%
<b>Total</b>	<b>100%</b>

6.4 The LCs will make the other 20% of the Employee's assessment score. LC's that are deemed to be most critical for the Employee's specific job should be selected from the list below as agreed to between the Employer and Employee:

<b>LEADING COMPETENCIES</b>		
<b>COMPETENCY</b>		<b>Weighting</b>
Strategic Direction and Leadership	<ul style="list-style-type: none"> <li>• Impact and Influence</li> <li>• Institutional Performance Management</li> <li>• Strategic Planning and Management</li> </ul>	5
People Management	<ul style="list-style-type: none"> <li>• Human Capital Planning and Development</li> <li>• Diversity Management</li> <li>• Employee Relations Management</li> </ul>	10
Program and Project Management	<ul style="list-style-type: none"> <li>• Program and Project Planning and Implementation</li> <li>• Service Delivery Management</li> </ul>	5
Financial Management	<ul style="list-style-type: none"> <li>• Budget Planning and Execution</li> <li>• Financial Strategy and Delivery</li> </ul>	10
Change Leadership	<ul style="list-style-type: none"> <li>• Change Vision and Strategy</li> <li>• Process Design and Improvement</li> <li>• Change Impact Monitoring and Evaluation</li> </ul>	10
Governance Leadership	<ul style="list-style-type: none"> <li>• Policy Formulation</li> <li>• Risk and Compliance Management</li> <li>• Cooperative Governance</li> </ul>	10
<b>WEIGHTING LEADING COMPETENCIES</b>		<b>50</b>
<b>CORE COMPETENCIES</b>		
<b>COMPETENCY</b>		<b>Weighting</b>
Moral Competence		10
Planning and Organising		10
Analysis and Innovation		5
Knowledge and Information Management		10
Communication		5
Results and Quality Focus		10
<b>WEIGHTING CORE COMPETENCIES</b>		<b>50</b>
<b>Total Percentage Weighting</b>		<b>100 %</b>

*NPE*  
*SN*      *NF*



## 7. EVALUATING PERFORMANCE

7.1 The Performance Plan (Annexure A) to this Agreement sets out-

7.1.1 The standards and procedures for evaluating Employee's performance; and

7.1.2 The intervals for the evaluation of the Employee's performance.

7.2 Despite the establishment of intervals for evaluation, the Employer may in addition review the Employee's performance at any stage while the contract of employment remains in force.

7.3 Personal growth and development needs identified during any performance review discussion must be documented in a Personal Development Plan as well as the actions agreed to and implementation must take place within set time frames.

7.4 The Employee's performance will be measured in terms of contributions to the goals and strategies set out in the Employer's IDP.

7.5 The annual performance appraisal will involve:

7.5.1 Assessment of the achievement of results as outlined in the performance plan:

- (a) Each KPA should be assessed according to the extent to which the specified standards or performance indicators have been met and with due regard to ad hoc tasks that had to be performed under the KPA.
- (b) An indicative rating on the five-point scale should be provided for each KPA.
- (c) The applicable assessment rating calculator must then be used to add the scores and calculate a final KPA score.

7.5.2 Assessment of the LC's and CCs

- (a) Each LC and CC should be assessed according to the extent to which the specified standards have been met as per applicable regulation.
- (b) An indicative rating on the five-point scale should be provided for each LC and CC.
- (c) The applicable assessment rating calculator must then be used to add the scores and calculate a final LC and CC scores.

7.5.3 Overall Rating

An overall rating is calculated by using the applicable assessment-rating calculator. Such overall rating represents the outcomes of the performance appraisal.

7.6 The assessment of the performance of the Employee will be based on the following rating scale for KPA's, LC's and CC's:

LEVEL	TERMINOLOGY	DESCRIPTION	RATING
5	<b>Outstanding Performance</b>	Performance far exceeds the standard expected of an employee at this level. The appraisal indicate that the Employee has achieved above fully effective results against all performance criteria and indicators as specified in the Performance Agreement and Performance Plan and maintained this in all areas of responsibility throughout the year.	
4	<b>Performance significantly above expectations</b>	Performance is significantly higher than the standard expected in the job. The appraisal indicates that the Employee has achieved above fully effective results against more than half of the performance criteria and indicators and fully achieved all others throughout the year.	
3	<b>Fully effective</b>	Performance fully meets the standards expected in all areas of the job. The appraisal indicates that the Employee has fully achieved effective results against all significant performance criteria and indicators as specified in the Performance Agreement and Performance Plan.	
2	<b>Not fully effective</b>	Performance is below the standard required for the job in key areas. Performance meets some of the standards expected for the job. The review / assessment indicate that the employee has achieved below fully effective results against more than half the key performance criteria and indicators as specified in the Performance Agreement and Performance Plan.	
1	<b>Unacceptable Performance</b>	Performance does not meet the standard expected for the job. The review / assessment indicates that the employee has achieved below fully effective results against almost all of the performance criteria and indicators as specified in the Performance Agreement and Performance Plan .The employee has failed to demonstrate the commitment or ability to bring performance up to the level expected in the job despite management efforts to encourage improvement.	

7.7 For purpose of evaluating the performance of the Employee, an evaluation panel constituted by the following persons will be established-

NPB  
SNI



- 7.7.1 Municipal Manager
- 7.7.2 Chairperson of the Audit Committee;
- 7.7.3 Ward Committee Member (on a rotational basis), where applicable;
- 7.7.4 Municipal Manager from another Municipality.

**8. SCHEDULE FOR PERFORMANCE REVIEWS**

8.1 The performance of each Employee in relation to his/her performance agreement shall be reviewed on the following dates with the understanding that reviews in the first and third quarter may be verbal if performance is satisfactory:

<b>First quarter</b>	: July – September	<b>October 2020</b>
<b>Second quarter</b>	: October – December	<b>January 2021</b>
<b>Third quarter</b>	: January – March	<b>April 2021</b>
<b>Fourth quarter</b>	: April – June	<b>July-September 2021</b>

8.2 The Employer shall keep a record of the mid-year review and annual assessment meetings.

8.3 Performance feedback shall be based on the Employer’s assessment of the Employee’s performance.

8.4 The Employer will be entitled to review and make reasonable changes to the provisions of Annexure ‘A’ from time to time for operational reasons. The Employee will be fully consulted before any such change is made.

8.5 The Employer may amend the provisions of Annexure A whenever the Performance Management System is adopted, implemented, and /or amended as the case may be. In that case the Employee will be fully consulted before any such change is made.

*NPB*  
*Snl*      *Nf*

## 9. DEVELOPMENTAL REQUIREMENTS

The Personal Development Plan (PDP) for addressing development gaps is attached as Annexure A.

## 10. OBLIGATIONS OF THE EMPLOYER

10.1 The Employer shall:

- 10.1.1 Create an enabling environment to facilitate effective performance by the Employee;
- 10.1.2 Provide access to skills development and capacity building opportunities;
- 10.1.3 Work collaboratively with the Employee to solve problems and generate solutions to common problems that may impact on the performance of the Employee;
- 10.1.4 On the request of the Employee delegates such powers reasonably required by the Employee to enable him/ her to meet the performance objectives and targets established in term of this Agreement; and
- 10.1.5 ~~Make~~ available to the Employee such resources as the Employee may reasonably require from time to time to assist him/her to meet the performance objectives and targets established in terms of this Agreement.

## 11. CONSULTATION

11.1 The Employer agrees to consult the Employee timeously where the exercising of the powers will have amongst others-

- 1.1.1 A direct effect on the performance of any of the Employee's functions;
- 1.1.2 Commit the Employee to implement or to give effect to a decision made by the Employer; and
- 11.1.4 A substantial financial effect on the Employer.

11.2 The employer agrees to inform the Employee of the outcome of any decisions taken pursuant to the exercise of powers contemplated in 11.1 as soon as is practicable to enable the Employee to take any necessary action without delay.

## 12 MANAGEMENT OF EVALUATION OUTCOMES

- 12.1 The evaluation of the Employee's performance will form the basis for rewarding outstanding performance or correcting unacceptable performance.
- 12.2 In instances where there was poor performance resulting in the Municipality incurring unauthorized, irregular, fruitless and wasteful expenditure as per Auditor General's Report, the Employee shall not be eligible to receive performance bonus for that financial year.
- 12.3 A performance bonus of 5% to 14% of inclusive annual remuneration package may be paid to the Employee in recognition of outstanding performance.
- 12.4 The Employee will be eligible for progression to the next higher remuneration package, within the relevant remuneration band, after completion of least twelve months (12) service at current remuneration package 30 June (end of financial year) subject to a fully effective assessment.
- 12.5 In the case of unacceptable performance, the Employer shall-
- 12.5.1 Provide systematic remedial of development support to assist the Employee to improve his or her performance; and
- 12.5.2 After appropriate performance and counselling and having provided the necessary guidance and/ or support as well as reasonable time for improvement in performance, the Employer may consider steps to terminate the contract of employment of the Employee on grounds of unfitness or incapacity to carry out his or her duties.

## 13 DISPUTE RESOLUTION

- 13.1 Any disputes about the nature of the Employee's performance agreement, whether it relates to key responsibilities, priorities, methods of assessment and/ or any other matter provided for, shall be mediated by –
- 13.1.1 The MEC for Local Government and the Province within thirty (30) days of receipt of a formal dispute from the Employee; or
- 13.1.2 Any other person appointed by the MEC.
- 13.1.3 In the event that the mediation process contemplated above fails, clause 15 of the Contract of Employment shall apply.

**14. GENERAL**

14.1 The contents of this agreement and the outcome of any review conducted in terms of Annexure A may be available to the public by the Employer.

14.2 Nothing in this agreement diminishes the obligations, duties, or accountabilities of the Employee in terms of his/ her contract of employment, or the effects of existing or new regulations, circulars, policies, directives, or other instruments.

Thus done and signed at Manenizi on this the 31 day of July (Month) 2010 (Year)

AS WITNESSES:

1. [Signature]

2. \_\_\_\_\_

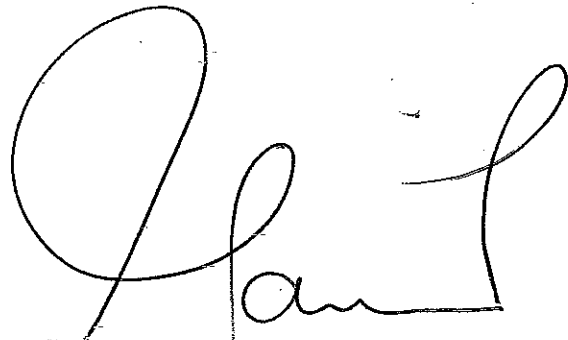


NPE m  
CHIEF FINANCIAL OFFICER

AS WITNESSES:

1. \_\_\_\_\_

2. \_\_\_\_\_



Paul  
The Municipal Manager

IDP / SDBIP NO.	OUTCOME 9	KZN PGDS	OBJECTIVE	STRATEGY	NO	KEY PERFORMAN CE INDICATORS	UNIT OF MEASURE	ANNUAL TARGET	ANNUAL BUDGET	FUNDING SOURCE	Q1 Jul - Sept Projected Target	Q2 Oct - Dec Projected Target	Q3 Jan - Mar Projected Target	Q4 Apr - Jun Projected Target	Project	B2B	Portfolio of Evidence/Means of Verification
<b>TOP LAYER TARGETS</b>																	
<b>NATIONAL KEY PERFORMANCE AREA: MUNICIPAL TRANSFORMATION AND INSTITUTIONAL DEVELOPMENT</b>																	
MTID-04-2021 FI-01	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Submission of Mid-year (Sec 72) report to Council	1	Date by which Mid-Year (Sec 72) report is submitted to Council	Date	25 January 2021 (Submit Mid-Year (Sec 72) Report to council for adoption)	R0.00	N/A	N/A	N/A	25 January 2021 (Submission of Mid-Year Report to Council for adoption)	n/a	S72 Mid-Year Report	Building capable local government institutions.	Mid-Year (Sec 72) Report and Council Resolutions
MTID-04-2021 FI-02	Improved administrative and human resources management practice	Governance and Policy	To ensure sound budgeting and compliance principles	Submission of Quarterly FS to council	2	Date and Number by which AFS, Quarterly Financial Statements are tabled to Council	Date, Number	31 August 2020 (Table AFS to council for adoption) and 3 2021 Quarterly FS tabled to Council	R0.00	N/A	Table 2019/2020 AFS to council for adoption	Tabling of 2020/21 Quarter 1 FS to Council	Tabling of 2021 Quarter 2 FS to Council	Tabling of 2021 Quarter 3 FS to Council	Quarterly Financial Statements/Financial Reporting	Building capable local government institutions.	AFS, Quarterly Financial Statement and Council Resolutions
MTID-04-2021 FI-03	Improved administrative and human resources management practice	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Submission of 2019/2020 AFS to Council and Auditor General	3	Date by which AFS are submitted to Council and AG	Date	Submit 2019/20 AFS to Council and AG by 31 August 2020	R0.00	N/A	Submission to AG by 31 August 2020	N/A	N/A	N/A	Financial Statements/Financial Reporting	Building capable local government institutions.	Council Resolution and acknowledgment of receipt from AG
<b>NATIONAL KEY PERFORMANCE AREA: MUNICIPAL FINANCIAL VIABILITY</b>																	
MPV&M-04-2021 FI-01	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation and Submission of adjustment budget to council	4	Date by which Adjustment budget is submitted to Council for approval	Date	28 February 2021 (Submission of Adjustment Budget to Council for approval)	R0.00	N/A	N/A	N/A	Submit 2021 Adjustment Budget to Council for approval	N/A	Budget Adjustment 2020/2021	Sound financial management	Council resolution

MFV&M-04-20/21 F1-02	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Approval of annual budget	5	Council approved 2021/22 Annual budget	Date	30 May 2021 (2021/22 Annual budget to be approved by Council)	R0.00	Approval of annual budget	Tabling to Council of budget process plan by 31 August 2020	N/A	Tabling of 2021-2022 Draft Budget to Council	Tabling of 2021/2022 Final Budget to Council by 30 May 2021	Annual Budget for 2021/2022	Sound financial management	Process Plan and Council resolution, Council Resolutions on draft Budget and Final Budget 2021-2022
MFV&M-04-20/21 F1-03	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Comply with financial reporting requirements as outlined in the MFMA	6	Unauthorised, irregular or fruitless and waste expenditure Reports submitted to council	Number	4	R0.00	N/A	Submit 1 report on Unauthorised, irregular or fruitless and waste expenditure to council	Submit 1 report on Unauthorised, irregular or fruitless and waste expenditure to council	Submit 1 report on Unauthorised, irregular or fruitless and waste expenditure to council	Submit 1 report on Unauthorised, irregular or fruitless and waste expenditure to council	Unauthorised, irregular or fruitless and waste expenditure Reports and council resolutions	Sound financial management	Unauthorised, irregular or fruitless and waste expenditure Reports and council resolutions
MFV&M-04-20/21 F1-04	To improve Municipal Finance and Administrative Capability	Governance and Policy	To improve revenue and all possible revenue streams applicable to KZN271	Implementation of revenue enhancement strategy	7	Percentage of Budgeted Revenue Collected	Percentage	95% of budgeted revenue collected by 30 June 2020	R0.00	N/A	20% of revenue collected	40% of revenue collected	80% of revenue collected	95% of revenue collected	Revenue Collection	Sound financial management	Proof of revenue collected
MFV&M-04-20/21 F1-05	To improve Municipal Finance and Administrative Capability	Governance and Policy	To improve revenue and all possible revenue streams applicable to KZN271	Adoption of revenue enhancement strategy	8	Date by which Revenue Enhancement Strategy is approved by Council	Date	30 June 2021 (Council approved Revenue Enhancement Strategy by 30 June 2021)	R0.00	N/A	N/A	N/A	Tabling of the Draft Revenue Enhancement Strategy to Council	Tabling of the Final Revenue Enhancement Strategy to Council for approval	Revenue Enhancement Strategy	Sound financial management	Revenue enhancement strategy and Council Resolution
MFV&M-04-20/21 F1-06	To improve Municipal Finance and Administrative Capability	Governance and Policy	To improve revenue and all possible revenue streams applicable to KZN271	Approval of Supplementary Valuation Roll by Council	9	Date by which Supplementary Valuation Roll is approved by Council	Date	30 June 2021 (Supplementary Valuation Roll approved by Council)	R0.00	N/A	N/A	N/A	Develop a Draft Supplementary Valuation Roll	Submit Supplementary Valuation Roll to Council for approval	Supplementary Valuation Roll	Sound financial management	Council Resolution and Approved SVR



NATIONAL KEY PERFORMANCE AREA: GOOD GOVERNANCE AND PUBLIC PARTICIPATION																	
MFV&M-04-2021 FI-07	To Improve Municipal Finance and Administrative Capability	Governance and Policy	To develop systems and procedures for effective and sound management of municipal finances	Maintenance of GRAP compliant fixed assets register	10	Updated GRAP compliant Fixed Asset Register	Date	Update GRAP compliant Fixed Asset Register by 31 August 2020	R0.00	N/A	Update GRAP compliant Fixed Asset Register	Update Fixed Asset Register	Update Fixed Asset Register	GRAP compliant Fixed Assets Register	Maintain and Updating of Fixed Asset Register	Sound financial management	GRAP compliant Fixed Assets Register and 3 quarterly reports
GGPP-04-2021 FI-1	To improve Municipal Administrative Capability	Governance and Policy	To be fully compliant with the regulations	Submission of Quarterly SCM reports to Council	11	Quarterly SCM reports submitted to Council	Number	4 Quarterly SCM reports submitted to Council by 30 June 2021	R0.00	4	Q 4 (2019/20) SCM Report submitted to council	Q 1 SCM Report submitted to council	Q 2 SCM Report submitted to council	Q 3 SCM Report submitted to council	SCM Reports	Good Governance	Council resolution and 4 SCM reports

**BOTTOM LAYER SDBRIPS TARGETS**

NATIONAL KEY PERFORMANCE AREA: MUNICIPAL TRANSFORMATION AND INSTITUTIONAL DEVELOPMENT																	
MTID-04-2021 FI-04	Improved administrative and human resources management practice	Governance and Policy	To provide the optimal institutional structure to render effective and efficient services	To monitor operating budget expenditure	12	Percentage of Operating Budget spent	Percentage	100 % of Operating budget spent by 30 June 2021	R0.00	EQS	25%	50%	75%	100%	Municipal Running cost	Building local capable government institutions.	Expenditure Reports
MTID-04-2021 FI-05	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Implementation of Capital budget	13	Percentage of Capital budget spent	Percentage	100 % of Capital budget spent by 30 June 2021	R0.00	MIG,EQS	25%	50%	75%	100%	Municipal Running cost	Building local capable government institutions.	Expenditure Reports
MTID-04-2021 FI-06	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Implementation of Performance Management System	14	Number of Performance Management System	Number	3 Individual Performance Agreements and Work Plans for Section Managers signed by CFO by 30 September 2020	R0.00	N/A	N/A	N/A	N/A	N/A	Performance Agreements and performance plans	Building local capable government institution	3 Signed Individual Performance Agreements and Work Plans

MTID-04-20/21 FI-07	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Implementation of Performance Management System	15	Individual performance assessments conducted (Section Managers)	Number	4 Individual performance assessments conducted (Section Managers) by 30 June 2021	R0.00	N/A	Conduct Individual Performance Assessment for Section Managers	Conduct Individual Performance Assessment for Section Managers	Conduct Individual Performance Assessment for Section Managers	Individual performance assessments	Building capable local government institution	4 Assessment Reports
MTID-04-20/21 FI-08	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Compilation of monthly performance reports	16	Monthly Performance Reports compiled and submitted to Portfolio Committee	Number	12 Monthly Performance Reports compiled and submitted to Portfolio Committee by 30 June 2021	R0.00	N/A	3 Monthly Performance Reports completed and submitted to Portfolio Committee	3 Monthly Performance Reports completed and submitted to Portfolio Committee	3 Monthly Performance Reports completed and submitted to Portfolio Committee	Monthly Performance Reports	Building capable local government institutions.	Monthly Performance Reports and Extracts of minutes
MTID-04-20/21 FI-09	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Submission of quarterly performance reports to MM and Portfolio Committee	17	Quarterly Performance Reports compiled and submitted to PMS Unit and portfolio committee	Number	4 quarterly Performance Reports compiled and submitted to PMS Unit and portfolio committee by 30 June 2021	R0.00	N/A	2019/20 Q4 performance report compiled and submitted to PMS Unit and Portfolio Committee	Q1 performance report compiled and submitted to PMS Unit and Portfolio Committee	Q2 performance report compiled and submitted to PMS Unit and Portfolio Committee	Q3 performance report compiled and submitted to PMS Unit and Portfolio Committee	Good Governance	Proof of submission and Extract of portfolio minutes
MTID-04-20/21 FI-10	Improved administrative and human resources management practice	Governance and Policy	To ensure sound budgeting and compliance principles	Submission of section 71 reports to Mayor and Treasury	18	Section 71 reports submitted to Provincial Treasury within 10 working days after the end of each month	Number	12 Section 71 reports submitted to Provincial Treasury within 10 working days after the end of each month by 30 June 2021	R0.00	N/A	3 Section 71 Monthly Reports submitted to Provincial Treasury	3 Section 71 Monthly Reports submitted to Provincial Treasury	3 Section 71 Monthly Reports submitted to Provincial Treasury	Section 71 Reports	Building capable local government institutions.	Section 71 Reports and Proof of submission
MTID-04-20/21 FI-11	Improved administrative and human resources management practice	Governance and Policy	To ensure sound budgeting and compliance principles	Submission of section 52 reports to Council	19	Section 52 reports compiled and submitted to Council	Number	4 Section 52 reports compiled and submitted to Council by 30 June 2021	R0.00	N/A	Section 52 Report submitted to council (19/20 Q4 Report)	Section 52 Report submitted to council (Q1 Report)	Section 52 Report submitted to council (Q2 Report)	Section 52 Report submitted to council (Q3 Report)	Building capable local government institutions.	Council resolutions

MTID-04-20/21 FI-12	Improved administrative and human resources management practice	Governance and Policy	To manage and enhance the performance of the municipality	Holding of meetings by Council structures	20	Departmental meetings held	Number	12	R0.00	N/A	3	Departmental meetings held	3	Departmental meetings held	3	Departmental meetings held	3	Departmental meetings held	Good Governance	Signed Minutes and Attendance Registers
MTID-04-20/21 FI-13	Improved Administrative and Human Resources Management practices	Governance and Policy	To ensure effective governance through regular meeting of Council structures	Holding of meetings by Council structures	21	FIMS Portfolio meetings held	Number	12 FIMS Portfolio meetings held by 30 June 2021	R0.00	N/A	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	3 FIMS Portfolio Committee meeting held	Good Governance	Signed Minutes and Attendance Register
MTID-04-20/21 FI-14	Improved administrative and human resources management practices	Governance and Policy	To manage and enhance the performance of the municipality	Update Contract register	22	Updated Contract register	Number	4 contract register updates performed by 30 June 2021	R0.00	N/A	Updated contract register	Updated contract register	Updated contract register	Updated contract register	Updated contract register	Updated contract register	Updated contract register	Updated contract register	Building capable local government institution	4 Updated Contract registers
MTID-04-20/21 FI-15	Improved administrative and human resources management practices	Governance and Policy	To keep records and create institutional memory	Implementation of File Plan	23	Manual filing system and electronic records management implementation reports	Number	4 implementation of the manual filing system and electronic records management reports	R0.00	N/A	1 report	1 report	1 report	1 report	1 report	1 report	1 report	1 report	Building capable local government institution	Reports

**NATIONAL KEY PERFORMANCE AREA: MUNICIPAL FINANCIAL VIABILITY**

MFV&M-04-20/21 FI-08	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures and sound management of municipal finances	Revision and adoption of Finance Policies	24	Date by which reviewed financial policies are submitted to council for adoption	Date	30 June 2021 (Adoption of reviewed financial policies by council)	N/A	N/A	N/A	Review and submit Financial policies to Manco	Organise workshop/training for staff and councillors	Submit to council for adoption of reviewed Financial policies	Review Financial Policies	Sound financial management	Manco minutes, Attendance register, Council Resolution
MFV&M-04-20/21 FI-09	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures and sound management of municipal finances	Monitoring of financial ratios (capital management)	25	Capital expenditure ratios calculated	Number	4 Capital expenditure ratios calculated by 30 June 2021	R0.00	N/A	1 Capital Expenditure Ratio Calculated	1 Capital Expenditure Ratio Calculated	1 Capital Expenditure Ratio Calculated	1 Capital Expenditure Ratio Calculated	Calculation of all Ratios	Sound financial management	Capital Expenditure Ratio report

MFV&M-04-2021 FI-10	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Monitoring of financial ratios (Debt Management)	26	Debt Coverage ratios calculated	Number	4 Debt Coverage ratios calculated 30 June 2021	R0.00	N/A	1 Capital Debt Coverage Ratio Calculated	1 Capital Debt Coverage Ratio Calculated	1 Capital Debt Coverage Ratio Calculated	Calculation of all Ratios	Sound financial management	Capital Debt Coverage Ratio report
MFV&M-04-2021 FI-11	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Monitoring of financial ratios (Cash flow management)	27	Capital Cost Coverage ratios calculated	Number	4 Capital Cost Coverage ratios calculated 30 June 2021	R0.00	N/A	1 Capital Cost Coverage Ratio Calculated	1 Capital Cost Coverage Ratio Calculated	1 Capital Cost Coverage Ratio Calculated	Calculation of all Ratios	Sound financial management	Capital Cost Coverage Ratio report
MFV&M-04-2021 FI-12	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Monitoring of financial ratios (Capital management)	28	Capital Outstanding Service ratios calculated	Number	4 Capital Outstanding Service ratios calculated 30 June 2021	R0.00	N/A	1 Capital Outstanding Service Ratio Calculated	1 Capital Outstanding Service Ratio Calculated	1 Capital Outstanding Service Ratio Calculated	Calculation of all Ratios	Sound financial management	Capital Outstanding Service Ratio Report
MFV&M-04-2021 FI-13	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation and Submission of adjustment budget	29	Submission of adjustment budget to council for approval	Date	Submission of adjustment budget to council for approval by 30 June 2020	R0.00	N/A	N/A	Submission of adjustment budget to council by 28 Feb 2020	N/A	Annual Budget for 2019/2020	Sound financial management	Adjustment budget and council resolution
MFV&M-04-2021 FI-14	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation of municipal financial reconciliation	30	Grant reconciliations prepared monthly	Number	12 Grant reconciliation prepared by 30 June 2021	R0.00	N/A	3 Grants Reconciliation prepared monthly	3 Monthly Grants Reconciliation prepared monthly	3 Monthly Grants Reconciliation prepared monthly	Grants Reconciliation	Sound financial management	Grant Reconciliations

MFV&M-04-2021 FI-15	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation of municipal financial reconciliation	31	VAT Reconciliation and Returns prepared and submitted to SARS	Number	12 VAT Reconciliation and Returns prepared and submitted to SARS by 30 June 2021	R0.00	N/A	3 VAT Reconciliation and returns prepared and submitted to SARS	3 VAT Reconciliation and returns prepared and submitted to SARS	3 VAT Reconciliation and returns prepared and submitted to SARS	3 VAT Reconciliation and returns prepared and submitted to SARS	3 VAT Reconciliation and returns prepared and submitted to SARS	VAT Reconciliation and Returns submitted to SARS	Sound financial management	VAT Reconciliation and Returns submitted to SARS
MFV&M-04-2021 FI-16	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation of municipal financial reconciliation	32	Bank Reconciliation and Investment Registers prepared	Number	12 Bank Reconciliation and Investment Registers prepared by 30 June 2021	R0.00	N/A	3 Bank Reconciliation and Investment Registers prepared	3 Bank Reconciliation and Investment Registers prepared	3 Bank Reconciliation and Investment Registers prepared	3 Bank Reconciliation and Investment Registers prepared	3 Bank Reconciliation and Investment Registers prepared	Bank Reconciliation and Investment Registers	Sound financial management	Bank Reconciliation and Investment Registers
MFV&M-04-2021 FI-17	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation of municipal financial reconciliation	33	Salaries Reconciliation prepared	Number	12 Salary Reconciliation prepared by 30 June 2021	R0.00	N/A	3 Salary Reconciliation prepared	3 Salary Reconciliation prepared	3 Salary Reconciliation prepared	3 Salary Reconciliation prepared	3 Salary Reconciliation prepared	Salaries Reconciliation reports	Sound financial management	Salaries Reconciliation reports
MFV&M-04-2021 FI-18	To improve Municipal Finance and Administrative Capability	Governance and Policy	To develop and maintain systems and procedures for effective and sound management of municipal finances	Preparation of municipal financial reconciliation	34	Creditors Reconciliation prepared	Number	12 Creditors Reconciliation prepared by 30 June 2021	R0.00	N/A	3 Creditors Reconciliation prepared	3 Creditors reconciliations prepared	3 Creditors reconciliations prepared	3 Creditors reconciliations prepared	3 Creditors reconciliations prepared	Creditors Reconciliation reports	Sound financial management	Creditors Reconciliation reports
MFV&M-04-2021 FI-19	To improve Municipal Finance and Administrative Capability	Governance and Policy	To improve revenue and all possible revenue streams applicable to KZN271	Preparation of municipal financial reconciliation	35	Debtors Reconciliation prepared	Number	12 Debtors Reconciliation prepared by 30 June 2021	R0.00	N/A	3 Debtors Reconciliation prepared	3 Debtors reconciliations prepared	3 Debtors reconciliations prepared	3 Debtors reconciliations prepared	3 Debtors reconciliations prepared	Debtors Reconciliation reports	Sound financial management	Debtors Reconciliation reports

MFV&M-04-2021 FI-20	To improve Municipal Finance and Administrative Capability	Governance and Policy	To improve revenue and all possible revenue streams applicable to KZN271	Generation of billing reports	36	Billing reports generated	Number	12 Billing reports generated	R0.00	N/A	3 Billing reports generated	3 Billing reports generated	3 Billing reports generated	Municipal Billing	Sound financial management	Billing Reports
MFV&M-04-2021 FI-21	To improve Municipal Finance and Administrative Capability	Governance and Policy	Improved implementation of policies and by-laws	Compliance with the SCM policies	37	Invoices paid within 30 days of receipt	Percentage	100% monthly invoices paid within 30 days of receipt by 30 June 2021	R0.00	N/A	100%	100%	100%	payment of suppliers	Good Governance	Payment Report/Age Analysis report

**NATIONAL KEY PERFORMANCE AREA: GOOD GOVERNANCE AND PUBLIC PARTICIPATION**

GGPP-04-2021 FI-02	To improve Municipal Finance and Administrative Capability	Governance and Policy	Comply with MFMA, SCM regulations and Related regulations	Implementation of departmental procurement plans by SCM Unit	38	SCM reports produced on implementation of procurement plan submitted to Manco	Number	4 SCM reports produced on implementation of Procurement Plan and submitted to Manco by 30 June 2021	R0.00	N/A	SCM report produced on implementation of Procurement Plan and submitted to Manco	SCM report produced on implementation of Procurement Plan and submitted to Manco	SCM report produced on implementation of Procurement Plan and submitted to Manco	implementation of Procurement plan	Good Governance	Procurement Plan Implementation reports and Manco Minutes
GGPP-04-2021 FI-03	To improve Municipal Finance and Administrative Capability	Governance and Policy	Comply with MFMA, SCM regulations and Related regulations	Implementation of departmental procurement plans by SCM Unit	39	Reports on Bids awarded from the value of R100 000 submitted to council	Number	4 Reports on Bids awarded from the value of R100 000 submitted to council	N/A	N/A	1	1	1	Reports on Bids awarded from the value of R100 000	Good Governance	Reports, Council resolution
GGPP-04-2021 FI-04			Comply with MFMA, SCM regulations and Related regulations	Implementation of departmental procurement plans by SCM Unit	40	SCM deviation reports submitted to council	Number	4 SCM deviation reports submitted to council	N/A	N/A	1	1	1	SCM deviation reports	Good Governance	Deviation reports and council resolution

GGPP-04-2021 FI-05	To improve Municipal Finance and Administrative Capability	Governance and Policy	Comply with MFMA, SCM regulations and Related regulations	Comply with MFMA, SCM regulations and Related regulations	41	Date by which Procurement Plan is compiled and adopted by Council	Date	30 June 2021 (Procurement Plan compiled and approved by Council)	N/A	N/A	N/A	N/A	N/A	Source and consolidate departmental inputs for Procurement plan for approval by Council	Implementation of Procurement plan	Good Governance	Manco minutes, Approved Procurement plan for 21/22
GGPP-04-2021 FI-06	Single Window of Co-ordination	Governance and Policy	To strengthen partnership with various stakeholders through communicating municipal business	Complains management	42	Departmental Complaints resolved within 25 days	Percentage	100% Departmental Complaints resolved within 25 days by 30 June 2021	R0.00	N/A	100% departmental complaints resolved within 25 Days	100% departmental complaints resolved within 25 Days	100% departmental complaints resolved within 25 Days	100% departmental complaints resolved within 25 Days	Marketing and publicity	Putting people first	Signed Complaints Reports and Responses
GGPP-04-2021 FI-07	Single Window of Co-ordination	Governance and Policy	To Obtain and sustain improved and clean Audit Opinion	Design and implement a credible action plan on 2019-2020 AG findings	43	Quarterly reviews of the A.G Action Plan by Council by 30 June 2021	Number	4 Quarterly reviews of AG Action Plans to Internal Audit by 30 June 2021	R0.00	N/A	Submit Reviewed AG Action plan to IA	Submit Reviewed AG Action plan to IA	Submit Reviewed AG Action plan to IA	Submit Reviewed AG Action plan to IA	Implementation of AG Action plans	Putting people first	Reviewed/Updated AG Action Plan, Council resolution

**NATIONAL KEY PERFORMANCE AREA: CROSS CUTTING INTERVENTIONS**

CGI-04-2021 FI-1	single window of coordination	Governance and Policy	To implement and maintain compliant, effective and efficient risk management system and processes	To ensure effective risk management	44	Updated Risk Registers submitted to RMC	Number	4 Signed Updated Risk Registers submitted to Risk Management Unit	R0.00	N/A	Signed Updated risk register submitted to Risk Management Unit	Signed Updated risk register submitted to Risk Management Unit	Signed Updated risk register submitted to Risk Management Unit	Signed Updated risk register submitted to Risk Management Unit	Risk Management	Good Governance	Proof of submission, 4 Signed Updated Risk Registers
------------------	-------------------------------	-----------------------	---	-------------------------------------	----	---	--------	---	-------	-----	--	--	--	--	-----------------	-----------------	--

*NPE*

## ANNUAL PERFORMANCE PLAN & PERSONAL DEVELOPMENT PLAN

The following annual management review on **Key Performance Areas (KPA) and Competency Framework** (Leading Competencies and Core Competencies) agreed to in each manager performance agreement has to be completed.

The annual performance appraisal involves the assessment of the achievement of results of the KPA's, LC's and CC's in accordance with the five-point scale of (1-5).

RATING	DEFINITION OF SCORE
5	Outstanding performance
4	Performance significantly above expectation
3	Fully effective
2	Performance not fully satisfactory
1	Unacceptable performance

Period Under Review	01 July 2020 to 30 June 2021
Surname	Myeni
Name	Nkosinathi Phumulani Emmanuel
Municipality	UMhlabuyalingana Municipality
Department	Finance
Race	African
Gender	Male
Employee Number	30005
Date Of Appointment	
Salary Package	

DETAILS OF THE MANAGER




# MANAGERS PERFORMANCE PLAN FOR THE YEAR UNDER R

## 1. PERSONAL DEVELOPMENT PLAN

AREA TO BE DEVELOPED	TYPE OF INTERVENTION	TARGET DATE	PERFORMANCE REVIEW FOR PDP		
			PROGRESS	BARRIERS	ACTIONS TO OVERCOME BARRIERS
Advanced Financial Management	Advanced Excel AFS preparation	Oct-Dec	Implementation of working skills plan approved by council	Unable to provide an accurate AFS	training /workshop on caseware
Annual updates on GRAAP standard	Understanding the interpretation of GRAAP standard	Jan-mar	Implementation of working skills plan approved by council	Outdated information on GRAAP standards for compilation of AFS and financial reporting	Workshop /training on GRAAP standards

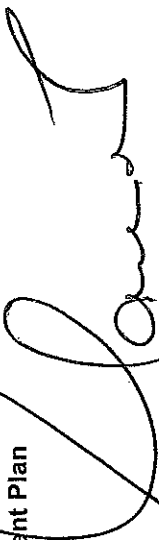
**AGREEMENT TO PERFORMANCE AND DEVELOPMENT PLAN:**

I agree with the objectives as set out in the above Performance and Development Plan and undertake to achieve the objectives as agreed on.

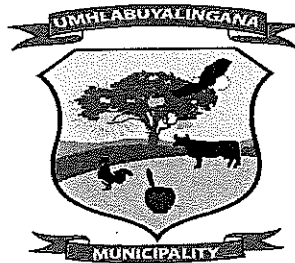
SIGNATURE:  \_\_\_\_\_  
(Name of Manager: N.P.E Myeni

Date: 31/07/2020

I undertake to support Nkosinathi Phumilani Emmanuel (name of Manager) with the achievement of the above Performance and Development Plan

SIGNATURE:  \_\_\_\_\_  
Name of Municipal Manager: N.P Gamede

Date: 31/07/2020



**CODE OF CONDUCT**  
**FOR**  
**UMHLABUYALINGANA MUNICIPAL EMPLOYEES**

**1. INTRODUCTION**

UMhlabuyalingana Municipality adopts the code of conduct as legislated in the Local Government Municipal Systems Act, 32 of 2000, Schedule 2.

**2. PURPOSE**

To promote ethical conduct, practices and standards within the municipality and also to ensure that Municipal Councilors/Traditional leaders subscribes and comply with relevant legislations.

**3. SCOPE OF APPLICATION**

This code is applicable to all persons employed by UMhlabuyalingana Municipality.

**4. LEGISLATIVE MANDATES**

1. Local Government Municipal Systems Act, 32 of 2000 (Schedule 2)
2. Constitution of the Republic of South Africa, Act 108

## 5. PRINCIPLES OF CONDUCT

### 5.1 Definitions:

- In this Section “partner” means a person who permanently lives with another person in a manner as if married.

### 5.2 General conduct

The Councilor/traditional leader must at all times:

- 5.2.1 Loyal execute the lawful policies of the Executive Authority of the Municipality;
- 5.2.2 Perform the functions of office in good faith, diligently, honestly and in a transparent manner;
- 5.2.3 Act in such a way that the spirit, purport and objects of section 50 of the Municipal Systems Act are promoted;
- 5.2.4 Act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised, and
- 5.2.5 Act impartially and treat all people, including other Councilors, equally without favor or prejudice.

(Section 50 of the-Local Government Municipal Systems Act stipulates that local public administration is governed by the democratic values and principles embodied in Section 195 (1) of the Constitution)

### Democratic values and principles as per the Constitution of the Republic of South Africa

- A high standard of professional ethics must be promoted and maintained
- Efficient, economic and effective use of resources must be promoted
- Public administration must be development –orientated
- Services must be provided impartially, fairly, Equitably and without bias
- People’s needs must be responded to, and the public must be encouraged to participate in policy making
- Public administration must be accountable
- Transparency must be fostered by providing the public with timely, accessible and accurate information

- Good human resource management and career development practices, to maximize human potential must be cultivated
- Public administration must be broadly representative of the South African people with employment and personnel management practices based on ability, objectivity, fairness and the need to redress the imbalance of the past to achieve broad presentation.

5.3 Commitment to serving the public interest.

5.3.1 The Councilor /Traditional leader is a public servant in a developmental local system, and must accordingly:

- (a) foster a culture of commitment to serving the public and a collective sense of responsibility for performance in terms of standards and targets;
- (b) promote and seek to implement the basic values and principles of public administration described in section 195(1) of the Constitution;

5.4 Personal gain

5.4.1 The Employee may not:

- 5.4.1.1 Use the position or privileges of a Employee, or confidential information obtained as a Employees for private gain or to improperly benefit another person, or
- 5.4.1.2 Take a decision on behalf of the municipality concerning a matter in which the employees or the employee's spouse, partner or business associate, has a direct or indirect personal or private business interest.

5.4.2 Except with the prior consent of the council of a municipality, the Employees may not:

5.4.2.1 Be a party to a contract for:

- 5.4.2.1.1 The provision of goods or services to the municipality, or
- 5.4.2.1.2 The performances of any work for the municipality otherwise than as a Councilor;

5.4.2.2 Obtain a financial interest in any business of the municipality, or

- 5.4.2.3 Be engaged in any business, trade or profession other than the work of the municipality. Prior consent must be obtained from the Municipal Manager, if the matter has to happen.

**6. DISCLOSURE OF BENEFITS**

The Employee must disclose in writing full particulars of the benefit to the Employee, her spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality.

This item does not apply to a benefit which the employee or a spouse, partner, business associate or close family member has or acquires in common with all other residents of the municipality.

**7. UNAUTHORIZED DISCLOSURE OF INFORMATION**

The employee may not without permission disclose any privileged or confidential information obtained as the employee of the Municipal to an unauthorized person.

For the purpose of this item "privileged or confidential information" includes any information:

- determined by the executive Authority of the municipality to be privileged or confidential;
- discussed in closed session by the council or a committee of the Council;
- disclosure of which would violate a person's right to privacy, or
- Declared to be privileged, confidential or secret in terms of any law.

This item does not derogate from a person's right to access to information in terms of national legislation.

**8. UNDUE INFLUENCE**


The Employees may not:

- mislead or attempt to mislead the employee, or a structure or functionary of the employees, in its consideration of any matter, or

**REPORTING DUTY**

Whenever the Employee has reasonable ground for believing that there has been a breach of this code of conduct by any other Municipal employee, reporting to her or not, the Employee must without delay report the matter to the Municipal or the speaker.

I NKOSINOTHA PHUMULANI EMMUEL MYENI (Full Names and Surname) agree that I have read and understood the code of conduct for UMhlabuyalingana Municipality as it is stipulated in the Local Government <Municipal Systems Act, 32 of 2000. I understand that this code governs all municipal employees.

  
NPG m  
SIGNATURE

31/07/2020  
DATE



## DISCLOSURE FORM FOR BENEFITS AND INTERESTS

I, the undersigned (Surname and Initials) Nkosinathi Phumulani Emmanuel Myeni

(Postal Address) :P.O Box 1187,Esikhawini,3887

(Residential Address): Thengani A Manguzi next to kosi Bay high school

(Position Held): Chief Financial Officer

(Name of Municipality) :Umhlabuyalingana Municipality

Tel: Fax: 035 592 0672

hereby certify that the following information is complete and correct to the best of my knowledge:

### 1. Shares, securities and other financial interests (Not bank accounts with financial institutions.)

Number of shares/Extent of financial interest	Nature	Nominal Value	Name of Company/Entity
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a

### 2. Interest in a trust

Name of trust	Amount of Remuneration/Income
n/a	n/a
n/a	n/a

### 3. Membership, directorships and partnerships

Name of corporate entity, partnership or firm	Type of business	Amount of Remuneration/ Income
Bandengokuhle Projects and logistic	Logistics Business, Trucking	100% ownership
Super quick Manguzi	Tyre Business	100%
HB Unique fitment Centre	Tyre Business	50%
Emmanathi Trading	Blocks Business	50%
Emmanathi Shipping	Shipping Agency	40%
Emmanathi Trading	Mining river sand	50%

### 4. Remunerated work outside the Municipality (Must be sanctioned by Council.)

Name of Employer	Type of Work	Amount of remuneration! Income
Emmanathi Trading	Blocks and Mining	R30 000-00



CONFIDENTIAL

Council

Signature by Designate: \_\_\_\_\_

Date: \_\_\_\_\_

**5. Consultancies, Retainerships and Relationships**

Name of Client	Nature	Type of business activity	Value of any benefits Received
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a

**6. Subsidies, grants and sponsorships by any organisation**

Source of assistance	Descriptions of assistance	Value of assistance
n/a	n/a	n/a
n/a	n/a	n/a

**7. Gifts and Hospitality from a source rather than a family member**

Description	Value	Member
n/a	n/a	n/a
n/a	n/a	n/a

**8. Land and Property**

Description	Extent	Area	Value
House		Empangeni	
House		Esikhawini	
Flat		Empangeni	
Cottages or rental flats		Eskhawini	
Cottages or rental flats		Skhemelele	
Workshop		Manguzi	
2 Vacant land		Manguzi	
Block yard		Esikhawini	
Block yard		Manguzi	

  
SIGNATURE OF SENIOR MANAGER

DATE: \_\_\_\_\_

PLACE: \_\_\_\_\_

I undertake to advise the Municipal Manager if there is any change in the nature of detail of my financial interests as stated above.

DEPONENT NKOSINATHI PHUMULANI EMMANUEL MYENI

I certify that the deponent has acknowledged that he / she knows and understands the contents of this affidavit, which was signed and sworn to before me at Emangweni SAPS on 2020-07-23 2020,

After provisions of the regulation contained in Government Gazette No. R1258 published in the Government Gazette No. 3619 dated 21 July 1972 and Government No., 1648 dated 19 August 1977, had been duly complied with.

*AA Amkogo*  
*Amkogo*

MANOJA Ntuli  
Emangweni SAPS.

