(1) making allowance for the trade-in or exchange value of such asset; and

(ii) without making such allowance;

(b) in any case in which subsection (1) of section 136 does not apply, under any contract including in its terms provision for a trade-in or exchange of such asset; provided that no such contract shall be entered into unless the other party to the proposed contract shall also have stated in writing his price without making allowance for the trade-in or exchange value of such asset.

(2) Any movable asset unsuccessfully offered for sale by public auction or tender at an upset price may be sold by private treaty at a price not less than 15% below upset price at such lowest price as may be approved.

(3) The council may, in case of emergency or where the value does not exceed $500, authorize a sale by private treaty, in which case reasons shall be appended in the council resolution.
(4) Nothing shall prevent the council selling to another public body any movable property where the council considers it to be in the best interests of the council, giving reasons in the resolution authorising the sale or exchange.

6. ALIENATION OF IMMOVABLE PROPERTY.

The council may, with the approval of the Administrator and subject to conditions as he may approve or prescribe, sell or lease by public auction or tender, exchange, grant, etc., immovable property, subject to the conditions set out in the ordinance whenever land is granted or sold for less than its actual value. The agreement of sale shall include a condition that if the property ceases to be used for the purpose for which it was granted or sold, the owner shall pay the difference in value or retransfer the land to the council. (For full conditions see ordinance.)

The council may, with the Administrator's consent, and

79(18)(a). The council may let, sell or in any other way alienate or dispose of any movable or immovable property of the council (including the granting of prospecting rights, option contracts, etc.)

(b) In the case of immovable property it shall cause a notice of the resolution to that effect to be published at least once a week during three successive weeks in at least one Afrikaans and one English newspaper circulating in the municipality, calling for objections.

In the case of alienation of freehold or leaseholds more than twenty years, plannings must be posted on or near the land in question.

77(1). A council may, with the approval of the Administrator, alienate immovable property vested in the municipality, provided it is not prohibited by law.

146. A council may, with the approval of the Administrator, let property vested or under the control of the council. The approval of the Administrator is not necessary for leases less than six months for the purpose of meetings, entertainment and recreation, or where due to street closing land is let to abutting owner. (No sub-letting is permitted without the council's consent - section 148).

147. Every application for the
6. ALIENATION OF IMMOVABLE PROPERTY (continued).

(a) No power conferred above except certain leases shall be effective until the administrator's consent has been obtained, and subject to the terms and conditions he may determine.

(b) The notice shall contain full details of the sale, saying that particulars are open for inspection and inviting persons to lodge objections.

(c) If after the expiry of the period of fourteen days the council has by resolution, in favour of which the majority of the full number of the members of the council voted, authorized the proposed sale, lease or alienation, the town clerk shall submit to the administrator certified copies of the resolution and other details as set out in the Ordinance.

(2) All objections lodged, together with the council's comments thereon.

147. A council may not admit or concede a claim that any person has acquired municipal property by prescription except under the conditions specified and with the consent of the Administrator and extraordinary resolution of council.
6. ALLOCATION OF INSURABLE PROPERTY (continued).

7. INSURANCE OF ASSETS.

104(1). The council may, out of revenue, take out insurance policies or itself establish insurance schemes against any risk or loss in connection with (a) municipal buildings and property, (b) animals, (c) Workmen's Compensation Act claims and any claims by employees; (d) fidelity; (e) money in transit; (f) third party risks, (g) profits on trading undertakings; (h) any claim where protection may be deemed to be desirable.

2. If the council has not taken out a policy for the full extent of its potential liability under the V.G.A. 1941, with the

62(5). The council shall require from every officer entrusted by it with the handling of money or stores on its behalf security to the satisfaction of the council which may, if it deems fit, defray from its funds any fidelity premium considered reasonable.

69. An employee of the council shall (a) if he is entrusted with the handling of money on behalf of the council, or (b) if he has been required by the council to do so, furnish security to the satisfaction of the council.

If a fidelity policy is furnished by the employee the council may pay a part of the whole of any premium thereon.

73. Any employee entrusted with the handling of money or stores shall furnish and maintain security to the satisfaction of the council, provided that if a fidelity policy is furnished the council may pay a part of the whole of the premium thereon.

206. Charges and expenses payable to the council for fire services and all damage done by the fire brigade and police shall be deemed to be loss or damage by fire within the meaning of any policy of insurance against fire, whether land anywhere in the territory in such policy. this must not be
approval of the Commissioner, or if not exempt in terms of the Act, the amount of such assessments shall be defrayed from revenue.

3. The council may take out insurance for a councillor or of any officer of the council or of the dependants of such councillor or officer engaged on council business and the maximum benefits provided shall be approved by the Administrator and premium shall be paid from revenue.

4. The council may (subject to the Insurance Act, 1949) establish an insurance scheme or fund and effect the insurance described in subsection (3) out of such insurance scheme or fund (subject to constitution in clause (9) and to the Administrator's approval).

5. It shall be lawful for the council to adjust the rates and charges payable by or in respect of any property, which includes any building or land or aster owning or occupying such property, as provided for in any law or under any authority in which the grant of the town council shall be vested or in the exercise of any power of the council.

6. A council may, in addition to the powers and duties generally conferred on it by any law relating to local government, and such other powers and duties as may be conferred upon it by any other law and subject to the provisions of any law relating to local government, do any one or more of the following:

a. Construct, acquire, maintain, improve, repair, or replace any public works, including but not limited to, streets, roads, public buildings, or any other public property or facility.

b. Vary or alter the nature of any public works or public property or facility or any part thereof.

c. Construct, acquire, maintain, improve, repair, or replace any public works or public facility for the purpose of public health or safety, or for the purpose of public convenience, which includes any building or land or aster owning or occupying such property.

7. A council may pay compensation to the owner of any real or personal property or any property owner or tenant or any person who has a right to use or enjoy such property or any other person, for the purposes of any of the powers or duties mentioned in subsection (5) or (6).
The amount shall be determined at the commencement of the Mayor's term of office and shall not be varied during such term. Whenever the duties of the mayor are performed for any continuous period not less than one month, the deputy mayor or other councillor acting shall receive the allowance for such period.

8. PAYMENTS TO ELECTED REPRESENTATIVES (continued).

(2) The amount of allowance shall be determined before the commencement of the Mayor's term of office and shall not be varied either by way of increase or decrease during the term of office.

(3) The expenditure of the allowance shall be accounted for to the Finance Committee or Management Committee. Where the duties of Mayor are performed by a deputy or acting Mayor for not less than 14 days, the allowance shall be paid to the Deputy Mayor or acting Mayor.

(4) The council may also grant a personal allowance not exceeding one third of the allowance fixed under (1).

(5) The expenditure of the allowance referred to in (4) shall not be subject to audit, and the signature of the Mayor therefore shall be sufficient.

(6) Whenever the duties of the Mayor are performed for a continuous period of not less than fourteen days by the deputy mayor the allowance payable to the Mayor in terms of (1) shall be paid to the deputy Mayor to the extent determined by the council.

(7) A council may, in addition to the travelling and subsistence allowances and the allowances covered in sections 5 and 6, pay to the Mayor an allowance according to the scale set out in the ordinance. Where the duties of Mayor are performed by a deputy or acting Mayor for not less than 14 days, the allowance shall be paid to the Deputy Mayor or acting Mayor.

(8) his annually pay to the Deputy Mayor for the purpose of public hospitality, an amount not exceeding one-quarter of the amount payable to the Mayor in terms of para. (g).

(9) A councillor acting in the place of a mayor for a continuous period of not less than one month shall be entitled to expend a pro rata share of the amount determined in 227(g).

(10) A council may pay a councillor any necessary expenses incurred in the performance of his duties within the municipality.

(11) In lieu of paying expenses the council may by extraordinary resolution and with the Administrator's consent pay fixed monthly allowances not exceeding R50 per month.

(2) A council may pay a councillor an allowance according to a tariff approved by it for specially deputed duties outside the municipality.
8. PAYMENTS TO ELECTED REPRESENTATIVES (continued).

(7) The council of a City
Council and of any other
town council authorised by
the Administrator may grant
an allowance to the Deputy
Mayor not exceeding half of
the allowance referred to in
(4).

(8) The council may with the
Administrator's consent pay
allowances to members of the
council, as well as an addi-
tional allowance to the
Chairman in terms of sub-
section (1) of Section 53
of the Local Government
(Administration and Elec-
tions) Ordinance 1960.

9. THE APPOINTMENT OF COMMISSIONS OF ENQUIRY.

170 bis(1). The Administrator
may whenever the finances of
a local authority have in
his opinion become (e)non-
structed, it to take steps for
removing the position to a
satisfactory basis.

(2). In the event of the local
authority failing to take the
necessary steps within the
prescribed time the Adminis-
trator may remove the mem-
bers from office or disas-
tablish the local authority

68(1). The Administrator may,
if he is satisfied that a
council is not in a position
to pay its debts or if he has
reason to believe that a cre-
ditor may take action with
a view to the attachment of
property belonging to the
council, appoint a person to
be known as a personal repre-
sentative or investigator to
investigate the

financial position of the
council to control its reve-
ues and expenditure and in
consultation with the council

253. The Administrator may
appoint one or more per-
sons as investigators to
report to him for the pur-
pose of obtaining informa-
tion not otherwise ob-
tainable, in regard to the
administration of the or-
dinance. Investigators
are given powers to call
evidence, call for books,
etc. Costs of investiga-
tions may be recovered
from local authorities.
9. **THE APPOINTMENT OF COMMISSION OF ENQUIRY (continued).**

and incorporate in the area of the Board for the advancement of Peri-Urban Areas.

(2) The personal representative may impose a special rate with the Administrator's consent.

(2) Upon receipt of a commissioner's report the Administrator may make such order on a local authority as he may deem fit and may remove a member of a council from office, and in the case of a former member preclude him from re-election.

251A. The Administrator may appoint a committee of not more than three persons to be known as a Local Authorities Investigating Committee to investigate and report on any case of alleged maladministration by a local authority or malpractice by its members, officers or servants. The ordinance sets out details of the powers and duties of such committees and the action which the Administrator may take on receipt of a committee's report.

170 ter. If the Administrator after an allegation has come to his notice that a local authority or a committee has acted unlawfully or it is responsible for an act or omission resulting in maladministration, is of opinion that further action is necessary, he shall appoint a commission of enquiry. After considering a report of the commission the Administrator may remove any members responsible from office.

36A. If the town clerk is of the opinion that the council or a committee acted unlawfully or is responsible for any act or omission which may result in maladministration, he shall submit a written report to the council at a special meeting and shall within 7 days forward the report to the Administrator.
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