



Registration of dispute in terms of Local Government

Municipal Systems Act No.32 of 2000 and regulations - Section 102 (2)

Account Number	
Account Holder's Name	
Physical Address	
Item Under Dispute	
Amount Under Dispute	
Reason for Dispute	
Time Limit for Resolution	
Office Use	

Submitted By (Full Name): _____

Signature: _____

Date: ____ / ____ / 2018

Acknowledgement of Receipt on behalf of Emfuleni Local Council

Full Name: _____

Title/Position: _____

Signature: _____

Date: ____ / ____ / 2018

Instructions for Submission

Once this form has been completed (by hand and in black ink), please make a copy and hand both in at the Municipal Manager's Office, or at the Pay office in the OK Building in Pres. Kruger Street CBD, or at the Main Building, Room 520, for the attention of Thandi. Please make sure that the person signs and stamps both copies and then retain a copy for your own records.

Then, please email a scanned soft-copy of this form, your invoice and payment slip to the following addresses, to ensure that your dispute is on record:

- mmsecretary@emfuleni.gov.za / customercare@emfuleni.gov.za / Oupan@emfuleni.gov.za / Nkoane@emfuleni.gov.za
- info@erpa.co.za

Thank you

Emfuleni Ratepayers Association (ERPA)



The dispute above relies on as if specifically incorporated, and on the following sections but is not limited to them alone but also include any and all such sections that may prove to be incorporated at any stage during the dispute resolution.

Chapter 2, paragraph 4. (2), d, f, i, 4. (3), 5. (1) (ii), b, c, d, g, Chapter 8, paragraph 73. (1) a, c

Extracts from Act 32:

http://www.energy.gov.za/files/policies/act_municipalsystem_32of2000.pdf

Municipal Systems Act No.32 of 2000 and regulations - Section 102 (2)

Chapter 2

LEGAL NATURE AND RIGHTS AND DUTIES OF MUNICIPALITIES

Rights and duties of municipal councils

4. (2) The council of a municipality, within the municipality's financial and administrative capacity and having regard to practical considerations, has the duty to
- (a) exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the local community;
 - (b) provide, without favour or prejudice, democratic and accountable government;
 - (c) encourage the involvement of the local community;
 - (d) strive to ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner;
 - (e) consult the local community about—
 - (i) the level, quality, range and impact of municipal services provided by the municipality, either directly or through another service provider: and
 - (ii) the available options for service delivery:
 - (f) give members of the local community equitable access to the municipal services to which they are entitled;
 - (g) promote and undertake development in the municipality;
 - (h) promote gender equity in the exercise of the municipality's executive and legislative authority;
 - (i) promote a safe and healthy environment in the municipality;
 - (j) and contribute, together with other organs of state, to the progressive realisation of the 30 fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution.
- (3) A municipality must in the exercise of its executive and legislative authority respect the rights of citizens and those of other persons protected by the Bill of Rights.

Rights and duties of members of local community

5. (1) Members of the local community have the right—
- (a) through mechanisms and in accordance with processes and procedures provided for in terms of this Act or other applicable legislation to—
 - (i) contribute to the decision-making processes of the municipality: and
 - (ii) submit written or oral recommendations, representations and complaints to the municipal council or to another political structure or a political office bearer or the administration of the municipality;
 - (b) to prompt responses to their written or oral communications, including complaints, to the municipal council or to another political structure or a political office bearer or the administration of the municipality;
 - (c) to be informed of decisions of the municipal council, or another political structure

- or any political office bearer of the municipality, affecting their rights, property and reasonable expectations;
- (d) to **regular disclosure** of the state of affairs of the municipality. Including its finances;
- (e) to demand that the proceedings of the municipality council and those of its committees must be—
- (i) open to the public, subject to section 20;
 - (ii) conducted impartially and without prejudice; and
 - (iii) untainted by personal self-interest;
- (f) to the use and enjoyment of public facilities: and
- (g) to have **access to municipal services which the municipality provides**, provided the duties set out in subsection (2)(b) are complied with.
- (2) Members of the local community have the duty—
- (a) when exercising their rights, to observe the mechanisms, processes and procedures of the municipality;
 - (b) where applicable, and subject to section 97(1)(c), to pay promptly service fees, surcharges on fees, rates on property and other taxes, levies and duties imposed by the municipality;
 - (c) to respect the municipal rights of other members of the local community;
 - (d) to allow municipal officials reasonable access to their property for the performance of municipal functions; and
 - (e) to comply with by-laws of the municipality applicable to them.

Chapter 8

MUNICIPAL SERVICES

General duty

73. (1) A municipality must give effect to the provisions of the Constitution and—
- (a) **give priority to the basic needs** of the local community;
 - (b) promote the development of the local community; and
 - (c) **ensure** that all members of the **local community have access** to at least the minimum level of **basic municipal services**.

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