



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

## **ANNEXURE 9**

# **GRANTS-IN-AID POLICY**



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

ANNEXURE 9

# **GRANTS-IN-AID POLICY 2017/18 (POLICY NUMBER 21144E)**

**APPROVED BY SPECIAL COUNCIL: 25 MAY 2016  
SPC03/05/16**

**CITY OF CAPE TOWN**  
**GRANTS-IN-AID POLICY**

<b>CONTENTS</b>	<b>PAGE</b>
<b>Preamble</b>	<b>3</b>
<b>Definitions</b>	<b>4</b>
<b>INDEX</b>	
1. Statutory provisions and compliance	7
1.1 Procedural and regulatory oversight – First Screening Process for Subcouncils and Line Departments	7
1.2 The Grants-in-Aid Committee	8
1.3 Self-regulatory Process	8
1.4 Constitutional Powers and Functions, Implementation, Protocols and Economic and Social Development Criteria	9
1.5 Arts and Culture Implementation Protocol	9
1.6 Economic and Social Development Criteria	9
1.7 VAT and SCM	9
2. Organisations or bodies making application for Grants-in-Aid in terms of this Policy - qualifying criteria	10
3. Projects and expenditure that cannot be funded by means of a Grants-in-Aid allocated in terms of this Policy	12
4. Other requirements	15
5. Utilisation of Grants-in-Aid – control, monitoring, reporting and recovery of Grants-in-Aid funds and assets	18
5.1 Reports to the Committee	18
5.2 Reports to Transversal Committees, Subcouncils, MayCo and Council	18
5.3 Auditor General’s office	19

## PREAMBLE

The City of Cape Town (“the City”), apart from entering into commercial and other business transactions or specific delivery agreements with organisations or bodies outside any sphere of government to deliver goods and services within its area of jurisdiction, also makes Grants-in-Aid to such organisations or bodies to fund projects that benefit the community and, in partnership with the City, also utilise Grants-in-Aid to carry out projects that assist the City in realising its goals and objectives as set out in its IDP and strategies to be an opportunity, a safe, a caring, an inclusive and a well-run City.

The projects and/or programmes supported by these Grants-in-Aid assist the City in:-

- Addressing the social developmental and early childhood developmental needs of communities as set out in the Social Development and Early Childhood Developmental Implementation Protocol;
- Building and growing arts and culture within communities and involving youth in Arts and Culture programmes as set out in the Arts and Culture Implementation Protocol;
- Driving Economic and Social Development within its area of jurisdiction in terms of its Economic Growth Strategy (“EGS”) and Social Development Strategy (“SDS”) through application of the respective criteria as detailed in;
- Promoting sports and recreation and the utilisation of local sports facilities;
- Ensuring the safety of the general public using the City’s beaches;
- Fighting crime to ensure the safety and security of its citizens by supporting the establishment of neighbourhood watch services within communities; and,
- Pursuing its mandates and responsibilities relating to existing health situations in terms of the Health Act.

The Grants-in-Aid Policy (“the/this Policy”) was drafted in order to ensure:- that all Grants-in-Aid allocated in terms of this Policy are only allocated or transferred to any organisation or body (beneficiary), outside any sphere of government, following confirmation of compliance with all relevant legislation and the due application of proper and sound regulatory and approval processes and/or procedures; that Grants-in-Aid funds received by any beneficiary are only utilised for the purposes or for carrying out the project or programme as per the Business and Project Plan for which the funds were approved by means of the application of the proper monitoring, recording and reporting processes and/or procedures; service providers have the capacity and have agreed in terms of the Memorandum of Agreement (“MOA”) to implement effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and

financial mismanagement; proper and effective political oversight by Councillors at the First Screening Process (“FSP”) when the initial administrative processes, in respect of Grants-in-Aid applications, are carried out; and, application of the principles associated with good corporate governance.

## **DEFINITIONS**

In this Policy unless the context indicates otherwise –

- “beneficiary” means the target community or group that will benefit from a Grants-in-Aid funded project or programme;
- “capacity building” Capacity Building refers to a process which enables human beings to realize their potential, build self-confidence and lead lives of dignity and fulfilment. These Capacity Building programs have to align to the basket of services of the Directorate: Social Development and Early Childhood Development i.e. Early Childhood Development, Youth Development, Substance Abuse, Poverty Alleviation, Vulnerable Groups and Street People.
- “Commercial or other business transactions” means a contract or transaction entered into between the City and an outside contractor or vendor in terms of the City’s SCM Policy and Procedures for the supply of goods and/or services by the contractor or vendor;
- “disclosure and declaration of interests - Councillors” means disclosures and declarations by Councillors as required in terms of Sections 5 and 7 of Schedule 1 – (Code of Conduct for Councillors) of the Local Government: Municipal Systems Act, 32 of 2000 (MSA);
- “Early Childhood Development (“ECD”) Facility” means any place, building or premises, including a private residence, maintained or used partly or exclusively, whether for profit or otherwise, for the reception, protection and temporary or partial care of more than six children that shall be registered with the

WCG and be managed and maintained in terms of the Children's Amendment Act, 41 of 2007;

"Economic Growth Strategy"

means a strategy that is aimed at co-ordinating and directing the work of the City and its external partners towards the expansion of access to economic opportunities by growing the economy and creating jobs being core objectives of the City's strategic focus area of being an opportunity City.

"finance manager"

means the official in a Directorate or Line Department who is responsible for the financial management and administration of his/her directorate or department;

"Grants-in-Aid"

means a Grants-in-Aid or allocation, as referred to in Section 17 (3) (j) (iv) of the MFMA, made by the City to any organisation or body referred to in Section 67(1) and to be utilised to assist the City in fulfilling the Constitutional mandates including social developmental and arts and culture programmes as set out in the respective Implementation Protocol agreements with the WCG and the EGS and SDS criteria;

"Grants-in-Aid Committee"

means the committee established in terms of clause 2 of this Policy;

"memorandum of agreement" ("MOA")

means the agreement entered into between the City and any organisation or body which receives a Grants-in-Aid in terms of this Policy;

"municipal account" -

means the municipal services account rendered by the City in respect of property rates, service and user charges for services rendered;

"Non-governmental Organisation (NGO)"

Means a non-governmental organisation (NGO) that is a legally constituted non-profit organisation that operates independently from any form of government;

“Non-profit company (NPC)”	means a company whose Memorandum of Incorporation must set out at least one object of the company and each such object must be either a public benefit object or object relating to one or more cultural or social activities, or communal or group interests as required by Item 1(1) of Schedule 1 of the Companies Act, 71 of 2008;
“Non-profit Organisation (NPO)”	means a non-profit Organisation (NPO) registered in terms of Section 13 of the NPO Act, 71 of 1997;
“Social Development Strategy (SDS)”	means a strategy that is aimed at co-ordinating and directing the work of the City and its external partners towards realising the City’s aim and commitment to the building of a Caring and Inclusive City to improve the lives of its citizens especially the poor, marginalised and vulnerable;
“specific delivery agreement”	means an agreement entered into between the City and a beneficiary to deliver goods and services of a specialised and unique nature and/or require specific expertise and special skills to produce, install and/or provide;

## **THE GRANTS-IN-AID POLICY**

### **1. Statutory provisions and compliance**

#### **1.1 Procedural and regulatory oversight – First Screening Process (FSP) for Subcouncils and Line Departments**

The Budgets Department, shall, in conjunction with the relevant Subcouncil manager and ward Councillors, carry out a FSP of all Grants-in-Aid applications received by the advertised closing date. The FSP shall be chaired by the Subcouncil manager. All ward Councillors that allocate Grants-in-Aid shall attend the FSP. The presence of ward Councillors provides the necessary political oversight during the FSP and ensures fairness, equity and transparency when Grants-in-Aid applications are being considered.

At the FSP, the Subcouncil Manager will submit proof that each requesting organisation is a bona-fide organisation by submitting the minutes of its Annual General Meeting (“AGM”) (not older than 18 months) and the minutes of its last meeting where the organisation took the decision to apply for the Grants-in-Aid funding.

The District Head: Social Development and Early Childhood Development will be invited to the FSP to advise the Subcouncil whether the programme or project (if it has a Social Development and Early Childhood Development linkage) as submitted by the requesting organisation, falls within the basket of services of that Directorate.

Subcouncils and Line Departments are required to utilise the checklist for the Economic Growth Strategy and the Social Development Strategy as provided by the Strategic Policy unit.

The Budgets Department will indicate at the Grants-in-Aid Committee meeting if the Subcouncil or Line Department has complied with the above and this will also be recorded in the FSP meeting minutes.

Grants-in- Aid allocation amounts are at the discretion of the Subcouncil and not the officials. It is not permissible to revise Business and Project Plans and Subcouncil managers and Project managers need to ensure that these forms are legally compliant when the application is submitted. Budgets shall attend all FSP’s held by Line Departments.



## **1.2 The Grants-in-Aid Committee**

- 1.2.1 Section 67 of the MFMA requires the City to implement and sustain proper and effective controls and procedures when transferring funds of the City to an organisation or body outside any sphere of government. Compliance with the regulatory and control measures as set out in Section 67(1) must be enforced by the Accounting Officer through contractual and other appropriate measures in terms of Section 67(3).
- 1.2.2 This regulatory process will receive oversight from the Grants-in-Aid Committee (“the Committee”). The members of the Committee shall be officials of the City appointed by the CFO. The Committee will have a broad strategic representation by including officials from various functional areas in the City as members and will be chaired by the CFO or his/her nominees.
- 1.2.3 The Committee will administer, co-ordinate and control the Second Screening Process (“SSP”) in respect of Grants-in-Aid applications recommended by Line Departments and Subcouncils. The Committee must ensure that each of the recommended Grants-in-Aid complies with all the provisions contained in this Policy, the Constitution and relevant legislation, Implementation Protocol Agreements and other policies of the City where applicable, especially the Supply Chain Management Policy. The Committee is mandated to either support or not support a recommendation received from a Subcouncil or a Line Department dependent upon the outcome of its assessment of the Grants-in-Aid proposal or recommendation.

## **1.3 Self-regulatory Process:-**

- 1.3.1 The self-regulatory process (“SRP”) must be used by a Line Department to submit Grants-in-Aid applications/proposals to the Committee for consideration at the SSP before submission of Grants-in-Aid reports to the relevant Portfolio Committee, MayCo and Council for approval. In order for the Committee to concentrate on performing its regulatory and compliance mandates the full report including the SRP and the TAP must be submitted to the Committee.
- 1.3.2 This process only applies where a Grants-in-Aid is allocated in terms of this Policy. It therefore does not apply to any allocation of funds for projects and expenditure listed as exclusions under paragraphs 3.1 and 3.2 of this Policy, including funds allocated in terms of paragraph 1.7.3 when making use of the specific delivery agreement. These either represent projects or expenditure that, will not qualify for Grants-in-Aid funding under this Policy, or, are administered and regulated in terms of other specific policies and procedures that shall at least include similar monitoring requirements, controls and reports.

## **1.4 Constitutional powers and functions, Implementation, Protocols and Economic and Social Development Criteria**

1.4.1 In terms of section 156 of the Constitution, the City has executive authority in respect of and the right to administer the local government matters as listed in parts B of schedules 4 and 5 and any other matter assigned to it by national or provincial legislation reflects the project qualifying criteria utilised to assess compliance with these requirements and provisions.

1.4.2 Social Development and Early Childhood Developmental Implementation Protocol Agreement between the Western Cape Government and the City of Cape Town for implementation of the Directorate's Social Development and Early Childhood Development programmes.

1.4.3 This is an agreement entered into between the Western Cape Government and the City in order for the City, through its Social Development and Early Childhood Development Directorate, to address the social developmental needs of communities and for the purposes of executing projects and initiatives in alignment with the City's IDP.

## **1.5 Arts and Culture Implementation Protocol**

This is an agreement entered into between the Western Cape Government via its Department of Cultural Affairs and Sport and the City in order for the City to build and grow arts and culture within communities and involving youth in Arts and Culture Programmes and for the purposes of extending projects and initiatives in support of addressing the developmental needs of communities and individuals either in collaboration with each other or on their own.

## **1.6 Economic and Social Development Criteria**

These criteria are set out in the City's EGS and SDS which are aimed at co-ordinating and directing the work of the City and its external partners towards achieving the strategic goals of being an Opportunity, a Caring, an Inclusive, a Safe and a Well-run.

## **1.7 VAT and SCM**

1.7.1 In determining that the payment is in terms of this policy, such payment will, in terms of the VAT Act, 89 of 1991 be deemed zero rated if it's made to a registered Welfare Organisation which means any public benefit organisation contemplated in paragraph (a) of the definition of "public benefit organisation" in

section 30(1) of the Income Tax Act, 58 of 1962, and especially Interpretation Note 39 published by SARS on 8 February 2013, that has been approved by the Commissioner in terms of section 30(3) of that Act. Payments made to other organisations/bodies that are VAT vendors can also be deemed a zero rated Grants-in-Aid, provided that the Grants-in-Aid paid to or on behalf of that vendor is in the course or furtherance of an enterprise carried on by that vendor. All other payments to non-VAT vendors will not be seen as Grants-in-Aid in terms of the VAT Act but a transfer payment made in compliance with Section 67. All VAT and non-VAT vendors must be registered on the City's SAP Vendor Data Base which forms part of the SCM process.

1.7.2 The appointment of outside contractors to deliver goods and services that are normally performed and delivered by the City's Line Departments should be undertaken by the Line Departments utilising funds provided for the delivery of goods and services on their approved operating budgets. Line Departments also utilise funds allocated and transferred by the various Subcouncils, from their ward allocations, to the relevant Line Departments to appoint contractors to deliver goods and services. All appointments of contractors shall be made in terms of the City's SCM Policy and procedures as applied and interpreted by the SCM Department and such appointments shall be regulated and managed as commercial or business transactions. A Grants-in-Aid allocated in terms of this Policy may not be utilised to fund such expenditure.

1.7.3 Line Departments may, apart from appointing contractors in terms of the SCM Policy, also utilise Specific Delivery Agreements entered into with certain service providers to carry out projects for the delivery of goods and services subject to Department's project manager and the Directorate's finance manager. Such projects or deliverables are funded directly by the respective Departments utilising their approved budget and not by means of a Grants-in-Aid allocated in terms of this Policy. The goods and services provided should be of such a nature that they can only be effectively delivered by a specialist organisation. Line Departments utilising this delivery model shall be identified under paragraph 3.2 below confirming that these transfers of funds are not Grants-in-Aid allocated in terms of this Policy.

## **2. Organisations or bodies making application for Grants-in-Aid funding in terms of this Policy – specific qualifying criteria.**

2.1 Applicants, who apply for Grants-in-Aid in terms of this Policy in order to carry out projects and/or programmes that meet the project qualifying criteria, shall either be one or more of the following:

- 2.1.1 a public benefit organisation (“PBO”) which is a non-profit company (“NPC”) incorporated in terms of Schedule 1 of the Companies Act, 71 of 2008 or a trust or an association of persons that has been incorporated, formed or established in the Republic as contemplated in the definition of public benefit organisations in sections 30(1) and 30(3) of the Income Tax Act, 58 of 1962 as amended; or,
- 2.1.2 a NPO registered as such in terms of section 13 of the Non-Profit Organisations Act, 71 of 1997; or,
- 2.1.3 an ECD site or child care and development facility such as a crèche, day care or educare centre with the principal object being early childhood development for children aged 0 – 6 years and that is duly registered with the Department of Social Services of the WCG as a place of care in terms of the Children’s Amendment Act, 41 of 2007; or,
- 2.1.4 an old age home registered with the Department of Social Services: Western Cape Government in terms of the Older Persons Act, 13 of 2006 or a senior citizens group, association or recreational club registered as a PBO or a NPO and provided the Grants-in-Aid is to be used for the promotion of sport and utilisation of local sports facilities by the aged or to acquire recreational material or to promote arts and culture among the aged, or to acquire special frail care equipment to improve mobility of the aged, or where the old age home and the senior citizen groups utilise Grants-in-Aid funding to provide a service to the community in respect of skills development, poverty alleviation or other projects or programmes that qualify for Grants-in-Aid funding in terms of this Policy; or,
- 2.1.5 PBO in terms of section 30 of the Income Tax Act, 58 of 1962 as amended and performing public benefit activities or carrying out community based projects or programmes aligned to requirements of this Policy and thereby assisting the City in pursuing its broader mandates especially with respect to social development; or,
- 2.1.6 any public school, as defined in the South African Schools Act, 84 of 1996, or independent school registered in terms of section 46 of that Act, where Grants-in-Aid may only be allocated and used to provide and/or maintain their own sports facilities and/or acquire sports equipment in order to promote access to sporting activities and the utilisation of local sports facilities thereby assisting the City in pursuing its broader developmental and municipal health mandates in respect of the youth; or,
- 2.1.7 any sports body, club, association or group registered as a PBO or NPO, i.e. not an undertaking or enterprise operating as a business for profit as referred to

under paragraph 3.1.18, which actively promotes the utilisation and provision of sport facilities, and the repairs and maintenance thereof and/or provides sports equipment to be utilised by participants on a non-professional basis as a past time and thereby assisting the City in pursuing its broader mandates in terms of promoting community and municipal health provided that access to and utilisation of the facilities of such an organisation and the activities carried out by that organisation is for the benefit, of, or is widely accessible to, the general public at large including any sector thereof (other than small and exclusive groups); or,

2.1.8 lifesaving clubs registered as PBO's and affiliated to Life Saving Western Province and who assist the City in its endeavours to ensure the safety of the general public using the City's beaches by training and providing lifeguards and providing the necessary equipment and facilities to effectively perform their functions; or,

2.1.9 any arts and culture associations or groups, heritage and history societies, theatre and dance groups, museums registered as PBO's or NPO's being properly constituted, voluntary organisations or associations, with verifiable lists of members and with minutes of recent annual general meetings functioning as arts collectives or groupings which actively promote the utilisation and provision of arts and culture facilities, and the repairs and maintenance thereof and/or provide arts spaces thereby assisting the City in pursuing its broader mandates in terms of promoting community needs for arts and culture provided that membership of such an organisation is not exclusive and the organisation has a sustainability plan.

### **3. Projects, programmes and expenditure that cannot be funded by means of Grants-in-Aid allocated in terms of this Policy**

**3.1 The following, being either, projects, activities, programmes or types of expenditure, will not qualify for Grants-in-Aid funding in terms of this Policy:-**

3.1.1 bursaries of any kind; or,

3.1.2 disaster management and relief; or,

3.1.3 donation of assets, moveable or immovable; or,

3.1.4 public functions, conferences and seminars of any kind; or,

3.1.5 rewards and awards; or,

3.1.6 sponsorships, of any kind, as defined in and regulated by other policies of the City; or,

3.1.7 luncheons, dinners, parties and functions of any kind; or,

- 3.1.8 sporting, entertainment, recreational, religious, cultural, exhibition, organisational or similar activities, hosted at a stadium, venue or along a route or within their respective precincts; or,
  - 3.1.9 if not aligned to the priorities, strategies and objectives as set out in the City's IDP; or,
  - 3.1.10 retrospective funding of expenditure that has already been incurred or to fund any over expenditure that may be incurred on an approved Grants-in-Aid project; or,
  - 3.1.11 where only an individual will benefit; or,
  - 3.1.12 which are to be carried out beyond the City's area of jurisdiction unless a clear and compelling benefit to the City and its residents can be demonstrated; or,
  - 3.1.13 for the benefit of any particular political party, organisation, group grouping or affiliation; or,
  - 3.1.14 subsidisation or funding of municipal rates, tariffs, service or user charges; or,
  - 3.1.15 the funding of any expenditure relating to or associated with the operation of special rating areas established in terms of the MPRA; or,
  - 3.1.16 funding any organisation's or body's normal operational expenditure including employee costs or any expenditure required to establish an organisation or to make it viable where employee costs are an integral part of project's management/implementation or operational costs except for projects undertaken by organisations which provide residential care to victims of abuse who are removed from their family units due to circumstances; or,
  - 3.1.17 any commercial or other business transactions entered into between the City and outside contractors or suppliers, in terms of the City's SCM Policy for the supply of goods or services; or,
  - 3.1.18 any undertaking or enterprise operating as a business for profit or gain except in the case of an ECD site or child care facility referred to in paragraph 2.1.3 above or economic and social developmental projects and initiatives approved by Council in terms of the City's EGS and SDS; or,
  - 3.1.19 Grants-in-Aid to civic or ratepayers associations.
- 3.2 **This Policy does also not apply to the following which are either processed and regulated in terms of other polices of the City or are administered and regulated in terms of other empowering legislation, are considered to be**

**commercial or business transactions, or are transfers made in terms of Specific Delivery Agreements referred to in paragraph 1.7.3 as utilised by certain Line Departments:-**

- 3.2.1 housing billing subsidies; or,
- 3.2.2 housing development subsidies; or,
- 3.2.3 indigent Grants-in-Aid and rates rebates; or,
- 3.2.4 inter-governmental Grants-in-Aid; or,
- 3.2.5 a Grants-in-Aid to other municipalities; or,
- 3.2.6 a Grants-in-Aid to other organs of state; or,
- 3.2.7 a Grants-in-Aid to municipal entities; or,
- 3.2.8 allocations by the Sports and Recreation Department, in terms of specific delivery agreements as provided for under paragraph 1.7.3 above to fund municipal delivery partnerships utilised to regulate the funding of “caretaker allocations”, municipal facility management committees and district sports councils and annual allocations to the Life Saving Western Province.
- 3.2.9 allocations in terms of environmental or heritage management and/or conservation specific delivery agreements as provided for under paragraph 1.7.3 above entered into by the Environmental Resource Management Department with other organs of state and non-governmental organisations which are registered NPO’s or section 21 companies. The provisions for these allocations are made on the approved operating budget of that department under the relevant GL accounts and not 457100; or,
- 3.2.10 provision of capital infrastructure and the erection of buildings or the extension of or alterations to buildings on property either belonging to the City or property belonging to the organisation or body making application for a Grants-in-Aid in terms of this Policy or to property being leased by such organisation and body from another party; or,
- 3.2.11 repairs and maintenance to Council owned facilities, buildings or properties utilised by organisations either in terms of a lease agreement with the City, or hired at the applicable tariff in terms of its tariff policies; or,
- 3.2.12 funds established and operated by the City in terms of section 12 of the MFMA; or,
- 3.2.13 events of any kind, including the marketing thereof, which include large sporting and major cultural events, concerts, shows and/or exhibitions and “indabas”; or,

- 3.2.14 the promotion of tourism and/or destination marketing; or,
- 3.2.15 allocations by the Economic Development Department in respect of: analysis and policy; entrepreneurship; business promotion; sector development; job creation and skills development; and, area development as per the economic developmental criteria of the EGS. These allocations or transfers of funds are made in terms of specific delivery agreements, as provided for under paragraph 1.7.3 above, entered into between the beneficiary and the City but exclude Grants-in-Aid that will be allocated under GL 657100 in terms of this Policy for creating an enabling environment for Local Area Economic Development. These payments should therefore be allocated under GL 657200.
- 3.2.16 a Grants-in-Aid to the NSRI as it would not be in line with the powers and functions of local government as listed in the constitution and Section 8 of the Municipal Systems Act.

#### **4. Other requirements**

- 4.1 Applications for Grants-in-Aid funding in terms of this Policy shall only be considered where organisations or bodies have responded to advertisements published in the local press except in those instances referred to in 4.2 below where such applications are processed and motivations or reasons must be given why no advert(s) were published. Adverts calling for applications for Grants-in-Aid, in terms of this Policy, may not be published unless they have first been signed off by the Strategic Policy Unit. A copy of the Grants-in-Aid advert must be forwarded to Budgets within two working days after date of publication. All applications must be delivered or posted to the offices of the Subcouncil manager and no applications may be delivered to or be accepted by any Councillor. No late applications received in response to an advertisement may be considered and processed. All Grants-in-Aid applications received in response to the advertisement must be processed and be submitted to Council for consideration.

Advertisements must stipulate that applicants must submit proof that they are a bona-fide organisation by submitting the minutes of its Annual General Meeting (“AGM”) (not older than 18 months) and the minutes of its last meeting where the organisation took the decision to apply for the Grants-in-Aid funding.

- 4.2 The City may however consider Grants-in-Aid applications during a financial year, as and when these are received, and such applications shall also be processed in



terms of this Policy. Such requests, being exceptions to the norm, shall be processed as adjustments to the approved operating budget as regulated by section 28 of the MFMA. All applications must be submitted by organisations or bodies using the standardised application form and business and project plan and need to include a valid Tax Clearance Certificate as well as an up to date municipal account with their application. The Tax Clearance Certificate must be valid upon the time when payment is affected. All applications and business and project plans must be fully and properly completed and must reflect the desired outcomes of the project. The City reserves the right to fund an organisation for two years or more in succession without creating any expectations as it is under no obligation to allocate Grants-in-Aid. Notwithstanding the latter, all applications will be considered at Council's discretion.

- 4.3 The organisation must also be up to date with its municipal account(s) by either settling any arrears or amounts outstanding in full or making the necessary payment arrangements, as agreed with and applied by the City's Revenue Department, in terms of the City's Credit Control and Debt Collection Policy, before a Grants-in-Aid application can be fully processed. Subcouncils and Line Departments must verify all linked municipal accounts of such organisations.
- 4.4 The organisation must also be up to date with any lease rental and services charges where it is leasing property from the City before Grants-in-Aid shall be processed. No Grants-in-Aid funds shall be allocated to any organisation if, apart from the need to comply with this Policy, it is precluded from carrying out the particular project, for which it requires Grants-in-Aid, on the property leased from the City in terms of the lease agreement.
- 4.5 When there is a payment arrangement, Revenue: Debt Management monitors and takes appropriate action when there is a default on arrangements. Debt management is unaware of the benefit linked to the agreed arrangement, therefore the Subcouncil and finance or project manager must monitor payments in order to ensure adherence to the MOA and the payment arrangement. The Subcouncil and finance or project manager may communicate with Revenue: Debt Management to verify the information and to confirm the status of the arrangement.
- 4.6 The owner of a property that is leased to an organisation applying for a Grants in-Aid must be up to date with his/her municipal account before the Grants-in-Aid can be processed. The organisation should also ascertain from the City that it may, in terms of other relevant legislation and policies, utilise the property for the purpose for which it requires the Grants-in-Aid. The lease agreement with the lessor must also be taken into account in order to ensure the City's funds are not

paid over at risk should the lease agreement in any way serve to curtail an organisation's ability to perform specifically as stipulated in the MOA entered into with the City when accessing the Grants-in-Aid.

4.7 The City is legally empowered and, in terms of its Debt Management and Credit Control Policy, to recover any arrear rates on the property by laying claim to the rental being paid by the organisation to the owner. It may also cut off the electricity to the property and curtail the water supply to the property by utilising various water demand management devices if the owner does not bring his/her municipal account up to date.

4.8 The minimum amount of any Grants-in-Aid allocation shall not be less than R15 000 per approved project or programme in a particular financial year.

4.9 A copy of the latest audited, annual financial statements of the organisation, including Close Corporations, where the Grants-in-Aid amount applied for exceeds R50 000. Where the amount of the Grants-in-Aid being applied for is R50 000 or less, the organisation is required to attach a copy of its Income and Expenditure Statement for its previous Financial year as tabled at its AGM and signed by the chairperson or other relevant official or member of the organisation together with a copy of the minutes of the relevant AGM.

Council reserves the right to call for audited financial statements of organisations irrespective of the amount of Grants-In-Aid applied for.

4.10 A Grants-in-Aid shall only be paid over to an organisation after all of the above has been complied with, Council has approved the Grants-in-Aid and the MOA has been signed.

4.11 Approved Grants-in-Aid may be paid over as a single payment or in tranches as determined or required dependent upon the nature and/or progress of the project. The disbursement of the Grants-in-Aid, by way of progress payments, must be arranged, in advance, with the Expenditure Department (Accounts Payable), by the subcouncil or project manager. The full amount of the approved Grants-in-Aid must be disbursed in the financial year that co-incides with the relevant approved budgets.

4.12 Unexpended Grants-in-Aid funds, as reflected on the operating budgets of Subcouncils and Line Departments, in any financial year, may not be carried over into any ensuing financial year.

4.13 All organisations or bodies making application for Grants-in-Aid must register as vendors on the City's SAP Vendor Data Base in terms of the City's SCM policy and procedures. Such SCM vendor registration process includes the submission of an original and up to date tax clearance certificate issued by SARS. A vendor who is

registered for VAT purposes must also submit a zero rated tax invoice when applying for registration as a vendor on the SCM database. All organisations applying for Grants-in-Aid funding must register on the National Treasury Centralised Supplier Database “(CSD)”.

- 4.14 The organisation or body shall commence the project within 2 (two) months after the Grants-in-Aid funds are deposited into its bank account by EFT and to finalise the project within six months in the new Financial Year, failing, which all such Grants-in-Aid funds must immediately be refunded to the City together with any interest that may have accrued thereon in terms of clause 8.8 of the MOA. The MOA will be cancelled in terms of clause 18 thereof and the Grants-in-Aid, together with any accrued interest, shall be immediately repaid to the City. Should this not occur within 30 calendar days of the organisation receiving a written notice from the City, the subcouncil or project manager shall refer the matter, together with all the relevant details as in terms of the Recovery Process per the Standing Operating Procedures. Subcouncils and Line Departments should advertise earlier to identify valid recipients in order to pay over the Grants-in-Aid funding as soon as possible.
- 4.15 The City may consider granting extension to the beneficiary if it is unable to commence the project within the 2 (two) months after receipt of the Grants-in-Aid funds as required in terms of paragraph 4.13 but such extension shall only be considered in the event of exceptional circumstances that were caused or created through no fault of the beneficiary who must submit a complete written motivation when requesting extension.

## **5. Utilisation of Grants-in-Aid – control, monitoring, reporting and recovery of Grants-in-Aid funds and assets**

### **5.1 Reports to the Committee**

- 5.1.1 Budgets shall prepare monthly status reports on Grants-in-Aid made by subcouncils. Such reports shall be submitted to the Committee and Subcouncil managers for information and/or action where relevant.
- 5.1.2 Beneficiaries shall comply with all reporting, financial management and auditing requirements as stipulated in the MOA;
- 5.1.3 Beneficiaries must implement effective, efficient and transparent financial management as well as internal control systems to guard against financial misconduct;
- 5.1.4 Beneficiaries must promptly, or no longer than 6 months after the end of their financial year, submit their audited financial statements (where applicable) to the

Subcouncil or project manager;

## **5.2 Reports to Transversal Committees, Subcouncils, MayCo and Council**

- 5.2.1 Recipients of Grants-in-Aid allocations must report to the subcouncil or line department on a monthly basis regarding their expenditure. Subcouncil and project managers shall submit quarterly reports, in terms of section 67(i) (a) (iii) to the Accounting Officer for information on the status or progress of projects and programmes and the targets and outputs of all projects carried out with Grants-in-Aid funding allocated in terms of this Policy or with funding allocated in terms of paragraph 1.7.3 above using specific delivery agreements.
- 5.2.2 On completion of such projects a final report shall be submitted by the Subcouncil manager to the relevant subcouncil and the project manager shall compile the report and the directorate's financial manager will sign off the report verifying that the financial details are correct before submitting to Council confirming that the project was successfully completed, that the outputs or targets, as originally submitted and as set out in the business and project plan, were effectively realised and achieved and that all the Grants-in-Aid funds were utilised. This final report will also confirm whether some of the Grants-in-Aid funds were not utilised by the organisation and such unutilised amounts, together with any interest thereon, where applicable, shall be or have been recovered by the Subcouncil or project manager as provided for in clause 9.4 of the MOA. Subcouncil managers and project managers of Line Departments Shall submit a copy of the signed closing out report to the Budgets Department for iComply verification and compliance.
- 5.2.3 Recipients of Grants-in-Aid allocations must provide details of all assets and inventory items acquired with Grants-in-Aid funds. The subcouncil or project manager must keep an inventory record of such items and annually, for a period of 3 years, confirm in writing with the organisation that the items are still being utilised by the organisation for the purpose acquired; and,
- 5.2.4 Return to the City any assets acquired with Grants-in-Aid funds upon dissolution of operations at Council's discretion. The relevant Subcouncil or project manager must account for these assets until written off in the formal disposal procedures of the City in terms of paragraph 358 of the SCM policy.

## **5.3 Auditor General's Office**

- 5.3.1 Subcouncil managers and project managers shall complete the Certificate to the Auditor-General template and submit same to the office of the Auditor General's Office in terms of Section 67(4) (b) (ii) of the MFMA and a copy to ISL who will monitor compliance.

5.3.2 The above must be submitted to the office of the Auditor-General within 21 days after Council approval.