



## **LASCA-MEMORANDUM OF DEMANDS- 2024**

**To: Executive Mayor, Deputy Mayor, City Manager, Speaker of Council and MAYCO**

**Tshwane House Building  
320 Madiba Street| Pretoria| 0002  
29 August 2024**

**SUBJECT: MEMORANDUM OF DEMANDS FOR SERVICE DELIVERY, BILLING CRISIS, DEBT REHABILITATION PROGRAMS AND WRITE OFF REPORT OF ARREAR DEBTS (MAYCO REPORT)**

### **Introduction**

**LASCA TSHWANE PARLIAMENT is the Non Political Civic Association, representing the residents of Tshwane in all 7 regions**

The aggrieved residents of Tshwane in all 7 regions, have given LASCA/Tshwane Parliament the mandate on Monday, the 19<sup>th</sup> of August 2024 (10:00am-12:pm). This mandate should be hand delivered to the City of Tshwane Executive Mayor, Deputy Mayor, City Manager, and Speaker of Council and also for the attention of **MAYCO** to urgently address the contents of the Memorandum during today's Council sitting. MAYCO already know the contents from the Memorandum of Demands dated 24 January 2024. There is NO need to wait 14 days, since you demonstrated that you don't uphold the rule of law

It has come to our attention as the residents of Tshwane that instead of responding to our Memorandum of Demands, dated 24 January 2024, you deliberately and intentionally implement solutions provided by LASCA through back door tactics with intentions to claim easy victory, campaign and divide and rule our townships, It cannot be correct that DA and Speaker Ndzwanana choses only Hammanskraal, knowing very well that Scrapping of Arrear Bills are the Primary Subject matter on our Memorandum dated 24 January 2024. The Council Speaker Cllr Mncedi Ndzwanana saw the MAYCO REPORT dated 1 August 2023 but that Report was deliberately swept under the carpet under his watch. He chose not to exercise his oversight role on this matter

The Mandate was clear that Lotus Gardens, Atteridgeville and Saulsville including other regions of Tshwane (Mamelodi, Garankuwa, Soshanguve, Nellmapius, Hammanskraal, Mabopane, Winterveld, Stink water, Olievenhoutbosch, Haartebees, Eersterus, Bronkhorstspuit, Ekangala, Danville, Pretoria Noord, Kwaggasrand, Laudium and all Townships and Suburbs in Tshwane..., who are affiliated to LASCA TSHWANE PARLIAMENT as Aggrieved Ratepayers have genuine demands against City of Tshwane Metro Municipality

### **LASCA CIVIC ASSOCIATION EXECUTIVE COMMITTEE MEMBERS**

**Mr. Tshepo J Mahlangu | Mrs. Melita Mphahlele | Mrs. Caroline Mahlangu**

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### **DEMANDS BY THE RESIDENTS**

- The immediate release of MAYCO report that contains the Write- Off Report that must be taken to the Council on the 29<sup>th</sup> of August 2024. Please note that we are aware of 2,500 applicants who do not qualify to be registered as Indigent but were included on 70 000 list of Indigents. We eventually seek the complete list of 147 000 registered Indigents to be submitted to Council. We demand Accountability on the “ Fraudulent” MAYCO report
- Immediate Scrapping of Arrear Estimated Bills ( Overdue Accounts to be Written off and Current Accounts be Billed on ACTUAL instead of Guestimated by exploited Contractors)
- Unblocking of Prepaid Meter Cards with immediate effect (e.g. 48 hours from the 30<sup>th</sup> of August 2024)
- Release the Un-Altered long overdue Affordability Assessment report for all customers who completed the Affordability and Assessment forms since 2021 up to date
- Urgent Refurbishment of Rooiwal Water Treatment Plant in Hammanskraal in the current Financial Year (2024) and Restoration of Water in Mamelodi Ikageng and other Townships
- The cancellation of **Debt Collector’s Contracts which was due to expire in November 2023 and Cancellation of Contracts of Consulting Firms operating within our Municipality. This is Contravention of POPIA ACT**  
**Nb\* Panels of Debt Collection Agencies were appointed with effect from Monday 2<sup>nd</sup> of November 2020 on 3 years Contract, to collect outstanding debt of 120 days and older from 93 113 residential and business debtors, which amounts to R12.8 Billion**
- Cancellation of Credit Control (e.g. Distribution of Fake Final letters of Demands bearing Umar Banda and Nthabiseng Mokete’s signatures). This is Fraudulent activity by the City Officials
- Stop Dispatching Contractors with no valid Identification and Job cards in all Regions
- Stop Exploitation of Guestimators by Consulting Firms who earns R2,50 per household
- Cancellation of Notorious Tshwane Ya Tima campaign especially on Indigents who are waiting to be assisted with their approvals as Indigents and also residents who completed Affordability and Rebate Forms since 2021
- Community Outreach programme to be taken away from the Consulting and Debt Collecting Firms. This program is now being used to trick Municipal customers into committing to payment arrangements on Arrear Estimated bills.
- Social Development Department/SASSA). to provide City of Tshwane Metro Municipality with Database of Registered Indigents, including the Recipients of SRD Grants. City of Tshwane have a Total of **600 000** Indigents not **70 000** list withheld by MAYCO and the Speaker
- Most importantly and urgently, the Honourable Speaker Cllr M. Ndzwana is requested to announce the MAYCO report during today’s Council sitting where all Coucillors should Table a Motion of Writing Off our Deliberate Arrear Estimated bills, especially in Tshwane Townships. We are looking at the current Council Sitting, dated the 29th of August 2024. MAYCO must release that report to the Council speaker and Council
- The City of Tshwane Municipality must use their abandoned buildings instead of leasing private properties. The City must also stop leasing its fleet of vehicles instead of releasing their own fleet in various workshops across the City. This is wasteful and fruitless expenditure
- The City must start Disconnecting Tshwane House building, Embassies and other buildings leased by the City before it intimidate our residents using Unvetted TMPD

LASCA TSHWANE PARLIAMENT have been further mandated by the Aggrieved Ratepayers to inform Tshwane Metro Municipality NOT to disconnect services until our demands are met. **DUNNING LOCK to be implemented to all Residents (It is legislated by law to put Accounts on DUNNING LOCK where there is a Dispute, especially falling under the following categories below;**

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1. Unemployed and Child headed families
2. Indigents
3. Affordability and Rebate Applicants
4. Households having disputes on Late Estates with Masters of the High Court
5. Household with Property value of up to R280, 000

## **CONSTITUTIONAL CLAUSES AND POLICIES VIOLATED BY CITY OF TSHWANE MUNICIPALITY**

### **SECTION 152 (OBJECTS OF THE LOCAL GOVERNMENT)- IDP**

**Section 152.1** The Objects of the Government are-

- (a) To provide Democratic and Accountable government for local communities
- (b) To ensure the Provision of Services to Communities in a sustainable manner
- (c) To promote Social and Economic Development
- (d) To promote a safe and healthy environment
- (e) To encourage the involvement of Communities and Community organizations in the matters of local government

2. A Municipality must strive, within its Financial and Administrative capacity, to achieve the Objects set out in Sub-section (1)

### **DEVELOPMENTAL DUTIES OF MUNICIPALITIES**

#### **Section 153.**

Municipality must (a) structure and manage its administration and budgeting and planning processes to give priority to the Basic needs of the community, and to promote the Social and economic development programmes

### **CHAPTER 10 (Public Administration)**

Section 195.1 (a) A high standard of professional ethics must be promoted and maintained  
 (e) People's needs must be responded to, and the Public must be encouraged to participate in Policy making  
 (f) Public Administration must be accountable  
 (g) Transparency must be fostered by providing the Public with Timely, Accessible and Accountable information

Nb\* Selby Bokaba is on record saying the City collected huge amounts of money in Dec 2023 through the payment arrangements on estimated bills, but he publicly said that he cannot disclose it in fear that the service providers owed by the City will come after them. The Municipality is contravening Section 32.1 (b). Section 19.1 and PAIA ACT 2 of 2000

2. The above principles apply to- (a) Administration in every sphere of Government and Organs of the State

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## **MUNICIPAL SYSTEMS ACT 32 OF 2000**

### 1. Page 160 Section 42 (Community Involvement)

A Municipality through appropriate mechanisms, processes and procedures, established in terms of Chapter 4, must involve the local community in the development, implementation and review of the Municipality's performance Management system, and in particular, allow the Community to participate in the setting of appropriate Key performance indicators and performance targets for the Municipality

Nb\* The Municipality always disregard and skip a clause that comes before (1) to provide for Credit Control & Debt Collection which only benefits the Organized Crime syndicate. The Act they deliberately skip states that

- To empower the Poor and ensure that Municipalities put in place Service Tariffs and Credit Control policies that take their needs into account by providing a framework for the provision of Services, Service Delivery Agreements and Municipal Service Districts. The Municipal Systems Act, NO 32 of 2000 and regulations sets out legislation that enables Municipalities to uplift their Communities by ensuring access to essential services

Most importantly: To Implement Equitable Share BUDGET and Policy in accordance with the Constitution not emotions. Indigent Policy to be fast tracked to resolve current billing and revenue collection crisis. BLOCKING CARDS won't assist the Metro with Revenue collection. Re-directing money aimed at buying Electricity by prepaid users, constitutes Crime and Corruption

## **SOLUTIONS FOR CITY OF TSHWANE (COST CUTTING MEASURES)**

1. Prioritizing unemployed Youth and Unemployed Community members for meter readings, instead of appointing Service Providers who exploit our community members from other areas to deliberately Guestimate our bills. Each Ward will have their own dedicated Meter Readers who knows and understand their Wards and Areas (Demarcations). This won't have any Transport and Lunch implications for the Meter Readers
2. Instead of using money to transport meter readers or guess readers from other Provinces or Areas, the Municipality should rather employ or insource local people from Tshwane communities, especially Youth and Women who remain unemployed under the difficult conditions of High Rate of unemployment in South Africa. This exercise will ensure that the Municipality receive accurate monthly billing on Consumption

Nb\* This proposals, will assist the City of Tshwane Metro Municipality to collect revenue within a short period of time. The Metro will see significant changes on their Debtors Book before end of 2024

## **INDIGENT POLICY-**

Definition of Indigent Person: (Extremely Poor)

An Indigent person is extremely poor, lacking the Basic Resources of a normal life. Often the Indigent lack not only money but homes. Indigent comes from a "Latin" word meaning wanting, which we used to mean "lacking" and not just to describe desires

Therefore the Indigent Policy or Program is to be fast tracked from 6 months waiting period to a reasonable 3 months period. The Indigent applicants should receive Reference numbers upon submitting all required documentations within 7 working days. The Finance Dept must put all

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Applicants Municipal Accounts on Dunning Lock pending the approval of Indigent Registrations. Social Development Department to assist City of Tshwane Municipality on this process by providing Database of all Pensioners depending on SASSA Grants not limited to the Unemployed residents, especially who are receiving and awaiting approvals for R350 SRD Grants.

### **EQUITABLE SHARE POLICY**

**The Equitable Share is an unconditional allocation and provides funding for municipalities to deliver FREE BASIC SERVICES to POOR HOUSEHOLDS and subsidizes the cost of administration and other core services for those municipalities with the least potential to cover these costs from their own revenues**

The Municipality must ensure that they formalize the informal settlements in order to avoid returning grants to Treasury. The Equitable Share budget from treasury must be distributed equally amongst the informal and formal dwellers. We demand Audit Reports on this budget since our Budget is deliberately shared with illegal and undocumented foreign nationals e.g. public works properties and mostly in Informal settlements. We refuse to share our country budget with undocumented and illegal foreign nationals. Tshwane Municipality must provide the residents with Audited reports in accordance with the Constitution (Objects of the Local Government)

### **LATE ESTATES:**

Many families are still held liable for the late estate bills and many are in a process to obtain Letters of Authority from the Masters of High Court, which is also the longest process in some cases there are fraudulent allegations on issuing of those Letters of Authority. COT must assist such families pending acquiring of Masters of High Court Letter of Authority and Name Change processes by putting those Municipal Accounts on Dunning Lock

### **FLAT RATE AND REVENUE CONTRIBUTION BY THE RESIDENTS (RATEPAYERS)**

Flat Rate fee is not legislated, however during the process of any residents applying as Indigents or Affordability Assessments processes (Debt Rehabilitation Programs); we will contribute at least R300 rands per month, pending the outcome of applications for the Indigent Programme or Affordability Assessment process. This amount applies mainly to Pensioners, Grant recipients, Child headed households and the unemployed residents. The employed residents will then contribute a maximum of R500 per month

Nb\* Prepaid users buys their own Electricity from Eskom hence the proposed revenue contributions are for water only. The City must unblock the Prepaid meters as a matter of urgency. Eskom money cannot be re-directed or channeled to Imposed and deliberate estimated arrear debt. That exercise by the Municipality, amounts to Fraud and Corruption

It is advisable for the City to fast track Indigents registration process and approves Affordability Assessment and Rebate application forms which we personally hand delivered to the Divisional Head of Finance, Mr. Ronny Shilenge who is now expelled by the City of Tshwane Metro Municipality

### **CANCELLATION OF ARREAR DEBTS-**

To be implemented by end of September 2024 since there is a WRITE OFF report deliberately withheld by MAYCO and the Speaker of Council

The City of Tshwane Municipality is also to re-look at Writing off the Debts of households with the current Market Value of up to R280.000

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**BY-LAWS:** TMPD to urgently start enforcing by-laws together with COT Health Dept in all Foreign owned Spaza shops selling fake and expired food, instead of escorting Contractors with no valid Identification and Job cards to harass and extort money from unsuspecting residents of Tshwane, especially the elderly citizens. Their mandate is to Serve and protect not to escort Private vehicles owned by private companies. CBD needs to be cleared of illegal foreigners operating businesses

**CLEANING TSHWANE:** Cleaning campaigns to be re-instated from October 2024 employing and prioritizing local communities in various wards of all 7 regions

**COT EMPLOYEES:** As aggrieved residents of the Capital City, we demand that City of Tshwane Municipality should only use the services of its work force instead of relying on Consulting Firms. This causes unnecessary duplication and poses risk and danger to our residents (Refer to AG report on Wasteful and Fruitless expenditure)

. City employees should be given necessary tools of trade. Furthermore, we demand that the City should pay the salary increases due to them as agreed at Bargaining Council to avoid possible unprotected strikes. The City employees are entitled and have legal rights to be paid their salary increases. The delay and denial to honor legal directives and agreements by the Bargaining Council and Courts of Law, directly affects us, the Ratepayers. Provision of Service Delivery to residents is our Constitutional Rights( Section 152.1 (b)

**CONSULTING FIRMS:** The Services of these Consulting Firms are not necessary, therefore we demand Termination of Consulting Firms effective from end of September 2024. This duplication is costing the City millions of Rands that were meant for City Employees. Redirecting funds by paying Consultants while there are employees, not only waste money but equally constitutes crime and corruption. Salary increases should be paid to City employees by end of Financial Year 2024 (Refer to AG Report on Wasteful and Fruitless expenditures)

**Consulting Firms, Revenue Consultants and Debt collecting company's services are no longer welcomed in all Regions of the Capital City.** Allowing consulting firms amounts or is equivalent to being an accessory to crime (Extortion and Fraud). The Act of allowing these Labour brokers is contravention of POPIA ACT 2000

The revenue collected by these Consulting Firms at Middestad Building in December as proudly announced by Spokesperson, Selby Bokaba on Media in December 2023, should be disclosed to all service providers owed by City of Tshwane municipality. FAILURE by City of Tshwane Municipality to disclose revenue collected in December at Middestad building, contravenes Section 32. 1 (b) and PAIA Act

### **GENERAL QUERIES**

- Sanitation charged without meter or scale and Miscellaneous charges should no longer reflect on our Municipal Itemized Bills. This is theft and corruption towards Ratepayers
- Waste Management: Dumping sites to be eradicated through placements of Skip Bins (Dumping sites cause health hazards, especially to communities with comorbidities). The CITY is Contravening Section 152. 1.(d)by not providing Skip Bins OR Collecting Waste
- Contracted Meter Readers from Consulting Firms to be substituted by permanent local meter readers (In-sourcing) and the community to be educated on Billing (Actual Readings). SECTION 152.1.(e)
- SAMWU Strike lasted for more than 4 months, which makes our Bills incorrect because there were no meter readers, similar to Covid -19 pandemic period.

### **CLOSING**

Note: Now that the aggrieved Community members of Tshwane under LASCA TSHWANE PARLIAMENT have lodged the dispute at hand, we request the Service provider/Credit provider/ Municipality, which

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is the RESPONDENT not any Outsourced Consulting Firms, to immediately suspend all Credit Control Actions against the aggrieved Community members of LASCA/ Tshwane Parliament including dispatching of notices to disrupt services until the dispute at hand is resolved

LASCA / Tshwane Parliament give City of Tshwane Metro Municipality (“Respondent”) 2 working days from the dates (29<sup>th</sup> and 30<sup>th</sup> August 2024) this Memorandum of Demands was signed and received, to positively and urgently respond to the Memorandum of Demands. There will be no further extensions by the City since they dismally failed to respond to 24<sup>th</sup> January 2024 Memorandum. We therefore give City of Tshwane Municipality only 1 option which is to respond to this Memorandum of Demands during these 2 Council sittings dated 29<sup>th</sup> and 30<sup>th</sup> of August 2024

This Memorandum of Demands serves as an interdict since there are genuine disputes lodged by the aggrieved residents of Tshwane. This Memorandum of Demands was signed at Tshwane House Building .on the 29<sup>th</sup> of August 2024

**LASCA TSHWANE PARLIAMENT EXECUTIVE COMMITTEE MEMBERS**

- 1. Name: Mr. Tshepo Mahlangu (President) Signature:.....
- 2. Name: Mrs. Melita Mphahlele (Head) Signature.....
- 3. Name Mrs. Caroline Mahlangu (Deputy Head) Signature:.....
- 4. Name Mrs. Rachel Phala (Secretary General) Signature:.....
- 5. Name Mrs. Yvonne Masombuka (Deputy SG) Signature:.....

**LASCA-TSHWANE PARLIAMENT ADDITIONAL COMMITEE MEMBERS ( Witnesses)**

- 6. Name:.....Signature:.....  
(Ga-Rankuwa Parliament)
- 7. Name:.....Signature:.....  
(Soshanguve Parliament)
- 8. Name:.....Signature:.....  
(Mabopane Parliament)
- 9. Name.....Signature.....  
(Mamelodi Parliament)
- 10. Name:.....Signature:.....  
(Hammanskraal Parliament).
- 11. Name:.....Signature:.....  
(Eersterus Parliament)
- 12. Name:.....Signature:.....

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(Soweto Parliament)

**RESPONDENT/RECIPIENT**

This Memorandum of Demands from LASCA TSHWANE PARLIAMENT was received by the following duly authorized recipients from City of Tshwane Metro Municipality;

**Name| Surname:** .....

**Department:**.....

**Position:** .....

**Signature:** .....

**Name | Surname:** .....

**Department:**.....

**Position.....**

**Signature:** .....

**DATED STAMP:**