



# MAKHADO LOCAL MUNICIPALITY

## INVESTMENT POLICY, 2020/2021

(Approved by Council Resolution A.59.26.06.20)

**Vision :** "A dynamic hub for socio-economic development by 2050"

**Mission**

*"To ensure effective utilization of economic resources to address socio-economic imperatives through mining, agriculture and tourism"*

**Values**

1. Distinctiveness (Uniqueness, Excellence)
2. Progressiveness (Open Minded)
3. Dynamic (Energetic, Lively, Self-Motivated)
4. Culpability (Accountability and Responsibility)
5. Efficacy (Effectiveness and Efficiency)
6. Adeptness (Expertise and Proficiency)

**Seven (7) Strategic Objectives**

1. Promote Community Participation and Environmental Welfare
2. Invest In Local Economy
3. Advance Spatial Planning
4. Invest in Human Capital
5. Good Governance and Administrative Excellence
6. Sound Financial Management and Viability
7. Accessible Basic and Infrastructure Services

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## INVESTMENT POLICY

### 1. Application and Scope

The Investment Policy is applicable to the Makhado Local Municipality.

### 2. Objective of Policy

The objective of the policy is to ensure that all investments made by the Makhado Local Municipality ("MLM") comply with the Municipal Investment Regulations issued by the Minister of Finance in terms of the Municipal Finance Management Act. This Policy, as far as practically applicable, must be consistent with the Supply Chain Management Policy where long-term investments are made.

### 3. Definitions

- **Cash:** comprises cash on hand and demand deposits.
- **Cash equivalents:** are short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.
- **Cash flows:** are inflows and outflows of cash and cash equivalents.
- **Financial investment register:** is the controlled register recording the financial and other key details for all municipality investments recognized in according with the policy.
- **Interest:** money born from investment, which is expressed in a form of percentage rate over a certain period and reflects the rate of exchange of present consumption for future consumption.
- **Investment:** means the placing the funds of the municipality on deposit with a financial institution in order to obtain interest or the equivalent.
- **Investment Officer:** is the municipal official with the delegated responsibility of administering the investment and investment processes.
- **Investment Manager:** is a natural person or legal entity that is a portfolio manager registered in terms of the Financial Markets Control Act, 1989.
- **Liquidity:** means the ability to make funds available to meet all anticipated obligations and maintaining a prudent reserve to meet unanticipated cash requirements. It is also the ability to change an investment into its cash equivalent on short notice.
- **Long-term investments:** are funds not immediately required and deposited for a period exceeding one year, either as security to loans obligations or as an interest earning investments.
- **Municipal Manager:** means a person appointed in terms of section 82 of the Municipal Structures Act.
- **Risk Analysis:** means that the overall value of funds shall not be diminished in the process of securing and investing those funds or over the duration of the investment.
- **Short-term investments:** are funds not immediately required and deposited for a period not exceeding one year.
- **The Act:** means the Municipal Financial Management Act
- **The Regulation:** means is the Municipal Investment Regulation No. R 308 Gazetted on 1 April 2005 in Gazette number 27431.
- **A-1 Credit Rating:** Indicates that the degree of safety regarding timely payment is either overwhelming or very strong, relative to other South African obligors. Issues determined to possess overwhelming safety characteristics are denoted with a plus (+) sign designation.
- **F-1 Credit Rating:** Obligations assigned this rating have the highest capacity for timely repayment under Fitch Ratings Ltd national rating scale for that country, relative to other obligations in the same country. Where issues possess a particularly strong credit feature, a "+" is added to the assigned rating.

#### **4. Legislative Framework**

The legislative framework governing investment decisions are:

- Local Government Municipal Systems Act 32 of 2000 (as amended)
- Municipal Finance Management Act 56 of 2003
- Municipal Investment Regulations published under Government Gazette 27431 on 1 April 2005.
- Municipal Supply Chain Management Regulations published under Government Gazette 27636 on 30 May 2005.

##### **4.1 Permitted Investments**

The following are permitted investments in terms of the Regulation 6 of Municipal Investment Regulations:

“A municipality may invest funds only in any of the following:

Investment types as may be appropriate to the anticipated future need for the funds:

- (a) Securities issued by the national government.
- (b) Listed corporate bonds with an investment grade rating from a nationally or internationally recognized Credit Rating Agency.
- (c) Deposits with banks registered in terms of the Banks Act, 1990 (Act 94 of 1990)
- (d) Deposits with the Public Investment Commissioners as contemplated by the Public Investment Commissioners Act, 1984 (Act 45 of 1984)
- (e) Deposits with the Corporation for Public Deposits as contemplated by the Corporation for Public Deposits Act, 1984 (Act 46 of 1984).
- (f) Banker's acceptance certificates or negotiable certificates of deposit of banks registered in terms of the Banks Act, 1990
- (g) Guaranteed endowment policies with the intention of establishing a sinking fund Finance
- (h) Repurchase agreements with banks registered in terms of the Banks Act, 1990
- (i) Municipal bonds issued by a municipality; and
- (j) Any other investment type as the Minister may identify by regulation in terms of section 168 of the Act, in consultation with the Financial Services Board.”

##### **4.2 Investments denominated in foreign currencies**

MLM may make an investment only if the investment is denominated in Rand and is not indexed to, or affected by, fluctuations in the value of the Rand against any foreign currency.

#### **5. Purpose and Objectives of Investments**

##### **5.1 Preservation and safety of investments**

The probable safety of the investment must in the first instance be considered when making investments. Preservation of capital is accomplished through placement of funds with creditworthy institutions and through portfolio diversification.

##### **5.2 Investment Diversification**

Diversification is required to minimize potential losses on individual securities and to maximise the yield from a blend of financial products.

### **5.3 Liquidity**

The investment portfolio shall remain sufficiently liquid to meet all reasonably anticipated operating requirements.

### **5.4 Return on investments**

The investment portfolio shall be designed with the objective of attaining a maximum rate of return subject to the investment risk constraints and liquidity requirements of MLM.

## **6. Standards of Care**

### **6.1 Prudence**

The Municipal Manager, in accordance with this policy, must exercise due diligence in carrying out the investment function. The MLM has a responsibility to invest public funds with great care and is accountable to the community in this regard. Investments must be made with such judgement and care, under the prevailing circumstances, as a person of prudence, discretion and intelligence would exercise in the management of that person's own affairs. Investments may not be for speculation but must be genuine investments.

### **6.2 Ethics and Conflicts of Interest**

Officials responsible for the investment of funds must steer clear of outside interference, regardless of whether such interference comes from individual Councilors', agents or any other institution. The ethical standards as contained in the Municipal Supply Chain Management Policy are "**mutatis mutandis**" applicable to investment activities. Interest rates offered should never be divulged to another institution.

### **6.3 Payment of Commission**

No commission or other award may be paid to an official or councilor of MLM or to a spouse or close family in respect of any investment made or referred by MLM. If an investee pays any commission or other reward to an external investment manager appointed by the MLM in respect of any investment made by MLM, both the investee and the investment manager must declare such payment to the council by way of a certificate disclosing full details of the payment.

## **7. Delegation of Authority**

Authority to manage MLM's investment portfolio is delegated as follows:

The Municipal manager to invest any amount (after taking due cognizance of the liquidity requirements of MLM) of the short-term funds in terms of the provisions of the investment policy

The Bid Adjudication Committee or Municipal Manager to approve the investment of long-term funds in terms of the provisions of the Investment Policy and Municipal Supply Chain Management Regulations in accordance with the process as stipulated in the Supply Chain Management Policy.

## **8. Rating of Financial Institutions**

MLM shall rely on the credit analysis of the financial institutions as obtained from external Credit Rating Agencies. The Municipal Manager shall be made aware of real or potential problems related to credit or credit rating issues and their impact on the investment portfolio by the recognized Credit Rating Agencies, as this information becomes available.

## **9. Authorized Investments**

All investments must be in the name of Makhado Local Municipality.

## **10. Investment Limitations**

### **10.1 Short-term investments**

In order to obtain the greatest security for MLM's funds, short-term investments are not to be made with financial institutions with ratings lower than A1 / F1 as defined in the National Rating Definitions.

## **11. Investment Managers**

Investment or Asset Fund Managers may be appointed to assist with the placing of investments, or to manage a portion of the investment portfolio in order to maximize interest earned without jeopardising liquidity. The appointment of these service providers must be done in accordance with the Supply Chain Management Policy. The conditions for their use including their liability in the event of non-compliance with this policy must be included in the bidding documentation specifying mandates that minimize risk and place the institutions on equal footing.

## **12. The Process of Investment of Funds**

The process of investment of funds must be made primarily with regard to the safety of the investment and secondly with regard to the liquidity needs of MLM and lastly to the probable income derived from the investment. The investment of funds must be dealt with in accordance with the procedure for the calling of quotations and competitive bids as detailed in the Supply Chain Management Policy.

## **13. Safekeeping and Custody**

The Chief Financial Officer shall establish and maintain an internal control structure designed to ensure the assets of the Municipality are protected from loss, theft, or misuse. The controls will be to prevent losses of public funds from fraud, employee errors, misrepresentation by third parties, or imprudent actions by employees and officers of MLM. The controls will include, among others:

- Control of collusion
- Separation of functions
- Separation of transaction authority from accounting and record-keeping
- Custodial safekeeping
- Clear delegation of authority to subordinate staff members
- Specific limitations regarding security losses and remedial action
- Supervisory control of employee actions
- Minimizing the number of authorized investment officials
- Effective data management and reporting system for investment activities
- Documentation of transactions and strategies.

#### 14. Reporting

The Municipal Manager must, within 10 working days after the end of each month, submit to the Mayor a report describing, in accordance with generally recognized accounting practice, the investment portfolio as at the end of the month. The above-mentioned report must set out the following:

- the market value of each investment as at the beginning of the reporting period;
- any changes to the investment portfolio during the reporting period;
- the market value of each investment as at the end of the reporting period; and
- fully accrued interest or yield for the reporting period.

A bank, insurance company or other Investment / Fund Managers, which at the end of a financial year holds, or at any time during a financial year held, an investment for MLM, must:

- within 30 days after the end of that financial year notify the Auditor General, in writing, of that investment, including the opening and closing balances of that investment in that financial year and;
- promptly disclose information regarding the investment when so requested by the National Treasury or the Auditor-General.

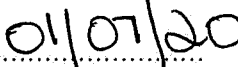
#### 15. Policy Review

This policy will be reviewed annually by the Budget and Treasury Officer to ensure congruence with changing needs, technology, evolving regulatory standards with the MFMA, Investment regulations, and private sector best practices.

#### AUTHORIZED BY SIGNATURE

I, THE UNDERSIGNED, CLLR L B MOGALE, SPEAKER, HEREBY CERTIFY THAT THIS INVESTMENT POLICY, 2020/2021 IS AN EXTRACT AS FILED IN THE OFFICIAL AGENDA OF THE 514<sup>th</sup> EXECUTIVE COMMITTEE MEETING HELD ON 22 JUNE 2020 AND APPROVED BY COUNCIL AT ITS 153<sup>rd</sup> SPECIAL MEETING HELD ON 26 JUNE 2020 UNDER COUNCIL RESOLUTION A.59.26.06.20.

  
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CLLR L B MOGALE

  
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DATE