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## GENERAL NOTICE

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### NOTICE 413 OF 2011

#### DEPARTMENT OF ENVIRONMENTAL AFFAIRS

#### NATIONAL POLICY FOR THE PROVISION OF BASIC REFUSE REMOVAL SERVICES TO INDIGENT HOUSEHOLDS

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby publish for general information the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households set out in the Schedule hereto.



**BOMO EDITH EDNA MOLEWA**

**MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

SCHEDULE

**NATIONAL POLICY FOR THE PROVISION OF BASIC  
REFUSE REMOVAL SERVICES TO INDIGENT  
HOUSEHOLDS**

OCTOBER 2010



**environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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**Abbreviations**

DEAT	former Department of Environmental Affairs and Tourism now Department of Environmental Affairs
DORA	Division of Revenue Act as enacted at the beginning of April every year
DPSA	Department of Public Service and Administration
DPLG	former Department of Provincial and Local Government now DCGTA
DWAF	former Department of Water Affairs and Forestry now Department of Water Affairs
DEA	Department of Environmental Affairs
ESG	Equitable Share Grant
BRR	Basic Refuse Removal
FBS	Free Basic Services
FSL	Full Service Level
MIG	Municipal Infrastructure Grant
NEMWA	National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008)
RSA	Republic of South Africa

## Foreword

The provision of an adequate and sustainable waste service delivery system in South Africa has had many challenges and there has been very little progress with regard to significant movement in this area. There are many households in the country that still have no access to waste services (DEAT 2007). Some households just cannot afford the cost of waste services including refuse removal due to their poor economic situation. The Constitution of the Republic of South Africa places the responsibility on government to ensure that every person has access to basic services, in order to make sure that poor people or households are not discriminated against due to their economic status.

The policy approach to basic services since 1994 has been that government funded the capital costs of new services infrastructure while the users covered operation and maintenance costs. The poorest (indigent) cannot afford the charges. As such, this arrangement would not be adequate to ensure either sustainability of services or equity of access to services. The adoption of the *Free Basic Services Policy* in 2001 to provide a basket of free basic services to all, linked to an indigent policy which targets the poorest sections of communities, has become an integral part of the programme to alleviate poverty among poor households. The basket of services includes solid waste, water, sanitation and electricity. Since the introduction of the policy by government in 2001, the government has made progress in giving effect to the right to free basic services. Policies with regard to free basic water, free basic energy and free basic sanitation have already been developed and implemented. Therefore, the ***National Policy for the Provision of Basic Refuse Removal Services to Indigent Households*** is an addition to the list.

Critical to the provisioning of services is an acknowledgement of the differentiated capacities of municipalities in providing the services. However, there needs to be some level of uniformity in the range of services that are provided, in order that citizens of this country do not experience different standards of service. Currently there are major discrepancies in the provisioning of waste services; in particular, low income and rural areas still receive very low levels of service as opposed to high income areas.

The National Policy for the Provision of Basic Refuse Removal Services to Indigent Households comes into effect at a time when the Waste Act (Act No. 59 of 2008) has been enacted (RSA, 2008). The Waste Act compels municipalities to put in place Integrated Waste Management Plans (IWMPs) and provide receptacles for recyclables. In addition, the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households links to existing Indigent Policies for municipalities. The Policy was also developed taking into consideration other initiatives by the Department of Environmental Affairs that include the development of the new *National Waste Management Strategy*.

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## **1 Introduction**

This National Policy for the Provision of Basic Refuse Removal Services to Indigent Households paves the way for municipalities in South Africa to provide BRR services within their areas of jurisdiction. It has emerged over the years that South Africa has a backlog in terms of provisioning of basic refuse removal services. Most of the households that suffer from the prolonged lack of refuse removal are those from previously disadvantaged localities such as the high density, low-income areas. These are, in many instances the same households that are currently eligible for receiving free basic water and free basic electricity.

## **2 Problem Statement**

South African municipalities face a number of challenges with respect to delivering an effective and sustainable waste service to all households, including insufficient budget, skilled capacity, lack of appropriate equipment and poor access to service areas. These challenges are exacerbated by growing urban populations who need access to municipal services and migration from rural to urban areas. South Africa's rapidly growing economy is also expected to see increasing volumes of waste being generated.

Waste management service delivery including refuse storage, refuse removal, refuse dumps and solid waste disposal, is a local government function in terms of Schedule 5 of the Constitution of the Republic of South Africa (RSA, 1996). A report on the status of waste service delivery and capacity at the local government level (DEAT, 2007) revealed certain challenges associated with waste service provision in the country. According to the 2006 South Africa Environment Outlook Report (DEAT, 2006) almost 50% of the population do not have access to waste services. The poor majority of South Africans, however, cannot afford to pay the full price for essential municipal services. Yet, in terms of Clause 74(2)(c) of the Municipal Systems Act, 2000 (Act No. 32 of 2000) poor households must have access to at least basic services.

Currently municipalities have differentiated capacities for providing services. However, a certain level of uniformity in the range of services provided needs to be established. All citizens of South Africa should experience the same standards of services irrespective of where they live. Therefore municipalities must adopt similar service standards, while ensuring sustainability of the service and appropriateness to their given local conditions. Such similar service standards can only be facilitated by a policy of this nature.

## **3 Policy Context and Objectives**

### **3.1 Purpose**

The purpose of the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households is to ensure that poor (indigent) households have access to at least basic (essential) refuse removal services from the concerned municipality. Meeting this purpose requires aligning the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households with already existing key relevant legislation, Indigent Policies for different municipalities, financial management systems, while being mindful of the need to ensure that there is uniformity when dealing with various cases of the indigent households.

### **3.2 Key legislative framework**

The key legislative provisions informing the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households include:

- The Constitution of the Republic of South Africa Act: Clause 27 (1) (c) stipulates that everyone has the right to have access to social security, and if they are unable to support themselves and their dependants, appropriate social assistance. Clause 27 (2) places responsibility on the State to take reasonable legislative steps and other measures within its available resources, to achieve the progressive realisation of these rights (RSA, 1996).
- *White Paper on the Transformation of the Public Service of 1997*: Stipulates that service delivery is one of Government's eight priorities (DPSA, 1997). To this effect, Government has launched an initiative under the banner of Batho Pele – meaning 'People First' in Sesotho – aimed at improving the delivery of public services (including waste management services).
- Local Government: Municipal Systems Act (Act No. 32 of 2000): Clause 74 stipulates that a municipal council must adopt and implement a tariff policy and Clause 74(2) (i) indicates that in adopting a tariff policy, the council should at least take into consideration the extent of subsidization of tariffs for poor households (RSA, 2000).
- Municipal Finance Management Act (Act No. 56 of 2003): Clause 62 states that the accounting officer of a municipality is responsible for managing the financial administration of the municipality (RSA, 2003). For the purposes of many municipal indigent policies the accounting officer (usually the Municipal Manager or Chief Finance Officer as delegated) must take all reasonable steps to ensure that the municipality has and implements an indigent policy.

### 3.3 Objectives

The following objectives inform the National Policy on BRR services:

- a) To establish a framework for the development, identification and management of indigent households that can be enrolled for the BRR service within their municipalities.
- b) To set broad principles, resulting in the adoption of by-laws for the implementation and enforcement of tariff policies that will support BRR service in concerned municipalities.
- c) To educate and raise awareness within municipalities regarding proper handling of domestic waste for BRR as well as for the need to minimize waste and promote recycling.

## 4 Definitions

**“Equitable Share”** means an allocation made by the National Government during a financial year, in its fiscal allocation, gazetted through the Division of Revenue Act<sup>1</sup> (DORA) in order to assist municipalities to fund various expenses including expenses such as BRR services.

**“Basic Refuse Removal”** means a baseline service level as established under Clause 9.1 of this National Policy for the Provision of Basic Refuse Removal Services to Indigent Households.

**“Domestic Waste”** means waste, excluding hazardous waste, that emanates from premises that are wholly or mainly for residential, educational, health care, sport or recreation purposes as defined in the National Environmental Management: Waste Act (Act No. 59 of 2008).

**“Household”** means a collection of individuals staying on a distinctive property and/or premises regardless of their relationships.

**“Indigent”** means a person that is unable to pay the full economic costs of municipal services due to a number of legitimate factors.

<sup>1</sup> This Act rules the fiscal allocation of National Government per financial year. The DORA of the current financial year will therefore be of relevance.

**“Indigent household”** means any household that is at or below the poverty threshold as determined by the concerned municipality.

**“Indigent Policy”** means an indigent policy approved by a particular municipality.

**“Indigent Register”** means a record of the indigents established and maintained by the concerned municipality as per the provisions of an indigent policy.

**“Municipality”** means a municipality as defined by the Municipal Systems Act (Act No. 32 of 2000).

**“Refuse”** means domestic waste as defined by the National Environmental Management: Waste Act (Act No. 59 of 2008).

## 5 Underlying Fundamentals

The National Policy on BRR service puts in place a framework that aims to address three key pillars listed below in order of priority namely:

- Gaining access (capital expenditure for BRR services)
- Maintaining access (operating expenditure for BRR services) and
- Targeting the poor (revenue mechanisms that will remove the financial burden from the indigents)

The three key fundamentals are wholly, and in some cases at least partially enshrined in many existing Indigent Policies for municipalities in South Africa.

## 6 Applicable Principles

In implementing the National Policy on BRR services, the following principles apply:

1. A municipality must ensure that any relief provided in terms of the National Policy on BRR services is constitutional, practical, fair, equitable and justifiable.
2. There will be differentiation between households based on indigence but not service level in accordance with this policy, legislation and the resolutions of Municipal Councils.
3. A municipality should provide BRR services within the bound of their financial stability and sustainability.
4. A municipality should review and amend the qualification criteria for indigent support for BRR services on a regular basis as provided by it as and when necessary.
5. A municipality should put in place BRR services administrative support structures ensuring effective and efficient mechanisms of implementation.
6. BRR services’ tariffs should be clear and easily understandable.
7. Operating subsidies for BRR services within the municipality’s jurisdiction should be well targeted in order to reach the identified indigent.
8. Indigent households must formally apply using the municipal system as specified and will qualify for such support according to the specified criteria/principles laid down by the municipality.
9. Indigent households registered for BRR services must be re-evaluated after a given period of time as specified by the concerned municipality.
10. Disciplinary measures specified by the municipality should be imposed on households and/or individuals who abuse the BRR services.
11. The municipality will put in place reasonable measures to publicise the BRR services within its jurisdiction, including measures to put in place an effective communication programme.
12. The roles of the social worker/municipal official/councillor/traditional leader or any other authority so designated in the evaluation of the indigent household for the BRR services should be fully recognised and specified.
13. The list of applicants for BRR services should be made available for public scrutiny for at least one month at accessible public points within the municipality (i.e. libraries and clinics).



14. Clear registration procedures including cut-off dates must be specified (registration to take place in January and/or February of each year so as to provide the municipality with the numbers of indigents to be planned for in the next financial year's budget).

## **7 Recipients of Basic Refuse Removal Services**

### **7.1 Main criterion**

The main criterion for determining the qualifying recipients of BRR services is registration on a municipality's indigent register as provided for by the indigent policy of the municipality.

### **7.2 Other supporting criteria**

The following criteria can be used in the absence of, or in addition to the main criterion to determine the qualifying recipients of the BRR services:

- Level of income: Monthly net household income of members of less than or equal to *two old age pensions (including children/individuals who may get state grants)*.
- Residence status: Everybody residing in the municipality provided their indigent status have been verified.
- Special considerations: All child headed households, households headed by pensioners and people with disabilities
- Value of property (need to note that inherited properties might give false income level status).
- Any other criteria as determined by the specific municipality

## **8 Basic Refuse Removal**

### **8.1 Defining a basic refuse removal service level**

The basic refuse removal service level is defined as the most appropriate level of waste removal service provided based on site specific circumstances. Such a basic level of service, be it in an urban or rural set-up, is attained when a municipality provides or facilitates waste removal through:

- a) On-site appropriate and regularly supervised disposal in areas designated by the municipality (applicable mainly to remote rural areas with low density settlements and farms supervised by a waste management officer);
- b) Community transfer to central collection point (medium density settlements);
- c) Organised transfer to central collection points and/or kerbside collection (high density settlements); and
- d) Mixture of 'b' and 'c' above for the medium to high density settlements.

### **8.2 Spatial and settlement demarcation for Basic Refuse Removal services**

The appropriate levels of service for settlement densities with regard to solid waste management (adapted for this National Policy on BRR services) (DWAF, 1999: 8) are as follows:

- *More than 40 dwelling units per hectare (high density):* Frequent and reliable formal collection and disposal of solid waste to a landfill is required
- *10-40 dwelling units per hectare (medium density):* Communal collection and formal disposal of household refuse and litter is required

- *Less than 10 dwelling units per hectare (low density):* On-site disposal of general household waste in areas so designated by the municipality and in accordance with the relevant guidelines for on-site disposal provided by the municipality.

### **8.3 Collection frequency (applicable to medium and high density settlements)**

The collection frequency is dependent on the composition and the volumes of waste generated. The most appropriate collection frequency in medium and high density settlements is set out as:

- At least once a week for purely biodegradable domestic waste but on-site composting should be promoted.
- At least once a month for recyclable materials in rural areas.
- At least once fortnightly for recyclable materials in urban areas.

### **8.4 Issuance of free receptacles**

- The municipality must provide appropriate free receptacles for refuse storage.
- The number of free receptacles provided per household should be calculated based on the number of individuals residing in the household.
- The municipality should devise appropriate strategies to maintain a constant and consistent supply of such free receptacles.
- Most communities do not consider the provision of skips as a 'service'. Where this alternative is unavoidable, the municipality should ensure that the refuse is collected for placement in the skip as part of the service. Skips must be serviced frequently enough to avoid littering or dumping.

### **8.5 Delimitation of domestic waste**

Domestic waste is defined in the National Environmental Management Act: Waste Act (Act No. 59 of 2008) (RSA, 2008) as quoted in Clause 5 above. For the purposes of this Policy it may be required to limit domestic waste collection to exclude commercial and industrial waste, building rubble and 'hard' or non-compostable garden waste.

## **9 Financing Basic Refuse Removal Services**

In general, municipalities can only make informed decisions about the financing of BRR services if they understand the costs of different elements of the service (DEAT, 2002a). Thus, the first step required of a municipality in financing a BRR service is to establish the costs of providing the service (DEAT, 2002). For example, an understanding of these costs is important in determining the scale of implementation that can be funded through the equitable share grant. In addition, it is important in the development of a municipal tariff strategy that will ensure that sufficient revenues are generated to cover these costs (DEAT, 2002a), and thus for determining the extent to which the municipality can generate internal revenue for financing the policy.

### **9.1 Financing mechanisms for Basic Refuse Removal services**

The required revenue for providing BRR services can come from one or both of two main sources of income, namely internal sources (such as cross subsidies within the municipality); and external sources, primarily the equitable share grant. In general, the following internal and external sources of funding are available to the municipality for the provision of BRR services:

- Internal sources, i.e. revenues from local tariffs and other taxes levied and collected by municipalities themselves:
  - Core municipal administration revenue, e.g. property rates
  - Cross subsidies from non-residential and wealthy consumers of the service in question, who are charged higher rates (above what is required for cost recovery) at higher levels of use (e.g. through a rising block tariff structure) to generate surplus revenues, which are used to cover the cost of providing lower levels of the service free of charge to poorer consumers
- External sources, in particular transfers from the national fiscus, through the
  - Equitable Share Grant (ESG); and the
  - Municipal Infrastructure Grant (MIG)

## 10 Implementation Strategies for Basic Refuse Removal Services

This policy takes into consideration the differences between offering a BRR service compared to that for free basic water and free basic electricity. For example, water comes to the individual household or community via a pipe and electricity comes to the individual household via a cable. Both water and electricity have off-site sources whereas refuse is generated on-site. Furthermore, the indiscriminate disposal of refuse and littering immediately affects the community, including those that would have been disposing of their refuse in a proper manner. Given the foregoing, the implementation strategies that can be adopted by municipalities in providing BRR services to their indigent households and communities are listed below.

### 10.1 Declare certain localities for Basic Refuse Removal Services

- A municipality may for practical reasons, declare certain areas or clusters as qualifying recipients of BRR. Examples may include low-income areas and high density, urban informal areas.
- Such declarations have added advantages in terms of administrative feasibility (logistics and costs included) especially where rate collection is challenging.
- A municipality may declare certain low density rural areas as areas where on-site disposal is deemed to be an appropriate waste management option.

### 10.2 Need to maintain accurate and updated indigent registers

- A municipality must maintain an accurate and updated indigent register. This indigent register must be updated on a half yearly or annual basis depending on the complexity of the system developed and implemented.
- A municipality must indicate specific registration periods for indigents.
- In this regard a municipality must have clearly defined administrative support structures in place and Indigent Register must be audited on a regular basis.

### 10.3 Action against malpractices

- Effective measures to identify fraudulent activities relating to the scope of this policy must be put in place.
- Any person found guilty of any offense relating to this policy must immediately cease to be a beneficiary of the BRR services
- The municipality must consider the merits of instituting legal procedures against the offender.
- The municipality must recover money owed for refuse removal in whatever lawful means.

#### 10.4 Integrating Basic Refuse Removal services with existing Indigent Policies

- Many municipalities already have Indigent Policies in place, some of which were passed as by-laws.
- It is therefore the responsibility of municipalities to mainstream BRR services (where this is not currently happening) into existing Indigent Policies.

#### 10.5 Institutionalisation of Basic Refuse Removal services

- The municipality must designate the administration of this Policy to the most appropriate department in the municipality e.g. the Waste Services Department or any other dealing with refuse removal.

#### 10.6 Education and awareness raising

- Education and awareness raising relating to this policy must be ongoing activities.
- The municipality (through its relevant departments) must put in place effective and efficient education and awareness raising programmes not only to raise awareness on the BRR services but also on proper waste handling practices and waste minimisation.
- Where applicable, workers engaged in education and awareness activities must be drawn from the local communities.

#### 10.7 Clarification of roles of the three spheres of government

The Constitution establishes a three sphere government system that includes the National Government, the Provincial Government and Local Government<sup>2</sup>. Given that a failure to come up with a specific grid of responsibilities for each sphere of government could lead to duplication and possibly conflict and confusion, the grid in Appendix 1 indicates roles and responsibilities that could be associated with each of the three spheres of government in relation to BRR services.

## 11 Policy Restrictions

The restrictions impacting on the policy are: the financial climate, the socio-political set up, institutional arrangements as well as technical aspects. The following explanations are key:

1. *Financial*: how to finance and target the provision of BRR services in a sustainable and efficient manner.
2. *Socio-political*: how to establish successful communication and co-operation between consumers, councillors, local government officials and different spheres of government leading to the provision of the BRR services.
3. *Institutional*: how to develop the required organisational capacity and working relationships between different institutions involved in the BRR services.
4. *Technical*: how to choose the appropriate technical service level options to facilitate BRR Services.

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<sup>2</sup> This sphere is further divided into District Municipalities, Metropolitan Municipalities and Local Municipalities. In implementing the Policy on BRR services, stakeholders need therefore to be aware of the different capacities of the municipalities in terms of the skills base and funding.

## 12 Policy Monitoring and Evaluation Plan

Policy implementation will be monitored through:

- A comparison of the percentage indigent households receiving BRR services over time.
- A comparison of the percentage serviced households receiving BRR services over time.
- Budget allocations - it can reasonably be expected that the implementation of the BRR services will see a reduction in illegal dumping and hence a reduction in budget allocations for clean-ups.
- Volumes of waste disposed at landfill - there may be a notable increase due to the roll-out of the BRR services to previously un-serviced areas. However, note should be taken that the improved BRR service and separation at source recycling drive will kick off simultaneously and that the potential increase in volumes at landfill sites will be counteracted by recyclables not reaching the landfill sites.
- The complaints register for domestic waste collection will serve as a reflection of problems experienced with the implementation of the BRR services.

The municipality should prepare an implementation plan (including targets) for the provision of BRR services. The targets for policy implementation will be informed by the available capacity of the municipality and included in the *Integrated Waste Management Plan* as envisaged by Clause 12(b)(v) of the National Environmental Management: Waste Act (Act No. 59 of 2008) (RSA, 2008).

## 13 References

- DEAT (2009a). Addressing Challenges with Waste Service Provision in South Africa: Inception Report and Consultation Plan. Pretoria: Government Printers.
- DEAT (2009b). Municipal Indigent Policy Review Report. Pretoria: Government Printers.
- DEAT (2009c). Free Basic Services Policies Review Report. Pretoria: Government Printers.
- DEAT (2009d). Waste Sector Challenges and Vision Report. Pretoria: Government Printers.
- DEAT (2009e). Domestic Waste Collection Standards: Comparative Assessment Report. Pretoria: Government Printers.
- DEAT (2009f). Discussion Document Towards a National Policy on Free Basic Refuse Removal and National Domestic Waste Collection Standards. Pretoria: Government Printers.
- DEAT (2007). Report on Assessment of Status Quo Report on Waste service Delivery and capacity at local government level. Pretoria. Department of Environmental Affairs and Tourism, Pretoria.
- DEAT (2006). South Africa Environment Outlook: A report on the state of the environment Report. Pretoria. Department of Environmental Affairs and Tourism, Pretoria.
- DEAT (2002a). Municipal solid waste tariff strategy. Pretoria. Department of Environmental Affairs and Tourism
- DEAT (2002). Solid waste tariff setting guidelines for local authorities. Pretoria. Department of Environmental Affairs and Tourism
- DPSA (1997). White Paper on the Transformation of the Public Service. Pretoria. Department of Public Service and Administration.

DWAF (2002). Free Basic Water Implementation Strategy. Version 2. Pretoria. Department of Water Affairs and Forestry

DWAF (2003). Strategic Framework for Water Services - Water is life, sanitation is dignity. Pretoria. Department of Water Affairs and Forestry

RSA (2008). National Environmental Management Act: Waste Act (Act No. 59 of 2008). Cape Town. Government Printers.

RSA (2000). Local Government: Municipal Systems Act (Act No. 32 of 2000). Cape Town. Government Printers.

RSA (2003). The Division of Revenue Act: Cape Town. Government Printers.

RSA (2003). Municipal Finance Management act (Act No. 56 of 2003). Cape Town. Government Printers.

RSA (1996). The Constitution of the Republic of South Africa (Act No. 108 of 1996). Cape Town. Government Printers.

## Appendix 1: Government roles and responsibilities in BRR service

<i>Government Level</i>		<i>Specific Roles and Responsibilities</i>	<i>Cross-cutting roles and responsibilities</i>
National		<ul style="list-style-type: none"> <li>Put in place a National Policy on BRR services.</li> <li>Update the National Policy on BRR services</li> <li>Make the Provincial Governments aware of the existence of a National Policy on BRR services</li> <li>Get involved in provincial and municipal capacity building and training.</li> </ul>	<p>All to evaluate the National Policy on BRR services performance in terms of:</p> <ul style="list-style-type: none"> <li>Effectiveness: Were the goals of the National Policy on BRR services achieved? If not, why were they not?</li> <li>Efficiency: Were the available resources for the BRR services implementation (human, financial, institutional and technical) utilised in the most efficient and cost-effective manner?</li> <li>Adequacy: To what extent does the BRR service address the problem of failed refuse removal?</li> <li>Equity: To what extent does the BRR services address imbalance of the past in terms of refuse removal backlogs?</li> <li>Responsiveness: Has the BRR services been sensitive and responsive to existing needs and preferences of stakeholders?</li> <li>Appropriateness: Are the strategies being implemented from the BRR services matching the expectations of the broad policy context?</li> </ul>
Provincial		<ul style="list-style-type: none"> <li>Determine municipality capacity in line with the National Policy on BRR services mandate with the aim of recommending to the Department of Cooperative Governance and Traditional Affairs (COGTA) what roles and responsibilities could be delegated to the concerned municipalities.</li> <li>Make the Local Municipalities aware of the existence of the National Policy on BRR services through the District Municipalities.</li> <li>Assist District Municipalities in drawing up guidelines on the implementation of the National Policy on BRR services for Local Municipalities</li> </ul>	
Local Government	District Municipalities	<ul style="list-style-type: none"> <li>District Municipalities to make Local Municipalities aware of the existence of the National Policy on BRR services. This should be done with the view of explaining the Local Municipalities' mandate.</li> <li>Provide District Municipality-wide guidelines on implementing the National Policy on BRR services and where necessary render technical assistance to local municipalities with limited capacity.</li> </ul>	

	Metropolitan and Local Municipalities	<ul style="list-style-type: none"> <li>• Integrate the National Policy on BRR service into existing Indigent Policies. This is in line with the fact that the existing municipal indigent policies do not address the issue of refuse removal adequately.</li> <li>• Is mandated to identify and select deserving indigent households for BRR services in their jurisdictions.</li> <li>• Raise awareness amongst the local communities and other stakeholders on the existence of a National Policy on BRR services</li> <li>• Set appropriate criteria and mechanisms for identifying the indigent household for the purposes of the National Policy on BRR services.</li> <li>• Establish proper risk management programmes in order to minimise fraudulent activities during the implementation of the National Policy on BRR services in their jurisdictions.</li> <li>• Regularly update their indigent registers.</li> </ul>	
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## Appendix 2: Policy Development Process and Analysis of Alternatives

The development of the National Policy on BRR services followed three distinctive phases that included:

- Background research
- Stakeholder consultations
- Drafting of the National Policy on BRR services

Each of the three distinctive phases is briefly discussed in Sections 3.1 to 3.3.

### **Background research**

This part involved reviewing documents of relevance to the subject. Insights from such background research resulted in the development of a series of report by DEAT in 2009 that include:

- Addressing Challenges with Waste Service Provision in South Africa: Inception Report and Consultation Plan (DEAT, 2009a)
- Municipal Indigent Policy Review Report (DEAT, 2009b)
- Free Basic Services Policies Review Report (DEAT, 2009c)
- Waste Sector Challenges and Vision Report (DEAT, 2009d)
- Domestic Waste Collection Standards: Comparative Assessment Report (DEAT, 2009e)

### **Stakeholder Consultation**

Stakeholder consultation included stakeholder representation on the Project Steering Committee, during regional workshops as well as through the project website.

#### *Project Steering Committee*

The project received strategic guidance from the Project Steering Committee comprising representatives from the following stakeholder groups:

- Department of Health
- Department of Co-operative Governance and Traditional Affairs
- Department of Water Affairs
- National Treasury
- Western Cape Province
- North West Province
- Gauteng Province
- South African Local Government Association
- Ethekewini Metro
- Mopani District Municipality
- Mbombela Local Municipality
- Buffalo City Municipality
- Institute of Waste Management of Southern Africa
- SANGOCO
- Business Unity South Africa
- Groundwork
- Responsible Container Management Association of Southern Africa
- Human Sciences Research Council

- National Recycling Forum
- COSATU

#### *Regional Consultative Workshops*

Three Regional Consultative workshops were conducted. The first workshop took place in Rustenburg (North West Province), the second was conducted in Durban (KwaZulu-Natal Province) and the third took place in Port Elizabeth (Eastern Cape Province). These centres of consultation were selected based on the spread of the different categories of municipalities to include the metropolitan municipalities and the B1 to B4 categories of local municipalities.

A combined discussion document entitled *Towards a National Policy for the Provision of Basic Refuse Removal Services to the Indigent Households and National Domestic Waste Collection Standards* (DEAT, 2009f) formed the basis for the consultations. During the deliberations, participants from across the three spheres of government and other interested and affected parties from organised labour and organised business discussed many aspects. Among the many issues discussed at length were alternatives for BRR services. Such discussions centred on understanding the dynamics brought about by the varying capacities of municipalities with a clear divide emerging between the predominantly rural and those that are pre-dominantly urban. Ideas emerging from the consultations were noted for inclusion in the finalisation of the drafting of the Policy.

#### **Drafting of the National Policy for the Provision of Basic Refuse Removal Services to Indigent Households**

After the Regional Consultative workshops, the Department of Environmental Affairs (DEA) collated the ideas from the consultative process into a draft Policy. The Draft Policy was subjected to the *Government Protocol on Policy Approval Procedures and Processes* including Cabinet Approval and publication in the Government Gazette for the required 60 days period for public comments. After incorporating public comments, the Policy was made effective through the established approval processes for such.

### Appendix 3: Financial implications of BRR

The implementation of the BRR policy will require of municipalities to:

- Provide a waste collection service to qualifying households fully rebated; and
- Provide a waste collection service to previously un-serviced households in order not to discriminate against indigents who cannot afford to pay for their areas of residence to be serviced.

The cost implications of the implementation of the Policy on BRR should not be confused with the cost implication of addressing the service backlogs. To this effect the roll-out of waste collection services to previously un-serviced areas will require the provisioning of receptacles free of charge to all households eligible for the free service. The roll-out of services to previously un-serviced areas will have equipment and manpower implications. In municipalities where indigent households constitutes a large portion of the current backlogs in service delivery, the cost of extending the refuse collection service to cover such areas with a backlog will also contribute to the cost of providing the BRR service.

In order to estimate the cost of implementing BRR services, an accurate estimate of the full cost of waste collection services is required as well as accurate figures on indigent households. The wide range of charges for waste collection currently applied in municipalities (varying between R17 and R124 per household per month), reflects an *ad hoc* approach to tariff setting. This may be an indication of failure to understand the full costs of services that are provided. The 2010 National Treasury allocation of R 1346.4 per household per year is therefore used as basis for the calculations.

The number of households benefitting from an indigent support system are indicated in the national statistics data (Stats-SA, 2007)), but this is not necessarily an accurate reflection of actual indigent households. It is therefore impossible to accurately estimate the cost of providing BRR services. For the purposes of this estimate the National treasury number estimating the total number of poor households as 5 535 783 is used.

#### Allocations for refuse removal

##### National Treasury allocations (2010) used for calculations

Level of service	No. of poor households	Allocation/hh/year	Total Allocation/year (R)	Comment
Serviced	2176923	1346.4	2 931 009 127	Waste removal service
Un-serviced	3358860	501.6	1 684 804 176	Alternative service to waste removal
<b>Total</b>	<b>5535783</b>		<b>4 615 813 303</b>	

The allocation for supplying a BRR service to all indigent households in South Africa is therefore R 4 615 813 303 per year with the annual increases as allocated by National Treasury.

#### Potential savings from implementation of the Policy on BRR

The magnitude of littering and illegal dumping of domestic waste can be attributed to the lack of or inadequate waste collection services. Providing a BRR service could significantly reduce this portion of illegal dumping resulting in a cost saving on the clean-up of illegal dumping and littering. If the roll-out of BRR services is further combined with waste separation at source, there is the additional potential of income generation through the sale of recyclables. It is further envisaged that the roll-out of BRR services can create job opportunities for historically disadvantaged individuals in poor areas.