dr.jsmlm

Dr JS Moroka Local Municipality

Remuneration Policy for Valuation Appeal Board Memers ("VAB")

Contents

REMUNERATION POLICY FOR VALUATION APPEAL BOARD MEMBERS

1. INTRODUCTION

1.1. Valuation Appeal Boards are established by the Member of the Executive Council (MEC) responsible for local government by notice in the *Provincial Gazette* as contemplated in section 56 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) (MPRA).

1.2. The Municipality for which a Valuation Appeal Board is established must remunerate the Members of the Valuation Appeal Board in accordance with their conditions of appointment as provided for in section 61(3) of the MPRA.

1.3. The Municipality is mandated to remunerate the Valuation Appeal Board Chairperson and Members, and alternate Chairpersons and Members, in accordance with the determination of Conditions of appointment of Members of Appeal Boards and Members of Committees established by Appeal Boards as provided for in the Government Gazette No. 29595 Notice No. 99, dated 08 February 2007 read with National Treasury Circular dated 27/08/2025/: 2025 Remuneration of non-official Members: Commissions and Committees of Inquiry and Audit Committees.

2. LEGISLATIVE FRAMEWORK

2.1. Constitution of the Republic of South Africa, 1996

2.2. The Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) (MPRA)

2.3.

2.4. The Local Government: Municipal Finance Management Act, 2003 (No. 56 of 2003) (MFMA) Section 65 (e).

2.5. Government Gazette No. 29595 Notice No. 99, dated 08 February 2007

2.6. National Treasury Circular dated 27/08/2025/:2025 Remuneration of non-official Members: Commissions and Committees of Inquiry and Audit Committees in terms of Treasury Regulations 20.2.2, reviewed from time to time

3. DEFINITIONS

In this Policy, unless the context indicates otherwise:

3.1. **"Annually"** means once every financial year;

3.2. **"Chairperson"** means a person as defined in section 58(a) of the MPRA and includes an alternate Chairperson;

3.3. **"Committee of a Valuation Appeal Board"** means a committee as established in section 71 of the MPRA;

3.4. **"Definitions, words and expressions"** as used in the MPRA apply to this Policy document wherever it is used;

3.5. **"Financial year"** means the period starting 1 July in a year to 3 June the next financial year;

3.6. **"Legal Team in Valuation Appeals"** refers to the group of legal professionals who provide advice, representation, and support to parties involved in challenging or defending property valuations before an appeals body. This team typically assists in interpreting valuation laws, preparing appeal documents, presenting arguments, and ensuring that the appeal adheres to proper legal procedures. Their role is to protect the client's legal rights, clarify complex valuation issues, and assist in achieving a fair and lawful resolution of the valuation dispute.

3.7. **"MPRA"** means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

3.8. **"Market Value"** in relation to a property means the value of the property as defined in section 1 of the MPRA;

3.9. **"MEC"** means the Member of the Executive Council as defined in section 1 of the MPRA;

3.10. **"Member"** means –

(a) A Member of a Valuation Appeal Board, and may include the Chairperson of the VAB as the context may require;

(b) An alternate Member as defined in section 64 of the MPRA; and

3.11. **"Municipality"** means the Local Municipality as defined in section 1 of the MPRA and includes its successor-in-title;

3.12. **"Municipal Valuer"** means a person as defined in section 1 of the MPRA;

3.13. **"Normal cases"** refer to valuation appeal matters that:

(a) Follow the standard VAB hearing process, involving only the Valuation Appeal Board Members, the Municipal Valuer (or authorised representative), and the appellant or the appellant's duly appointed representative.

(b) Are heard, deliberated, and finalised within a single sitting day, without the need for adjournments, special investigations, extended research, site inspections, or additional expert input.

(c) Do not involve complex legal, technical, or mass data issues, and where the information submitted is sufficient for the Board to decide on the same day.

(d) Do not require the Board to review multiple valuation rolls, multiple properties, cross-referenced objections, or large volumes of documentary evidence beyond the standard submission requirements.

(e) Do not involve disputes requiring specialised expertise, such as cases requiring third-party valuation reports or legal interpretation

3.14. **"Property"** means a property as defined in section 1 of MPRA–

(a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;

(b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property.

(c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or

(d) Public Service Infrastructure, as defined in section 1 of the MPRA;

3.15. **"Protected Area"** means an area as contemplated in section 1 of the MPRA.

3.16. **"Protected Area Act"** means the National Environmental Protected Areas Act, 2003 (Act No. 57 of 2003);

3.17. **"Rate"** means a municipal rate on property envisaged in section 229(1)(a) of the Constitution of the Republic of South Africa,1996;

3.18. **"Ratable Property**" means property on which the Municipality may, in terms of section 2 of the MPRA, levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the MPRA;

3.19. **"Valuation Appeal Board" (VAB**) means a Valuation Appeal Board established by the MEC, by notice in the *Provincial Gazette* in accordance with section 56 of the MPRA, which is in the format of a panel consisting of a Chairperson and

Members, including an alternate Chairperson and alternate Members, as the context may require;

3.20. **"Special Cases"** means Appeal cases considered complex by a VAB involving properties with unique characteristics, legal complexities, or significant discrepancies in valuation methodologies and expert opinions.

4. PURPOSE OF THE POLICY

4.1. To provide clarity on the remuneration, claimable activities for sitting allowance, preparation and research of the VAB's Chairperson and Members, which are legitimate and auditable, based on the Chairperson and Members of the VAB's clear **Portfolio of Evidence (POE).**

4.2. To ensure that the Valuation Appeal Board (VAB) Chairperson and Members are paid fairly, transparently, and in compliance with:

4.2.1. Government Gazette No. 29595 (8 February 2007);

4.2.2. National Treasury Circular dated 27/08/2025/:2025 Remuneration of non-official Members: Commissions and Committees of Inquiry and Audit Committees in terms of Treasury Regulations 20.2.2, reviewed from time to time ("Remuneration Notice");

4.2.3. Municipal Property Rates Act,2004, (MPRA);

4.2.4. Municipal Finance Management Act, 2003 (MFMA);

(a) To protect Municipalities from overpayment, duplication of work, abuse, and manipulation of the Remuneration Notice, especially in Normal, complex, and high-profile appeal cases, and further promote transparency, Accountability, Reasonableness, and Fairness for both the Municipality and the VAB.

5. SCOPE

"This Policy applies to the"

5.1. Valuation Appeal Board Members
5.2. Municipal Valuer
5.3. Municipal officials processing claims
5.4. VAB Secretariat
5.5. Municipal secretariat for VAB

6. PRINCIPLES

6.1. Reasonableness: All claims must reflect actual work done (invoice must be numbered, dated, itemised, and hours spent) and must be proportionate to the complexity of the matter.
6.2. Verification: No claim will be paid without proper evidence of work performed (Portfolio of Evidence (POE) with a clear, reasonable claim and invoice).
6.3. Transparency: All preparation and research hours must be traceable, reviewable, signed off by the Chairperson and approved by the Municipal Manager of the Municipality or his/her delegated official, before payment.
6.4. Avoidance of Duplication: Preparation done by external legal counsel or appointed external valuers cannot be claimed as VAB preparation work.
6.5. Accountability: VAB Members must maintain accurate, auditable records.

7. CONDITIONS OF APPOINTMENT OF VALUATION APPEAL BOARD

7.1. In terms of **Gazette Notice No. 29595 of 8 February 2007**, issued under the Municipal Property Rates Act, 2004 (Act 6 of 2004), the remuneration of Valuation Appeal Board (VAB) Chairpersons and Members must correspond to the tariffs prescribed for **Commissions of Inquiry** by the National Treasury Regulation 20.2.2. Municipalities must therefore apply the National Treasury Remuneration Notice and cannot develop alternative remuneration scales

7.2. Item 3 of the National Treasury Circular issued in terms of Treasury Regulation 20.2.2 provides that the sitting fee rates are exclusive of payments in respect of preparations, research, and travelling (to and from meeting venues) time.

8. CLAIMABLE ACTIVITIES

a) Preparation and Research

VAB Members and committees may claim, subject to **A** and **B,** for legitimate preparation and research activities directly related to evaluating the appeal, such as:

8.1. Perusal and provide inputs of Heads of Argument submitted by the Municipality and Appellants
8.2. Perusal and provide inputs on valuation reports and submissions
8.3. Perusal and provide inputs on relevant legislation and case law
8.4. Analysing complex valuation data
8.5. Preparing notes and questions for the VAB hearing

b) In cases where both the Municipality and Appellants have appointed senior counsel, valuers, and produced extensive Heads of Argument, the following principles apply:

A. Preparation is still required — but Limited, VAB Members must:

8.6. Consider the Heads of Argument
8.7. Consider the Expert Reports
8.8. Understand areas of dispute
8.9. Prepare for questions during hearings
8.10. Interpret evidence in line with legislation and case law

This requires preparation time, **but not research from scratch**.

B. Distinguish Between "Consider" and "Research"

8.11. Consider includes perusal, reading, analysing, and understanding documents provided and relevant legislation.

8.12. Research includes inspection in loco, literature review, and case law research. A literature review constitutes the formal, technical, and legal analysis of all documentation, evidence, and relevant legislation surrounding a property valuation appeal. It is the process of examining expert opinions, property data, and previous legal precedents to ensure the municipal valuation is fair, accurate, and compliant with the Municipal Property Rates Act (MPRA) of 2004.

9. NOT CLAIMABLE ACTIVITIES:

9.1. **In special cases**, most research is already done by the appointed legal teams. VAB Members, therefore, should generally not claim for research done only for preparation.

9.2. Work already completed by the Municipality's Legal Team and the Appellant's Legal Team or Municipal Valuers and External Valuers

9.3. Work that falls outside the VAB's expertise or role

9.4. Duplicate work (i.e., considering the same documents repeatedly without justification)

10. REQUIRED EVIDENCE OF PREPARATION AND RESEARCH (POE)

To qualify for payment, each VAB Member must submit:

a) Detailed Activity Log in Invoice

A signed log sheet, numbered and itemised, indicating:

10.1. Date

10.2. Start and end time

10.3. Total hours

10.4. Detailed Description of specific activities conducted (i.e., "Consider: Municipality valuation report, pages 78–143"; "Analysed Appellant's comparable sales table")

b) Document Citation

VAB Members must reference the exact documents considered:

10.5. File name

10.6. Section/page numbers

10.7. Date received

c) Work Product

Where applicable, VAB Members must provide:

10.8. Notes taken

10.9. Summaries drafted

10.10. Questions prepared for the VAB hearing

10.11. Analysis of notes relevant to the VAB decision

(The above-mentioned documents shall **NOT** be shared with parties—only with the VAB Secretariat/ Municipality for auditing purposes or for litigation purposes)

d) For cases with transcripts

10.12. In cases where the Municipality procures daily transcripts (i.e., special cases):

10.13. VAB Members must show proof of pages considered

10.14. Time logs must be consistent with the length of transcript sections considered

10.15. No “block” or “generic” time entries allowed (i.e., VAB Members may not record time in large, undetailed time segments) or generic entries (non-specific descriptions).

e) Declaration of Authenticity

10.16. Signed affidavit or declaration stating the Authenticity that:

10.17. Hours claimed are accurate

10.18. Work performed is genuine

10.19. Work done was required for decision-making

11. TRAVEL TIME AND KILOMETRE CLAIMS

a) Required POE

11.1. Google Maps (or equivalent) printed distance verification

11.2. Attendance registers confirming presence

11.3. Time logs showing reasonable travel start and end times

11.4. Proof of vehicle ownership (once per year)

12. CONTROL MEASURES TO PREVENT MANIPULATION

a) Prohibition of Unjustified Delays

12.1. The Board may not deliberately limit the number of cases processed per day for the purpose of increasing sitting days, preparation hours, or remuneration claims.

12.2. Such conduct will be considered non-compliant with this Policy and may result in non-payment for unjustified extended sittings.

b) Pre-Approval of Maximum Hours

Before the hearing, the Chairperson and Municipal Manager must jointly approve, per case, per VAB Member, the following:

12.3. Maximum preparation hours

12.4. Maximum research hours

12.5. Maximum site visit hours as required by section 72 of the Act

12.6. Maximum allowable travel time and kilometres of each VAB Member

High-complexity cases may have tiered caps.

c) Standardised Hour Caps:

Case complexity level	**Maximum preparation hours per VAB Member**	**Maximum research hours per VAB Member**	**Maximum site visit hours per VAB Member**
Low	3-5 hours	1-2 hours	1-2 hours
Medium	8-12 hours	3-5 hours	3-5 hours
High (special cases)	130–150 hours	10–15 hours	6-8 hours

Any request exceeding the caps must be supported by documentation and approved in writing by the Municipal Manager.

d) Secretariat Verification

VAB Secretariat must verify:

12.7. Hours claimed vis-à-vis the log sheet

12.8. Whether documents cited were actually distributed to VAB Members

12.9. Whether work duplicates Legal Team or Valuers' tasks

e) Audit Trail

12.10. All original claims must be:

12.11. Registered by the Municipality

12.12. Stored for 5 years by the Municipal VAB Secretariat

12.13. Available for internal audit and Auditor-General, South Africa's (AGSA) review

f) Sanctions for Abuse

Where VAB Members attempt to manipulate claims:

12.14. The municipality may refuse payment of a claim until the relevant POE is submitted

12.15. A Claim may be escalated to the relevant Departments

12.16. The Municipality must recover the overpayment of a claim

13. GUIDELINES FOR SITUATIONS WHERE LEGAL TEAM HAS DONE EXTENSIVE WORK

Where both sides appointed Legal Teams and External Valuers prepared extensive material:

a) Principle

13.1. If legal teams and valuers have already conducted research and preparation, VAB Members may not claim to have done the same research and preparation.

b) Permitted Claims

VAB Members may only claim for:

13.2. Consideration of the Heads of Argument

13.3. Understanding Expert Reports

13.4. Preparing decision-making notes

c) Non-Permitted Claims

13.5. Conducting irrelevant legal research

13.6. Doing valuation analysis already done by valuers

13.7. Re-writing or duplicating the Legal Team’s work

13.8. Generic "research" with no evidence or relevance

14. SPECIAL CONSIDERATION: CASES WITH DAILY TRANSCRIPTS

To prevent inflated claims:

14.1. VAB Members must indicate which pages of the transcript were considered

14.2. Time claimed must match transcript volume (i.e., perusal of 200 pages cannot take more than 5 hours)

14.3. VAB Secretariat to verify timestamp consistency

15. PAYMENT PROCESSING AND APPROVAL

a) Required documents for payment:

15.1. Completed claim form

15.2. Detailed activity logs

15.3. POE documents (notes, summaries, document citations)

15.4. Travel verification

15.5. Declaration of Authenticity

15.6. Municipal VAB Secretariat verification report

15.7. Approval by the Accounting Officer or delegated authority

b) Non-compliance

Any claim missing evidence must be:

15.8. Returned for resubmission

15.9. Rejected if non-compliant after 30 days

16. REVIEW OF POLICY

This Policy must be reviewed **every 04 (four) years** or earlier if:

16.1. Treasury issues new Circulars

16.2. Provincial COGHSTA issues new directives or appoints new VAB Members

16.3. AGSA reports indicate risk areas

17. INTEGRATED PROCEDURE FRAMEWORK (ANNEXURES A, B & C)

The Policy is supported by formal Annexures below that standardise VAB operations:

17.1. Annexure A: Terms of Reference for VAB Members

17.2. Annexure B: Mandatory Document Pack from Municipal Valuer

17.3. Annexure C: Procedure Manual for Section 52 Reviews and Section 54 Appeals

These Annexures ensure consistent documentation, predictable hearing times, and increased case throughput.

18. DISCLAIMER

Where a Valuation Appeal Board Member believes that the Municipal Council failed to apply the provisions of the Valuation Appeal Board Members' Remuneration Policy and/or the Local Government: Municipal Property Rates Act 6 of 2004, he/she may raise the matter with the Municipal Manager of the relevant Local Municipality.

19. DELEGATION OF POWER

Safe as otherwise provided in this Valuation Appeal Board Members' Remuneration Policy, the Municipal Manager and Chief Financial Officer of the relevant Local Municipality shall be empowered to apply and administer all powers pursuant thereto.

20. CONCLUSION

This Policy ensures:

20.1. Transparent and fair remuneration of the VAB Members

20.2. Protection of a Municipality from overpayment of VAB Members

20.3. Prevention of manipulation by VAB Members

20.4. Compliance with the Government Gazette No. 29595 (8 February 2007) and the National Treasury Circular dated 27/08/2025/: 2025 Remuneration of non-official Members: Commissions and Committees of Inquiry and Audit Committees in terms of Treasury Regulations 20.2.2, reviewed from time to time.

20.5. Consistency across all VAB cases

ANNEXURE A: TERMS OF REFERENCE (TOR) FOR VAB

1. Purpose of the VAB

The VAB is established to:

1.1. Ensure that they adhere to their functions as contemplated in section 57 of the MPRA

1.2. Adjudicate disputes and appeals in terms of relevant legislation

1.3. Provide an independent, fair, and legally sound platform for resolving disputes.

1.4. Ensure decisions are made objectively, free of bias and in the public interest, subject to the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)

2. Role and Responsibilities of the VAB

The VAB must:

3.1. Consider all documentation submitted in cases.

3.2. Analyse Heads of Argument, valuation reports, expert submissions, transcripts, and evidence.

3.3. Participate in hearings and deliberations.

3.4. Apply and adhere to relevant legislation, policies, and case law.

3.5. Contribute to the development and drafting of rulings with decisions.

3.6. Ensure decisions are:

- 2.6.1. Lawful
- 2.6.2. Procedural fairness
- 2.6.3. Reasonable
- 2.6.4. Timeous

3. Governance and Ethical Duties

VAB Members must:

3.1. Act impartially and independently.

3.2. Declare conflicts of interest (real, potential, or perceived).

3.3. Uphold confidentiality of all case information.

3.4. Protect the integrity of the adjudicative process.

3.5. Comply with the Code of Conduct for VAB Members as contemplated in section 62 of the MPRA and Municipal Finance Management Act (MFMA)

4. Administrative and Operational Duties

4.1. Attend meetings and hearings punctually.

4.2. Participate in pre-hearing briefings and hearing deliberations.

4.3. Prepare adequately before hearings

4.4. Assist the Chairperson with finalisation and confirmation of decisions.

5. Duties of the Chairperson

The Chairperson must:

6.1. Lead hearings and ensure fair, orderly processes.

6.2. Allocate different responsibilities and control the hourly activities of VAB Members.

6.3. Approve sitting claims, research and preparation hours, site visits, and travel claims.

6.4. Ensure that POEs for claims meet audit requirements.

6.5. Guide the VAB in legal and policy interpretation (within mandate).

6.6. Represent the VAB in communication with the VAB Secretariat on VAB matters

6.7. Oversee the quality and correctness of decisions.

6.8. Concerning all cases, develop an internal procedure for the VAB Members or an Implementation Plan for the VAB.

6. Remuneration and Claims

What may be claimed

6.1. Sitting allowance (for actual hearings or board meetings)

6.2. Preparation time (subject to controls, caps, and POE requirements)

6.3. Travel and subsistence (in line with municipal travel policy and cost containment policy)

6.4. Time travelled (As per treasury regulation 20.2.2)

7. What may NOT be claimed

7.1. Work already done by Legal Team

7.2. Time spent on general reading unrelated to a specific case

7.3. Duplicate preparation

7.4. Non-work-related travel or undocumented mileage

8. POE Requirements

VAB Members must provide:

8.1. Signed timesheets/logs

8.2. Notes, summaries, or annotated documents

8.3. Formal Attendance Register

8.4. Travel logs and supporting documents

8.5. Copy of the licence Disc to prove ownership

8.6. Any additional evidence requested by the Chairperson or Auditor

9. Meetings and Hearings

VAB Members must:

9.1. Attend all scheduled hearings unless formally excused.

9.2. Participate in deliberations and decision-making sessions.

9.3. Maintain professionalism during interactions with parties.

9.4. Adhere to the Conduct of Members as contemplated in section 62 of the MPRA

10. Reporting Requirements

The VAB must:

10.1. Submit the final ruling with the decision within the agreed timeframe.

10.2. Provide reports to the Municipality regarding:

10.2.1. Case volumes

10.2.2. Status of appeals

10.2.3. Operational challenges

10.2.4. Governance risks

10.3. Maintain accurate and secure documentation of rulings and decisions in writing

11. Performance and Accountability

VAB Members may be evaluated based on:

11.1. Attendance and punctuality

11.2. Quality of contributions, rulings, and decisions

11.3. Compliance with legislative requirements

11.4. Timeliness of decisions

11.5. Ethical behaviour

12. Removal or Disqualification

A member may be removed or disqualified as contemplated in sections 59 and 63 of the MPRA.

13. Administrative Support

The Municipality must provide administrative support as contemplated in section 66 of the MPRA, which also includes:

13.1. Secretariat support

13.2. Transcripts (if necessary)

13.3. Meeting arrangements

13.4. Document distribution

13.5. Filing and record-keeping

13.6. Virtual hearing of the VAB

However, the Municipality's support staff, as the appellant, and the Department of CoHGSTA officials, secretariat of the board, shall not interfere with the board's close deliberations when making decisions.

a) Substantive influence: Staff should not express opinions or suggest outcomes.
b) Participation in deliberations: Unauthorized attendance or speaking during closed sessions is prohibited.
c) Bias: Attempts to influence decisions where staff have a personal interest constitute a conflict of interest.
d) Breach of confidentiality: Disclosing deliberation content to unauthorized persons undermines integrity.
e) Post-deliberation manipulation: Altering or selectively recording decisions is inappropriate.

In summary, support staff may provide administrative support, clarify procedural issues upon request, and ensure compliance with legislation without advocating for specific outcomes. This principle is rooted in the need for procedural fairness, lawful administrative action, and maintaining a clear separation between support and decision-making roles.

ANNEXURE B: TERMS OF REFERENCE (TOR) FOR SECTION 71 VALUATION APPEAL BOARD COMMITTEE

1. MANDATE

Committees established in terms of section 71 of the Municipal Property Rates Act are mandated to assist and support the Valuation Appeal Board in the performance of its statutory duties, particularly in respect of specialised, complex, or technical valuation appeal matters.

Committees function strictly in an advisory, investigative, and supportive capacity and do not exercise any decision-making powers.

2. FUNCTIONS AND SCOPE OF WORK

Committees may perform the following functions and scope of work, as determined by the Valuation Appeal Board:

2.1 Investigation

a) Conduct technical and factual investigations relating to valuation appeal matters;
b) Verify valuation data, assumptions, methodologies, and market evidence.

2.2 Research

a) Undertake valuation, legal, and market research on specialised or complex issues;
b) Analyse applicable valuation principles, legislation, and relevant case law.

2.3 Analysis and Processing

a) Analyse, organise, and synthesise appeal documentation and supporting information;
b) Identify risks, inconsistencies, gaps, or matters requiring clarification.

2.4 Advisory Support

a) Prepare written, non-binding investigative reports, technical memoranda, or advisory notes;
b) Provide reasoned recommendations for consideration by the Valuation Appeal Board.

2.5 Finalisation Support

a) Assist with the technical and administrative finalisation of complex appeal matters, excluding deliberations and decision-making.

3. LIMITATIONS OF AUTHORITY

Committees shall:

a) Not participate in the closed deliberations of the Valuation Appeal Board;
b) Not make, influence, or predetermine appeal outcomes;
c) Not issue binding findings or decisions;
d) Operate strictly within the mandate authorised by the MEC and assigned by the Valuation Appeal Board.

All final determinations remain the exclusive responsibility of the Valuation Appeal Board.

4. DELIVERABLES

Committees may be required to submit:

a) Written investigative or research reports;
b) Technical memoranda or advisory notes;
c) Non-binding recommendations for consideration by the Valuation Appeal Board.

All deliverables shall be submitted in writing and within timeframes determined by the Board.

5. REPORTING

a) Committees shall report directly and exclusively to the Valuation Appeal Board;
b) Committee outputs shall form part of the appeal record where appropriate.

6. DURATION

a) Committees shall exist only for the period authorised by the MEC and specified by the Valuation Appeal Board;
b) Committees shall automatically dissolve upon completion of their mandate unless extended by further authorisation.

7. CONFIDENTIALITY

a) Committee members shall maintain strict confidentiality in respect of all appeal matters;
b) Information obtained may be used only for purposes of fulfilling the committee's mandate.

8. CONFLICT OF INTEREST

a) Committee members must declare any actual or potential conflict of interest.
b) Members with conflicts shall recuse themselves from affected matters.

9. STANDARD OF CONDUCT

Committee members shall:

a) Act independently, objectively, and in good faith;
b) Uphold procedural fairness and administrative justice;
c) Avoid any conduct that may compromise the integrity, independence, or credibility of the Valuation Appeal Board.

10. REMUNERATION OF COMMITTEE MEMBERS

Committee members may be remunerated where:

a) Their appointment involves specialised expertise; and
b) The MEC has authorised the committee following a request by the Valuation Appeal Board.
c) Remuneration shall:
d) Be reasonable and commensurate with the work performed;
e) Be approved in advance by the municipality;
f) Be subject to available budgetary provisions.

Remuneration and reimbursement of expenses shall be in accordance with **Treasury Regulation 20.2.2, and as per the policy**.

ANNEXURE C: MUNICIPAL VALUER - STANDARD LIST OF REQUIRED DOCUMENTS

(To be submitted by the Municipal Valuer to the Valuation Appeal Board) for Section 52 Reviews and Section 54 Appeals under the MPRA.

1. Purpose

Ensure the Valuation Appeal Board (VAB) receives complete, consistent, and standardized information to enable quick, fair, and auditable decisions, thereby avoiding unnecessary hearing time and financial waste.

2. Mandatory Document Submission Pack

The Municipal Valuer must submit a complete Valuation Appeal Case File to the VAB Secretariat or municipal administrative assistance no later than 10 working days before the scheduled sitting.

The case file must include the following **12 mandatory documents**:

2.1 Property Valuation Report (Full Valuation File)

Including:

a) Registered property description (erf/unit/portion)
b) Zoning and land use rights
c) Property characteristics and improvements
d) Method of valuation (e.g., CMA, income, cost, etc) with motivation
e) Sales/rental evidence relied upon
f) Assumptions and adjustments
g) Final valuation conclusion
h) Dated photographs

2.2 Municipal Valuer's Motivation Report

A concise written explanation including:

a) Original valuation
b) Objection outcome (if any)
c) Reason for >10% change (Section 52 only)
d) Response to all objection grounds
e) Summary motivation supporting the valuation
f) Valuer's recommendation

2.3 Objection Form

The original signed objection, including:

a) Owner's reasons
b) Supporting documents provided by the owner
c) Dates submitted and acknowledged

2.4 Sales/Rental Evidence Pack

a) List of comparable sales (all verified)
b) Deeds Office printouts
c) Rental schedules (if applicable)
d) Time-adjustment calculations
e) GIS location map showing comparables

2.5 GIS and Spatial Documents

a) Locality map
b) Zoning map

c) Aerial imagery
d) Cadastral diagram
e) Neighbourhood map (if needed)

2.6 Inspection Report

If an inspection was conducted:

a) Date
b) Inspector name/signature
c) Notes
d) Photographs
e) Sketches (if used)

2.7 Building Plan Pack (Where available)

a) Approved building plans
b) Occupancy certificate
c) Notes on unauthorised additions (if relevant)

2.8 Property Category Record

a) Category applied
b) Reason for category
c) Billing implications

2.9 Valuation Roll Extract

a) Valuation as per General/ Supplementary Roll
b) Property category
c) Roll reference

d) Any historical changes

2.10 Notification Proof

Proof that the owner/appellant was notified of:

a) Objection outcome
b) Section 52 referral (if applicable)
c) Appeal hearing date (if applicable)
d) This includes email/SMS/WhatsApp/postal confirmation.

2.11 Section 52 Referral Memorandum

(For section 52 reviews in terms of the MPRA only)

Must include:

a) Grounds for >10% change
b) Confirmation that the owner was informed
c) Reason for referral
d) Valuer's recommendation

2.12 Summary Overview Sheet (one-page)

a) Property details
b) Valuation history
c) % change
d) Key issues raised
e) Valuer's summary response
f) Complexity rating (low/medium/high)

2.13 Failure to Submit the Complete Pack

If any mandatory item is missing, the Secretariat must:

a) Return the file to the Valuer,
b) Record the deficiency,
c) and refuse to schedule the matter.

This eliminates delays and unnecessary sitting hours.

ANNEXURE D: VALUATION APPEAL BOARD PROCEDURE MANUAL

A formal procedure manual for section 52 Reviews & section 54 Appeals issued in terms of the Municipal Property Rates Act (MPRA).

Chapter 1: Purpose of the Manual

This manual standardises the administrative and procedural workflow of the Valuation Appeal Board (VAB) to:

a) Improve efficiency
b) Reduce municipal costs
c) Ensure legally compliant decision-making
d) Prevent manipulation or abuse of sitting hours
e) Support transparent and auditable VAB operations

Chapter 2: Roles and Responsibilities

1. Municipal Valuation Unit

a) Prepare complete valuation case files
b) Submit evidence packs on time
c) Attend hearings as required
d) Provide expert valuation evidence

2. VAB Secretariat and Municipal Secretariat for the Board

a) Schedule hearings
b) Manage documentation
c) Ensure compliance with timelines
d) Record decisions and attendance

3. Valuation Appeal Board

a) Conduct hearings
b) Make decisions
c) Ensure fairness and compliance with MPRA
d) Issue written reasons

Chapter 3: Process for Section 52 Reviews

Step 1: Identification of Section 52 Cases

Triggered when valuation increases or decreases by >10%.

Step 2: Valuer Prepares Referral Pack

Includes all documents listed in Annexure B.

Step 3: Secretariat Checks Completeness

Matter is **not scheduled** until documentation is 100% complete.

Step 4: Scheduling

Group similar cases (e.g., residential, rural, commercial).

Low-complexity cases prioritised for speed.

Step 5: Board Sitting

a) Municipal valuer introduces the case
b) Municipal Valuer presents summary (5–10 minutes)
c) Board deliberates (10–15 minutes)
d) Decision recorded immediately

Step 6: Decision Finalisation

Written reasons must be prepared as required by section 53 of the Act.

Chapter 4: Process for Section 54 Appeals

Step 1: Appeal Lodged

The owner lodges an appeal with complete documentation.

Step 2: Municipal Valuer Prepares Appeal Response Pack

As per Annexure B.

Step 3: Secretariat Review

Checklist used. Incomplete files returned.

Step 4: Scheduling

a) Complex matters separated
b) Time slots controlled

Step 5: Hearing Procedure

a) Chairperson opens the session
b) Municipal Valuer presents the case

c) Appellant (if present) presents arguments
d) Board questions parties
e) Board deliberates
f) Decision recorded

Step 6: Written Reasons

Issued within **30 days**, as required by S53 of the MPRA.

The municipality will pay up to 4 hours for normal cases with written reasons.

In special cases, the written reasons will be part of the preparations

Chapter 5: Efficiency & Anti-Abuse Controls

1. Time Allocation Standards

a) Section 52 Review: 5–10 minutes per objection
b) Section 54 Appeal: 45–90 minutes per appeal (Complex matters or special cases)
c) Section 54 appeal 20-30 minutes (valuer and the appellants given time by the board to reach an agreement on the matter or value)

2. Daily Sitting Limits

a) Maximum 40–50 Section 52 reviews per day
b) Maximum 20–25 Section 54 appeals (Normal appeals per day)
c) Maximum for special cases is negotiated by all parties, subject to financial affordability

3. Documentation Must Be Submitted Early

Late submissions cause postponement at the **valuer's cost**, not the municipalities.

3.1. Remuneration based on:

a) number of cases heard

b) complexity tier

c) completion of written reasons

3.2. Prevents billing for unproductive hours.

(a) Mandatory Use of Summary Overview Sheet

(b) Standardised one-page summary ensures uniform evidence.

3.3. Attendance Register & Case Log

Time in / time out *per case* to prevent inflated hours.

Chapter 6: Record-Keeping & Audit Requirements

Municipal Secretariat must keep:

a) Case files

b) Attendance registers

c) Time logs

d) Audio recordings

e) Written reasons

f) Schedules of sittings

g) Monthly summary of:

I. cases completed

II. average time per case

III. Compliance Issues

Chapter 7: Communication Protocols

a) Municipal Secretariat serves all notices

b) Municipal Valuer provides written communication for each case

c) Board communicates decisions in writing only

d) No direct communication between board members and appellants outside hearings

CLOSING PROVISION

This manual (**ANNEXURE A, B, C, and D)** takes effect on the date of approval by the Council and remains applicable until amended in accordance with the VAB Remuneration Policy. This policy shall be reviewed annually.

This remuneration policy for the valuation appeal board is endorsed by

REFERENCE NO.	APPROVAL DATE

NAME OF APPROVER	RESOLUTION NUMBER	SIGNATURE OF THE MUNICIPAL MANAGER
DR. JS Moroka Local Municipality Council		