

# CITY OF MBOMBELA



## PROOF OF RESIDENCE POLICY

Approval date: 31 May 2023

## 1. LEGISLATIVE COMPLIANCE

Financial Intelligence Centre Act 38 of 2001, established to impose certain duties on institutions and other persons who might be used for money laundering purposes and the financing of terrorist and related activities to amend the prevention of organised crime act of 1998, and the promotion of access to Information Act of 2000.

## 2. DEFINITIONS

**“Arrears”** means an account that is overdue after missing one or more required payments.

**“Credit Control and Debt Collection”** means credit control and debt collection as adopted by the City of Mbombela Local Municipality council in terms of section 96(b) of the Municipal Systems Act 2000 as amended

**“Customer”** means the owner or occupier of the property/premises, who are juristic or natural person liable to council for payment of municipal account or part thereof.

**“FICA”** means Financial Intelligence Centre Act

**“Foreigner”** a person not a citizen of South Africa by naturalization/ a person who does not have South African Bar-coded identity book issued by South African Department of Home Affairs.

**“Identification documents”**, in respect of a natural person or juristic who?

(a) is a citizen of, or resident in the Republic, means an official identity document;  
or

(b) is not a citizen of the Republic and not resident in the Republic, means a passport issued by the country of which the person is a citizen;

(c) is a company, trustees or Non-Profit organization, means documents issued by the Commission for Intellectual Property Commission (CIPC) of South Africa

**“Jurisdiction”** refers to the geographic area of the City of Mbombela

**“Municipality”** refers to City of Mbombela Local Municipality, in terms of section 151(1) of the Constitution of the Republic of South Africa

**“Owner”** means a person in whose name ownership of the property is registered in the deeds registrar

**“Tenant”** a person who occupies land or property rented from a landlord

**“Proof of Residence”** any document that proofs or helps to establish the truth and validity of a person place of residence.

### **3. OBJECTIVE**

**The objective of the Proof of Residence Policy is to ensure that:**

- 3.1. All regulations of the Financial Intelligence Centre Act (FICA) which came into effect on the 1<sup>st</sup> of July 2003 are adhered to, with regards to the documentation needed for issuing of Proof of Residence, Regulations 32A.
- 3.2. Only residence within the jurisdiction of the Municipality receive the proof of residence.
- 3.3. To ensure uniform and stringent measures with regards to the issuing of this document to our customer.

### **4. Primary requirements**

- 4.1 Proof of residence will **only** be issued to customers who reside within the jurisdiction of the City of Mbombela.
- 4.2 Proof of residence will **only** be issued to an individual standing in front of the official, exemption will be made for individuals who reasonably cannot avail themselves.
- 4.3 ID/Passport for South African Citizens
- 4.4 Passport and a valid permit for foreign citizens

### **5. Issuing of proof of residence:**

#### **5.1 Account Holders**

##### **5.1.1 Owners**

- (a) A valid municipal account should exist;
- (b) In case of siblings/children and other relatives of owner a confirmation letter and identification documents of the owner must be submitted
- (c) The municipal account must not be in arrears;
- (d) If the municipal account is in arrears the following must be in place;
  - (i) A valid arrangement must be in place or entered into with the Credit Control Unit by the owner of the property or authorised person

(ii) The owner must register for indigent subsidy if he/she qualifies/ the owner must have been registered and approved as an indigent for the current financial year.

(e) the above as per (c )and (d ) will only be exempted in exceptional circumstances wherein the proof of residence is required for purposes which amongst others include the following :

- (i) SASSA
- (ii) School
- (iii) SARS
- (iv) Application for employment

(f) All proof of residence issued under (e) will be endorsed for that specific purpose.

### **5.1.2 Tenants**

(a) A valid lease agreement/or confirmation letter and identification documents of the owner

(b) In case of siblings/children and other relatives of lease holder;

- (i) A valid lease agreement
- (ii) Confirmation letter and identification documents of the lease holder must be submitted

(c) The municipal account must not be in arrears;

If the municipal account is in arrears the following must be in place a valid arrangement must be in place or entered into with the Credit Control Unit by the owner of the property for which proof of residence is requested

(d) the above (c ) (d ) will only be exempted in exceptional circumstances which includes the following:

- (i) SASSA
- (ii) School
- (iii) SARS
- (iv) Application for employment

(e) All proof of residence issued under (d) will be endorsed for that specific purpose

## **5.2 Non Account Holders**

### **5.2.1 Informal settlements**

(a)Original letter from ward councillor confirming the physical address or stand number must be submitted.

### **5.2.2 Tribal Authorities/Induna**

- (a) Provide proof of ownership from the Tribal Authority
- (b) Tribal fees (springbok) should be paid up to date
- (c) A valid confirmation letter from the Tribal Authority must be submitted (letter must not be more than three months old)
- (d) The above (b) will only be exempted if the confirmation letter is needed for the following purpose:
  - (i) SASSA
  - (ii) School
  - (iii) SARS
  - (iv) Application for employment
- (e) All proof of residence issued under (d) will be endorsed for that specific purpose.

### **6. Charges payable**

An administrative charge as per the Sundry Charges in the annual tariff booklet will be levied for the issue of the Proof of Residence.

### **7. Implementation Date**

01 July 2023