

8 May 2026

Per e-mail and hand

The Municipal Manager
Mr Obakeng Isaacs
Kai !Garib Local Municipality

Urgent demand for publication of the draft budget and annual report by 17:00 today

Dear Mr Isaacs

1. The Kakamas Belangegroep places on record its serious concern that Kai !Garib Local Municipality has scheduled public participation meetings on the budget and integrated development plan process, with the first meeting scheduled for 11 May 2026, while the relevant public documents are still not reasonably available to the community.
2. We require the Municipality, by no later than **17:00 today, Friday, 8 May 2026**, to:
 - 2.1. publish the full Draft Budget 2026/2027, together with all supporting documents, on the Municipality's official website;
 - 2.2. publish the relevant draft Annual Report 2024/2025 on the Municipality's official website;
 - 2.3. provide the Belangegroep with direct electronic copies of these documents by e-mail; and
 - 2.4. provide the exact website links where the documents have been published.
3. This is not a courtesy request. It concerns the Municipality's statutory duties in relation to public participation, financial disclosure and public oversight.
4. In terms of section 22 of the Local Government: Municipal Finance Management Act 56 of 2003 (MFMA), immediately after an annual budget is tabled in a municipal council, the accounting officer must, in accordance with Chapter 4 of the Local Government: Municipal Systems Act 32 of 2000, make public the annual budget and the documents referred to in section 17(3), and invite the local community to submit representations in connection with the budget.
5. Section 17(3) of the MFMA provides that, when an annual budget is tabled, it must be accompanied by supporting documents. These include draft resolutions approving the budget, imposing municipal taxes and setting municipal tariffs, measurable performance objectives, cash-flow projections, proposed amendments to the integrated development plan, proposed amendments to budget-related policies, particulars of investments, proposed service delivery agreements, proposed allocations or grants, and remuneration information for political office-bearers and senior municipal officials.
6. Section 75 of the MFMA further requires the accounting officer to place on the website referred to in section 21A of the Municipal Systems Act the Municipality's annual and adjustments budgets, all budget-related documents, all budget-related policies, the annual report, service delivery agreements, performance agreements and other documents required by law. Section 75(2) requires these documents to be placed on

the website not later than five days after tabling in council or on the date on which they must be made public, whichever occurs first.

7. In relation to the annual report, section 127(5) of the MFMA requires that, immediately after an annual report is tabled in council, the accounting officer must, in accordance with section 21A of the Municipal Systems Act, make public the annual report and invite the local community to submit representations in connection with it. Sections 129 and 130 of the MFMA further require council oversight over the annual report, with council meetings open to the public and reasonable time allowed for the discussion of written submissions and for members of the local community to address the council.
8. The Municipal Systems Act reinforces these duties. Section 16 requires the Municipality to develop a culture of municipal governance that enables community participation, including participation in the preparation of the budget. Section 17 requires appropriate mechanisms, processes and procedures for participation, including public comment procedures, public meetings and consultative sessions. Section 21A requires documents that must be made public under the Systems Act, the MFMA or any other applicable legislation to be conveyed to the local community by displaying them at the Municipality's head and satellite offices and libraries, by displaying them on the official website if the Municipality has one (which it has), and by notifying the community where detailed particulars can be obtained.
9. Section 21B of the Municipal Systems Act requires the Municipality to place on its official website information that must be made public under the Systems Act and the MFMA. It also requires the municipal manager to maintain and regularly update that website.
10. As municipal manager and accounting officer, you are also responsible under section 55 of the Municipal Systems Act for facilitating participation by the local community in the affairs of the Municipality, implementing applicable legislation, and ensuring proper and diligent compliance with the MFMA.
11. **Against this statutory background, the Municipality cannot lawfully or fairly convene a public participation process on documents that the public cannot obtain, read, test, analyse or respond to. Public participation without the underlying documents is not meaningful public participation. Public oversight without the annual report is not public oversight. It is procedurally hollow and substantively defective.**
12. This matter is aggravated by the fact that communication failures were expressly discussed at the meeting held on 29 April 2026 between the Municipality, councillors and representatives of the Kakamas Belangegroep. At that meeting, the broader problem of poor municipal communication, the defective state of the website, and the community's inability to access information through reliable official channels were raised directly with municipal management and eight ward councillors. The Municipality was therefore placed on notice that its communication and disclosure failures were frustrating informed public participation.
13. If the Municipality nevertheless proceeds with public participation meetings without first making the draft budget, the supporting budget documents and the annual report available, the Belangegroep will regard that process as defective.

14. **We place on record that any public participation process not accompanied by the proper, timely and practical availability of the relevant documents will be treated as a deficient process. The Belangegroep reserves the right to record formal objections at each meeting, attend under protest, request postponement or recommencement of the process, escalate the matter to Provincial Treasury, National Treasury, COGHSTA and the Auditor-General, and rely on this correspondence in any further oversight, administrative or legal process.**
15. The continued failure to make these documents available also creates the unavoidable impression that the Municipality is deliberately obstructing or frustrating the public participation process. That impression can be dispelled only by immediate compliance.
16. We accordingly require written confirmation by **17:00 today, 8 May 2026**, that:
 - 16.1. the full Draft Budget 2026/2027 and all section 17(3) supporting documents have been published;
 - 16.2. the Annual Report 2024/2025 has been published;
 - 16.3. the exact website links have been provided;
 - 16.4. electronic copies have been sent directly to the Belangegroep; and
 - 16.5. all public participation meetings scheduled from 11 May 2026 onward will proceed only on the basis that the community has had a fair and reasonable opportunity to study the documents.
17. Should the Municipality contend that any of the documents have not yet been tabled, are not yet finalised, or are not legally required to be made public, we require that position to be stated in writing by **17:00 today, 8 May 2026**, with reference to the specific council resolution, date of tabling, statutory provision and factual basis on which the Municipality relies.

Yours faithfully



Rozanne van Rensburg

Vice-chairperson: Kakamas Belangegroep