

TRUSTEES

RUSTENBURG WATER SERVICE TRUST

The Rustenburg Local Municipality (RLM) in 2003 created the Rustenburg Water Service Trust, a Municipal Entity created in terms of the Systems Act.

Positions are available to act as non-executive board members on the board of Trustees, representing the interest of RLM.

In terms of the Trust Deed, the purpose of the trust is as follows:

1. Procure the design, construction, implementation and Operations and Maintenance of the water and waste water treatment plants in the most cost effective manner and for the purposes of maximizing the Trust income. Procure the design, construction, implementation and Operations and Maintenance of the water and waste water treatment plants in the most cost effective manner and for the purposes of maximizing the Trust income;
2. To provide potable water to RLM in accordance with the Water Supply Agreement;
3. Supply treated water to the industrial water off-takers in terms of the Off-take Agreement.

The following plants are under control of the Trust:

- Rustenburg Waste Water Treatment Plant
- Boitekong Waste Water Treatment Plant
- Monakato Waste Water Treatment Plant
- Lethabong Waste Water Treatment Plant
- Bospoort Water Treatment Plant
- Kloof Water Treatment Plant

The appointment term is for a period of 2 years.

In terms of section 93F of the Systems Act,

(1) A person is not eligible to be a director of a municipal entity if he or she -

- (a) holds office as a councillor of any municipality;
- (b) is a member of the National Assembly or a provincial legislature;
- (c) is a permanent delegate to the National Council of Provinces;
- (d) is an official of the parent municipality of that municipal entity;
- (e) was convicted of any offence and sentenced to imprisonment without the

option of a fine, and a period of five years since completion of the sentence has not lapsed;

- (f) has been declared by a court to be of unsound mind; or
- (g) is an unrehabilitated insolvent.

(2) If a director of a municipal entity during that person's term of office becomes

- disqualified on a ground mentioned in subsection (1), such person ceases to be a director from the date of becoming disqualified. [S. 93F inserted by s. 26 of Act 44/2003]

Duties of directors is described by section 93H of the Systems Act

(1) The board of directors of a municipal entity must-

- (a) provide effective, transparent, accountable and coherent corporate governance and conduct effective oversight of the affairs of the municipal entity;
- (b) ensure that it and the municipal entity comply with all applicable legislation and agreements;
- (c) communicate openly and promptly with the parent municipality of the municipal entity; and
- (d) deal with the parent municipality of the municipal entity in good faith.

(2) A director must-

- (a) disclose to the board of directors, and to the representative of the parent municipality, any direct or indirect personal or business interest that the director or his or her spouse or partner may have in any matter before the board, and must withdraw from the proceedings of the board when that matter is considered, unless the board decides that the director's direct or indirect interest in the matter is trivial or irrelevant; and
- (b) at all times act in accordance with the Code of Conduct for directors referred to in section 93L. [S. 93H inserted by s. 26 of Act 44/2003]