

D/SM 17/26

DEVIATION: REVIEW PROCEEDINGS AGAINST THE RULING OF COMMISSIONER MAKASI IN THE MATTER BETWEEN STELLENBOSCH MUNICIPALITY // ALEXANDER KANNEMEYER



MEMORANDUM

**DIRECTORATE: CORPORATE SERVICE
HUMAN RESOURCE MANAGEMENT**

Municipality - Munisipaliteit
Stellenbosch

22 MAY 2026

TO : DIRECTOR: CORPORATE SERVICES

FROM : CHIEF LEGAL ADVISOR

DATE : 20 MAY 2026

RE : DEVIATION: LEGAL SERVICES

of the Municipal Manager
Kantoor van die Munisipale Bestuurder

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process in terms of section 36 of the approved SCM Policy

REASON FOR DEVIATION: (Mark with x where applicable) (ONLY 1 CATEGORY, MOST APPLICABLE)		
1.	Emergency. "Emergency dispensation" means emergency as referred to in paragraph 36(1)(a)(i) of this policy under which one or more of the following is in existence that warrants an emergency dispensation;	
a	The possibility of human injury or death;	
b	The prevalence of human suffering or deprivation of rights;	
c	The possibility of damage to property, or suffering and death of livestock and animals;	
d	The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole;	
e	The possibility of serious damage occurring to the natural environment;	
f	The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service;	
g	The possibility that the security of the state could be compromised; or	
h	The prevailing situation, or imminent danger, should be of such a scale and nature that it could not readily be alleviated by interim measures, in order to allow time for the formal procurement process. Emergency dispensation shall not be granted in respect of circumstances other than those contemplated above.	
2.	Goods or services are produced or available from a single provider	
3.	Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4.	Acquisition of animals for zoos and /or nature and game reserves	
5.	Exceptional case and it is impractical or impossible to follow the official procurement processes	X

NB! All deviations i.r.o the amount will be tabled at the BAC

2025/2026