Archdiocese of Cape Town

VERITAS IN CARITATE

Property Department

TO: All Parish Priests and Parish Administrators
cc: Parish Pastoral Council Chairs
Parish Finance Council Chairs

18 May 2021

Dear Fathers

PROPERTY CIRCULAR 2021-01
1. MAINTENANCE PLANS
2. CITY OF CAPE TOWN RATES POLICY
3. BETTY'S BAY CHURCH
4. LEASES

During the past year and more of the pandemic, many things have slowed or halted. Unfortunately the march of time has not, and so the weathering and other gradual deterioration of buildings has continued, even if have not been able to put much attention into maintaining them.

1. A. Maintenance Plan Update

This is a reminder and encouragement to read (and share with your PFC and Maintenance Committee) the full details about the maintenance checklist and 10-year plan that the Archbishop sent out last week. Doing this work now will save parishes a great deal of time and money in the future. We all ought to have completed this initially in 2018 and then updated them annually, but we have not all done so. I would be grateful if each parish could submit their initial plan (if not already done) or the update by the end of the Financial Year on **30 June 2021** to me. Please remember that access to the Parish Building Fund and the receiving of assistance from the Advent Appeal are contingent on the completion of these documents.

1. B. Asbestos

One particular item that has changed is with regards to asbestos. So please make sure that when the maintenance checklist is done, a photo of roofs and gutters is included and information (to the best of your knowledge) as to the material from which the roof and gutters are constructed. New legislation came into effect in November 2020 which will necessitate further investigation and action in the case of asbestos (or uncertainty).

2. City of Cape Town Rates Policy

As many of you are aware, we are having ongoing issues with the City of Cape Town charging rates on various church properties. As part of our ongoing engagement with the City, please engage with your local ward councillor about the draft rates policy for 2021/2022 and our objections to it and ask your PPC chair to do the same. The more voices that are raised, the greater the chance we have of success. On the following page is the suggested text that could be used to begin an engagement with your councillor.

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3. <u>Betty's Bay Church</u>

The re-building of the church in Betty's Bay after the 2019 fire is well underway, and there are several items that are still needed for the new church, which I have listed below.

1. Ciborium.
2. Paten.
3. Candlesticks – tall x 2
4. Monstrance.
5. Thurible.
6. Boat and spoon.
7. Charcoal tongs.
8. Asperger.
9. Sanctuary chairs.
10. Mass missal and lectionaries.
11. Crucifix for veneration of the cross.
12. Baptismal font.
13. Presider's chair
14. Small floor safe

If anyone has any of these spare that they would be willing to donate, please contact Chris Cadman chriscadman@mweb.co.za or Anthony Harris anthil76@telkomsa.net to discuss.

4. <u>Leases</u>

Further to the issuing of updated procedures with regards to property leases by the Archbishop, please let me know if your parish has any leases currently, and send me copies for reference. If you have tenants without leases, I can supply a lease template for the regularizing of such arrangements.

Please feel free to contact me if you have any questions or if the property office can assist with these or any other matters.

Peace and Blessings

Fr Charles Prince
Episcopal Vicar: Property

I limit my comments to Annexure 5 to the draft 2021/2022 budget, which is the City's Rates Policy (a document which is statutorily required in terms of the Local Government: Municipal Property Rates Act 6 of 2004 (as amended) ("MPRA")).

In past Rates Policies passed by the City Council (e.g. 2017/2018, 2018/2019, and 2019/2020) places of worship were expressly exempted from having to pay rates to the City. This is because of Section 17(1)(i) of the MPRA which forbids the City from levying rates on properties registered and used as places of worship. Places of worship were, therefore, defined as a property category in terms of Sections 8 and 93A of the MPRA, so as to better identify which registered properties were used as places of worship and therefore automatically exempt them from rates in terms of Section 17(1)(i) of the MPRA.

The City's 2020/2021 Rates Policy (for some unknown reason) excluded any mention of places of worship (as in previous policies) and simply provides that "The City will not levy a rate on the properties mentioned in sections 17 of the MPRA" on page 21 of the Policy document. The 2020/2021 Rates Policy also failed to define places of worship as a property category in terms of Sections 8 and 93A of the MPRA. The effects of these exclusions in the 2020/2021 Policy document were that places of worship (e.g. mosques, churches, synagogues, temples, etc) were forced to pay rates to the City of Cape Town for the first time ever.

The draft 2021/2022 Rates Policy now specifically mentions places of worship on page 23 and in terms of the Section 17(1)(i) MPRA rates exemption. However, the draft 2021/2022 Rates Policy document fails to define places of worship as a property category in terms of Sections 8 and 93A of the MRPA (which was done in the City's past Rates Policy documents, see for example 2017/2018, 2018/2019, and 2019/2020).

Past Rates Policies gave generous interpretation to Section 17(1)(i) MPRA exempt properties used as places of worship and included "parking facilities, halls used for religious purposes, accommodation for missionaries, camping sites not operated for gain and cemeteries for that religious community...A property registered in the name of a trust, society or institution established for the sole benefit of a religious community and used for the purpose of congregation" (quoted from page 19 of the City's 2018/2019 Rates Policy). Over time, this generous interpretation has narrowed significantly so as to bring as much property used to support religious communities and their worship within the scope of what the City thinks should be rateable.

Most places of worship, run by religious organisations, rely on donations by their members (who are usually City ratepayers for their homes and other properties within the City) to cover their expenses. The City is, in effect, double-rating its residents if they own a home, or other property, and also belong to a religious organisation. Because the City is now levying rates for places of worship due to an unlawful (in contravention of Section 17(1)(i) of the MPRA) and poorly worded Rates Policy. Donations received by religious organisations are often spent on poverty alleviation and social upliftment. The reality is that religious groups within the City of Cape Town play a fundamental role in poverty alleviation and upliftment of the marginalised. Sadly, the rating of legitimate religious entities will have a direct impact on the poorest in our cities, as rates will have to come from what we should have spent on charity.

Please can the unlawful draft 2021/2022 Rates Policy be rectified to properly categorise places of worship and set out generous Section 17(1)(i) MPRA exemptions as in past Rates Policies.