

FOURTH ADDENDUM TO THE WATER SERVICE DELIVERY AGREEMENT

1. Parties

The parties to this fourth addendum are:

- 1.1 the West Coast District Municipality ("District Municipality");
- 1.2 the Swartland Municipality;
- 1.3 the Bergvliet Municipality; and
- 1.4 the Saldanha Bay Municipality (the parties in 1.2 to 1.4 collectively the "Local Municipalities").

(Each a "Party" and collectively the "Parties").

2. Introduction

- 2.1 The District Municipality and the Local Municipalities previously entered into the following agreements:

- 2.1.1 a written service delivery agreement on or about 15 July 2006 ("Original Agreement"); and
- 2.1.2 a written addendum to the Original Agreement entitled "Addendum to the Service Delivery Agreement, on or about 23 June 2016 ("First Addendum"),
- 2.1.3 a written second addendum to the Original Agreement entitled "Second Addendum to the Service Delivery Agreement", on or about 23 May 2017 ("Second Addendum").
- 2.1.4 a written third addendum to the Original Agreement entitled "Third Addendum to the Service Delivery Agreement", on or about 20 June 2020 ("Third Addendum").

(The Original Agreement as amended by the First, Second and Third Addendums hereinafter referred to as the "Agreement").

- 2.2 The District Municipality and the Local Municipalities wish to amend the Agreement further on the terms and conditions set out in this fourth addendum.

3. Amendment

- 3.1 The Agreement is hereby amended by deletion of "10%" in the first line of clause 5.3 and replacing it with "7% (seven percent)" for the 2020/2021 financial year and for the 2021/2022 financial year amended by deletion of "10%" in the first line of clause 5.3 and replacing it with "6% (six percent)".

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A collection of handwritten signatures and initials in black ink, located in the bottom right corner of the document. The signatures are somewhat stylized and overlapping, appearing to be from multiple individuals. Some initials are clearly legible, such as 'S.V.' and 'J.M.', while others are more abstract scribbles.

- 3.2 The Agreement is hereby amended by deletion of the text "14 (fourteen)" in the second line of clause 7.1 and replacing it with "16 (sixteen)".
- 3.3 The Agreement is hereby amended by deletion of clause 8.6.2.
- 3.4 The Agreement is hereby amended by deletion of the text "and upgrade" in the first line; and "or upgrading" in the seventh line; and "and upgrading" in the tenth line of clause 8.6.3.
- 3.5 The Agreement is hereby amended by deletion of "Schedule C" in the third line of clause 8.6.4 and replacing it with "the asset register of the District Municipality insofar as it relates to the water services".
- 3.6 The Agreement is hereby amended by deletion of "10 (ten) percent" in the fourth line of clause 10.1 and replacing it with "7% (seven percent)" for the 2020/2021 financial year and for the 2021/2022 financial year amended by deletion of "10 (ten) percent" replacing it with "6% (six percent)".
- 3.7 That consumers whom receive water directly from and get billed for it by the West Coast District Municipality be phased out which commenced from 1 July 2019 and to proceed for the 2020/2021 and 2021/2022 financial years.

4. General

- 4.1 Words and phrases defined in the Agreement bear corresponding meanings in the second addendum, unless clearly inconsistent with or otherwise defined in this third addendum.
- 4.2 Save as amended in terms of this fourth addendum, the provisions of the Agreement shall remain unchanged and binding upon the Parties.
- 4.3 In the event of a conflict between the provisions of this fourth addendum and the Agreement, the provisions of this fourth addendum shall take precedence and be duly implemented by the Parties.
- 4.4 No variation of this fourth addendum shall affect the terms hereof unless such variation shall be reduced to writing and signed by each of the parties.
- 4.5 This fourth addendum contains the entire agreement between the Parties relating to the matters recorded herein and no Party shall be bound by any undertakings, representations, warranties, promises or the like not recorded in this fourth addendum.

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The bottom right of the page contains several handwritten signatures and initials. There is a large, stylized signature at the top right. Below it, there are several sets of initials and signatures, including one that appears to be "S.V." and another that looks like "A.J.". There are also some circular stamps or marks.

4.6 This fourth addendum may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall be taken together and deemed to be one instrument.

Signed at Moorreesburg on 30 June 2020.

Witness for **WEST COAST DISTRICT MUNICIPALITY**

1. [Signature] [Signature]
Duly authorised and warranting such authority

2.

Signed at Vredenburg on 30 June 2020

Witness for **SALDARHA BAY MUNICIPALITY**

1. [Signature] [Signature]
Duly authorised and warranting such authority

2. [Signature]

Signed at Malmesbury on 30 June 2020

Witness for **SWARTLAND MUNICIPALITY**

1. [Signature] [Signature]
Duly authorised and warranting such authority

2. [Signature]

Signed at Piketberg on 10 July 2020.

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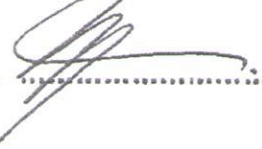
Witness for

BERGRIVER MUNICIPALITY

1.



2.



Duly authorised and warranting such
authority

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