

TSWELOPELE LOCAL MUNICIPALITY

SECTION 14 MANUAL

**[Compiled in compliance with Section 14 of Chapter 2 of Part 2 of the
Promotion of Access to Information Act, Act No. 2 of 2000 (PAIA)]**

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1 INTRODUCTION

The Promotion of Access to Information Act, No 2 of 2000 (“the Act”) was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any right. Where a request is made in terms of the Act, the body which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to the request.

2 PURPOSE AND SCOPE OF THE MANUAL

Section 14 of the Act obliges public bodies to compile a manual which would assist a person to obtain access to information held by such public body and stipulates the minimum requirements a manual has to comply with. As required under section 14, the manual contains the following information:

- ➔ the structure and functions of Tswelopele Municipality (“the municipality”);
- ➔ contact details;
- ➔ a description of the guide referred to in section 10 of the Act, if available, and how to obtain access to it;
- ➔ categories of information available without formal request;
- ➔ a description of the records available in accordance with any other legislation;
- ➔ a description of the subjects on which the municipality holds records and the categories of records held on each subject; and
- ➔ such other information as may be prescribed.

Section 9(b)(i) of the Act however recognises that the right to access to information may be subject to justifiable limitations, including, but not limited to limitations aimed at the reasonable protection of privacy, commercial confidentiality; and effective, efficient and good governance.

Section 9(b)(ii) of the Act further recognises that the right to access to information must be given effect to in a manner which balances the right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

Wherever reference is made to “Public Body” in this manual, it will refer to Tswelopele Municipality, a public body within the local sphere of government, for whom this manual is drafted.

3 STRUCTURES AND FUNCTIONS OF THE MUNICIPALITY IN TERMS OF SECTION 14(1)(A)

The Municipality is an organ of state within the local sphere of government and was established by means of Provincial Notice No 182 published in the Free State Provincial Gazette of 28 September 2000. The municipality is a municipality with an executive committee system combined with a ward participatory system.

3.1 Structure of the Municipality

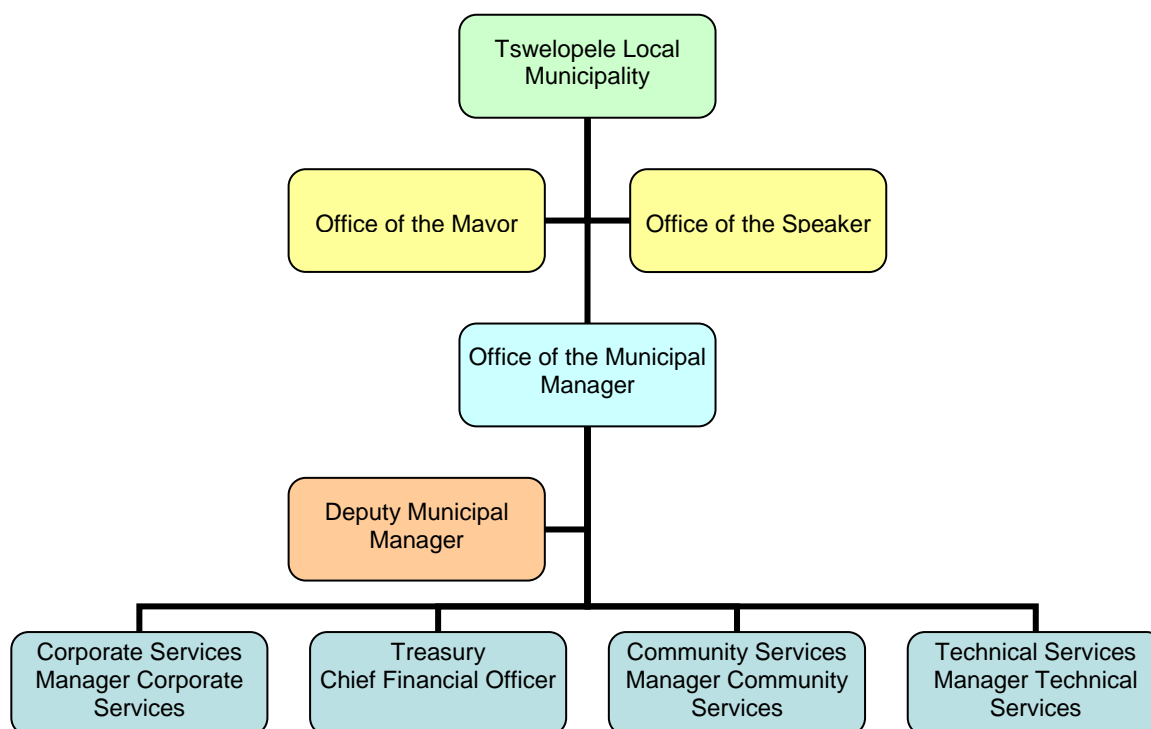
The municipality comprises the Council and its administration. The Council consists of 13 councillors (7 Ward councillors and 6 Proportional Representatives) with party representation as set out below:

African National Congress: 11 seats
Democratic Alliance: 1 seat
New National Party: 1 seat

The municipality has a Mayor who is the Chairperson of the Executive Committee (Exco) of Council and a Speaker who is the Chairperson of the Council. The day to day functioning of the municipality takes place through Committees which report to Exco and which is thereafter ratified by Council. The Committees and Sub-committees that report to Exco are:

- ⇒ Finance Committee
- ⇒ Disciplinary Committee
- ⇒ Audit / Performance Management Committee
- ⇒ Housing and Urban Committee
- ⇒ Language Management Committee

The Municipal Manager is the Administrative Head and the Accounting Officer of the Municipality. The departments which make up the administration of the municipality are headed by managers directly accountable to the Municipal Manager. The administrative structure is set out below.



3.1.1 Core Responsibilities of the departments

Tswelopele Local Municipality is structured to fulfil its mandate outlined above. There are four [4] main divisions in the municipality namely: Corporate Services, Financial Services, Technical Services, and Community and Development Services.

- **Corporate Services:** The Department aims to provide efficient and effective support service to the entire municipality. Corporate Services comprises of Human Resources - responsible for the HR Management; Human Resources and Development; Internal Communication, Committee services and Registry Services.
- **Financial Services:** The management of the Councils financial affairs with specific emphasis on the collection of levies in terms of applicable legislation and the Councils Credit Control instruments, the payment of service providers and creditors according to Councils policy, relevant legislation and sound financial principles. Payroll and leave administration and financial reporting as well as liaison with the public on matters relating to the functions of the Department.
- **Technical Services:** In line with the strategic planning of the Municipality, the IDP and budget of the Municipality, the Department strives to create sustainable urban and rural environments through infrastructural development.
- **Community Services:** To render community development services by significantly strengthening the capacity of local municipalities in relation to social and health services, tourism, local economic development and disaster management.

3.2 Functions of the Municipality

The municipality has executive and legislative authority and is empowered to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the Constitution. The municipality's function is to carry out its constitutional mandate by striving within its financial and administrative capacity to achieve the objects of local government, viz.:

- ⇒ to provide democratic and accountable government for local communities;
- ⇒ to ensure the provision of services to communities in a sustainable manner;
- ⇒ to promote social and economic development;
- ⇒ to promote a safe and healthy environment; and
- ⇒ to encourage the involvement of communities and community organisations in the matters of local government

The core functions and powers of the Municipality include the following:

- Air Pollution
- Building regulations
- Child care facilities
- Electricity
- Firefighting Services
- Local tourism
- Municipal airports
- Municipal Planning
- Municipal health services
- Municipal public works
- Storm water management
- Water and sanitation
- Billboards and the display of advertisements
- Cemeteries
- Cleansing
- Control of public nuisances
- Fencing and fences
- Licensing of dogs
- Licensing and control of undertakings that sell food to the public
- Local sport amenities
- Markets
- Municipal abattoirs
- Municipal parks and recreation
- Municipal roads
- Noise pollution

- Pounds
- Public places
- Refuse removal, refuse dumps and solid waste disposal
- Street trading
- Street lighting
- Traffic and parking

The council of the municipality has the right to finance its affairs by charging fees for services and imposing surcharges on fees, rates on property and to the extent authorised by national legislation, other taxes, levies and duties.

4 CONTACT DETAILS OF INFORMATION OFFICER

The Municipal Manager [MM] is the Information Officer in terms of the Promotion of Access to Information Act. Tswelopele Municipality has one Deputy Information Officer:

Information Officer: KS Motsoeneng

Postal Address: PO Box 3, Bultfontein, 9670
Physical Address: Bosmanstreet, Bultfontein
Tel: 051 853 1111
Fax: 051 853 1332
E-mail: logov@tswelopele.org

Deputy Information Officer: Mr SS Rabanye

Postal Address: PO Box 3, Bultfontein, 9670
Physical Address: Bosmanstreet, Bultfontein
Tel: 051 853 1111
Fax: 051 853 1332
E-mail: logov@tswelopele.org

5 GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT

Section 10 of the Act imposes a duty on the Human Rights Commission to “compile in each official language a guide containing such information in an easily comprehensible form and manner, as may be reasonably required by a person who wishes to exercise any rith contemplated in the Act”.

The guide will be available from the South African Human Rights Commission.

Please direct any queries to:

South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Postal Address: Private Bag 2700, Houghton, 2041
Tel: 011 484 8300
Fax: 011 484 1360
E-mail: paia@sahrc.org.za

6 RECORDS

6.1 Description of subjects on which the municipality holds records and categories of records held on each subject

For purposes facilitating a request in terms of the Act, the subjects on which the municipality holds records and the categories of records held on each subject are as follows:

A. Corporate Services

- Corporate and legal services
- Council agenda's and minutes
- Committee's agenda's and minutes
- Human resource management
- Staff establishment
- Performance management
- Transformation project Registration Index
- Regulations and by-laws
- Security
- Demarcations
- Lay-out plans
- Demarcation

B. Financial Services

- Financial control
- Management accounting
- Financial strategy
- Management of debt collection and revenue
- Planning, monitoring and control of municipal budget
- Audit reports
- Municipal finance management legislation
- Financial IT system
- Information Technology

C. Technical Services

- Safety and liaison
- Public works
- Project management
- Capital works tenders
- CMIP programmes
- Municipal Roads
- Electricity management
- Water management
- Sanitation management
- Electricity distribution layouts
- Buildings maintenance and fleet management

D. Community and Development Services

- Land use management
- Integrated development planning implementation and review
- Waste management
- Geographical Information Systems. Land use management
- Erven management
- Social and Community Development
- Town Planning
- Safety and Security
- Transport Management
- Lay-out / Building plans

E. Procurement Records

- Details of quotations obtained
- Copies of tenders advertised and awarded
- Database of supplier's registration for tendering purposes
- Details of tenders / contracts awarded
- Standards of performance of security tenderers

F. Legislation

- National legislation
- Provincial legislation
- Municipal by-laws

6.2 Records that are automatically available

The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in paragraph 10 of the Act:

- Personnel records are available to the employee concerned.
- Records of disciplinary hearings and related matters are available to the employee concerned.
- Policies and procedures are available to all employees.

The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 10 of the Act:

- the municipality's establishment notice;
- public relations brochures and publications;
- media releases;
- minutes and agendas prepared for council excluding those parts which relates to personnel matters and which may in terms of relevant legislation be excluded;
- documents, reports, plans, frameworks, policies and procedures the content of which the municipality must notify the general public in terms of applicable legislation of its existence, council discussions on the subject or which must with intervals be published for general comment or cognisance by the public;
- the municipality's by-laws;
- legislation applicable to the municipality;
- the municipality's Integrated Development plan;
- the municipality's operational budget;
- the municipality's financial statements;
- the municipality's annual report as required in terms of section 121 of the Municipal Finance Management Act, Act 56 of 2003.

From time to time, the municipality will publish a notice, in terms of section 15[2] of the Act, of other categories of records that may be made available without having to submit a request in terms of paragraph 10 of the Act.

6.3 Categories which are not automatically available

The following categories of records are not automatically available and the formal procedure described in 6 below should be followed in order to access these records.

6.3.1 Personnel records

- These include the following: personnel information, employment histories and health records;
- personal records provided to the municipality by its personnel;
- records which a third party has provided to the municipality about any of its personnel;
- training and development;
- conditions of employment and other personnel-related contractual and legal records;
- internal evaluation records;
- records of internal loans and financial assistance; and
- other internal records and correspondence.

6.3.2 Customer and levy payer -related Records

These include the following:

- records which levy payers and customers have provided to a third party acting for and on behalf of the company;
- records a third party has provided to the municipality;
- records generated by or within the company pertaining to customers and levy payers;
- records which a levy payer supplied to the municipality in respect of all aspects relating to his or her liability in respect of levies towards the municipality;
- information relating to the financial, operations and employment history of any person who submitted an tender, quotation, proposal, submission, presentation or offer to the municipality for the supply, provision or installation of services, material or equipment;
- transaction records.

6.3.3 Municipal records

These include the following:

- financial records;
- operation records;
- project management, including building plans plant and operation manuals, procedures and maintenance;
- databases;
- patents, registered designs and trademarks;
- technological know-how;
- information technology;
- intellectual property;
- product records;
- marketing and strategic records;
- internal correspondence;
- retirement fund records;
- statutory records;
- statutory compliance records;
- internal policies and procedures;
- treasury related records;
- securities and equities;
- any other record not listed above which may be held by the municipality.

6.3.4 Other parties

Records held by the municipality relating to other municipalities, organs of state and parties including financial records, correspondence, contractual records, records provided by other parties and records third parties have provided about the municipalities contractors and suppliers in respect of contractors, subsidiary or fellow subsidiary companies, joint venture partners and service providers.

In respect of tender or quotation documents shall the records be made available to the requestor only if the requestor submitted a tender document or quotation to be considered for a specific service or item and only which relates to the specific document requested.

6.4 Records held in terms of other legislation

The municipality is obliged to hold records in terms of certain other legislative Acts [as amended, where applicable], the most important of which include:

- Basic Conditions of Employment Act [No 75 of 1997]
- Compensation for Occupational Injuries and Diseases Act [No 130 of 1993]
- Employment Equity Act [No 55 of 1998]
- Guidance and Placement Act [No 61 of 1981]
- Income Tax Act [No 58 of 1962]
- Labour Relations Act [No 66 of 1995]
- National Archives of South Africa Act [No 43 of 1996]
- Occupational Health and Safety Act [No 85 of 1993]
- Pension Fund Act [No 24 of 1956]
- Promotion of Administrative Justice Act [No 3 of 2000]
- Public Finance Management Act [No 1 of 1999]
- Reporting by Public Entities Act [No 93 of 1992]
- Skills Development Act [No 97 of 1998]
- Skills Development Levy Act [No 9 of 1999]
- Unemployment Insurance Act [No 30 of 1966]
- Value-added Tax Act [No 89 of 1991]
- Municipal Systems Act [No 32 of 2000]
- Municipal Finance Management Act [No 56 of 2003]

6.5 Request procedure

6.5.1 Granting or refusal of request:

A requester must be given access to a record of a public body of the requester collies with the following:

- ⇒ The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- ⇒ Access to that record is not refused on any ground of refusal mentioned in the Act.

6.5.2 How do I request access to a record?

- [a] A requester must use the form [Form A] that was printed in the Government Gazette [Government Notice R187 of 15 February 2002] attached as **annexure A**.
- [b] The requester must also indicate if the requester wants a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a paper document it can then be viewed in the requested form, where possible.
- [c] If a person asks for access in a particular form [e.g a paper copy, electronic copy, etc] then the requester should get access in that form. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the municipality. If for practical reasons access cannot be given in the required form but in another form, then the fee must be calculate according to the way that the requester first asked for it.

- [d] If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g telephone, this must be indicated.
- [e] If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made must be indicated.
- [f] If a requester is unable to read or write, or has a disability, then the request can be made orally. The information officer must then fill in the form on behalf of such a requester and give them a copy of the completed form.

6.5.3 Fees payable for a request and notification of decision on access

- [a] A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester must pay re request fee of R 35.
- [b] The information officer must notify the requester [other than a personal requester] by notice, requiring the requester to pay the prescribed request fee [if any] and deposit [if any] before further processing the request. Fees payable are set out in **Annexure C**.
- [c] The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of a fee.
- [d] After the information officer has made a decision on the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- [e] If the request is granted then a further access fee must be paid for the reproduction and for search and preparation for any time required in excess of stipulated hours to search and prepare the record for disclosure.
- [f] Access to a record will be withheld until all the applicable fees have been paid.

7 SERVICES AVAILABLE TO PUBLIC

The municipal services as set out in 3 are available to members of the public, and information about these services can be obtained from the officer indicated in 4.

8 ARRANGEMENT ALLOWING INVOLVEMENT IN FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS

Public participation in a local government context is governed by the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] and the Municipal Structures Act, 1998 [Act 117 of 1998].

The purpose of the public participation process is to ensure that the Municipality as well as the broader community co-owns the public participation process and the end product. The Municipality seeks actively to facilitate the engagement of the community in its planning and policy making processes through public hearings and ward based public meetings in the

annual review of its IDP. This is also used as an opportunity to provide feedback on the performance levels achieved by the municipality.

The Municipality will give adequate public notice of any intention to formulate by-laws and policies on any matter which may affect the public. Written inputs on such proposed policies of by-laws or regarding any other matter concerning the exercise of powers of performance of duties by the Municipality may be submitted to the Municipal Manager or the Mayor at the address set out in paragraph 4.

The Municipality may use the following methods to engage in public participation:

- ⇒ Distribution of documents in public places for comment;
- ⇒ Surveys;
- ⇒ Newspaper Advertisements;
- ⇒ Formal public hearings;
- ⇒ Public meetings; and
- ⇒ Development of public participation structure.

9 DISCRETIONARY REFUSAL OF ACCESS TO RECORDS

The Information Officer has the discretion to refuse access of records where a request for access to information would involve disclosure of:

- [a] information supplied in confidence by a third party, the disclosure of which could reasonably be expected to cause prejudice;
- [b] information, the disclosure of which would be likely to impair the security of a building, structure or system, which may be a computer system, means of transport or any other property;
- [c] information regarding methods, systems, plan or procedures for the protection of an individual in a witness protection scheme, the safety of the public or the security of property;
- [d] a record containing the methods, techniques or guidelines for the prevention, detection, curtailment or investigation of a contravention or possible contravention of law or prosecution of an alleged offender;
- [e] a record on the prosecution of an alleged offender where disclosure of the record could reasonably be expected to impede the prosecution or result in a miscarriage of justice;
- [f] a record, the disclosure of which could reasonably be expected to:
 - i. prejudice the investigation of a contravention or possible contravention of the law;
 - ii. reveal or enable a person to identify a confidential source of information related to the enforcement or administration of the law;
 - iii. result in the intimidation or coercion of a witness or a person who may be called as a witness in criminal or other proceedings to enforce the law;
 - iv. prejudice or impair the fairness of a trial or the impartiality of adjudication.

- [g] information, the disclosure of which could cause prejudice to the defence, security of international relations of the Republic of South Africa;
- [h] information, the disclosure of which is likely to materially jeopardize the economic or financial interests of the Republic of South Africa or the ability of the government to manage the economy of the Republic of South Africa effectively;
- [i] information, which contains trade secrets of the state or a public body or could put a public body at a disadvantage in a contractual or other relations or prejudice a public body in commercial competition;
- [j] information which contains financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of the state or a public body;
- [k] information which is a computer program, defined in the Copyright Act, 1978 [Act 98 of 1978], owned by the state or a public body;
- [l] information about research being carried out or likely to be carried out by or on behalf of a third party, the disclosure of which would be likely to serious disadvantage a public body, person carrying out the research or subject matter of the research; or
- [m] information about a record of a public body which contains an opinion, advice, report or recommendation obtained or prepared or an account of a consultation, discussion, deliberation or minutes of a meeting on the formulation or a policy or taking a decision in the exercise of a power or performance of a duty conferred by law if disclosure could reasonably be expected to frustrate the deliberative process or success of the policy.

10 MANDATORY REFUSAL OF A REQUEST FOR ACCESS TO A RECORD

The Information Officer must refuse access to a record where a request for access to information would involve the unreasonable disclosure of personal information or trade secrets about a third party [including a deceased individual] or any information, other than trade secrets, that can cause harm to the commercial or financial interests of a third party.

Access must also be refused where a request for access to information would involve disclosure of information which is a computer program owned by a private body or where access to the record is prohibited in terms of Section 60 [14] of the Criminal Procedure Act, 1977 [Act 51 of 1977] or where the information is privileged or where the information can endanger the life or safety of an individual or the protection of property.

The Information Officer must refuse access to a record where the information would involve the disclosure of information supplied in confidence by a third party and it can reasonably be expected to put the third party at a disadvantage in contractual or other negotiations. Where the information would be a breach of duty of a confidence owed to a third party carrying out the research or the subject matter of the research causing serious disadvantage, access must be refused.

The Information Officer may refuse a request for access to a record if the request is manifestly frivolous or vexatious or the work involved in processing the request would substantially and unreasonably divert the resources of the Municipality.

11 INTERNAL APPEAL AGAINST DECISION OF INFORMATION OFFICER

If the Information Officer fails to give a decision on a request for access within 30 days or any extended period, the Information Officer is deemed to have refused the request and the requestor may lodge an internal appeal. An internal appeal must be lodged on the prescribed form as set out in **Annexure B** within 60 days in terms of the provisions of section 75[1][a][i] of the Information Act.

A requester may lodge an internal appeal against a refusal of a request or a decision of the Information Officer:

- ⇒ with respect to the prescribed fees, or the form of access;
- ⇒ the extension of period to deal with a request;
- ⇒ the form of access

A third party may lodge an internal appeal with the Municipality in terms of Section 72[c] of the Information Act against a decision by the Information Officer to disclose information.

A requester who has lodged an internal appeal and is not satisfied with the result may make an application for appropriate relief to a court, in terms of section 78 of the Information Act within 30 days of the decision on the internal appeal. A requester may not make an application to a court unless the requester has exhausted the prescribed internal appeal procedure.

12 PROCEDURE FOR AN INTERNAL APPEAL AND APPEAL FEES

An internal appeal must be lodged on the prescribed form within a period of 60 days. If a notice to a third party is required, such notice must be given within 30 days after an internal appeal was lodged. It must be posted, faxed or sent by electronic mail to the Information Officer.

The subject matter of the appeal must be identified and the reasons for the appeal must be stated. If in addition to a written reply, the appellant wishes to be informed of the decision of the internal appeal in any other manner, he or she must state that manner and provide the necessary particulars to be so informed.

If applicable the prescribed appeal fee must accompany the form. Late appeals, upon good cause shown, can be allowed.

An internal appeal shall be dealt with by the Speaker of the Municipality in accordance with the provisions of section 74 to 77 of the Information Act.

13 GENERAL INFORMATION

The Information Officer may be contacted for further information not contained in this manual. The Municipality will update and publish this manual at least once a year.

14 COMMENCEMENT

The date of commencement of this Manual is 1 February 2006.

ANNEXURE A**REQUEST FOR ACCESS TO RECORD OF THE TSWELOPELE LOCAL MUNICIPALITY**

[As contemplated in section 18[1] of the Promotion of Access to Information Act, 2000 [Act 2 of 2000] and Regulation 6 of the Regulations concerned]

A. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- [a] The particulars of the person who requests access to the record must be given below.
- [b] The address and / or fax number in the Republic to which the information is to be sent, must be given.
- [c] Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Postal Address:

.....

.....

.....

Telephone / Cell number: Fax number:

Identity number: E-mail address:

B. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Capacity in which request is made, when made on behalf of another person:

Full names and surname of person on whose behalf request is made:

Identity number: Telephone / Cell number:

C. PARTICULARS OF PUBLIC BODY

Name of Municipality:

Name of Information Officer:

D. PARTICULARS OF RECORD

- [a] Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- [b] If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if available: _____

3. Any further particulars of record: _____

E. FEES

- [a] A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- [b] You will be notified of the amount required to be paid as the request fee.
- [c] The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- [d] If you qualify for exemption from the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: _____

F. FORM OF ACCESS TO RECORD REQUIRED

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: _____	Form in which record is required: _____
-------------------	---

***Please mark the appropriate box with an X.**

NOTES:

- [a] Compliance with your request for access in the specified form may depend on the form in which the record is available.
- [b] Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- [c] The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record*
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2. If record consists of virtual images-

[this includes photographs, slides, video recordings, computer-generated images, sketches, etc]

<input type="checkbox"/>	View the images*	<input type="checkbox"/>	Copy the images*	<input type="checkbox"/>	Transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	Listen to the soundtrack [audio cassette]*	<input type="checkbox"/>	Transcription of soundtrack [written or printed document]*
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4. If record is held on computer or in an electronic or machine-readable form:						
<input type="checkbox"/>	Printed a copy of record*	<input type="checkbox"/>	Printed a copy of information derived from the record*	<input type="checkbox"/>	Copy in computer readable form [stiffy or compact disc]*	
*If you requested a copy of transcription of a record [above], do you wish the copy or transcription to be posted to you?					YES	NO
					<input type="checkbox"/>	<input type="checkbox"/>
Postage is payable						
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.						
In which language would you prefer the record?						
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>						

G. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

FOR OFFICIAL USE

Reference Number: _____

1. Receipt of Request

Request received by: _____

[state rank, name and surname of information officer] on _____ [date]

at _____ [place]

2. Fees paid

The following fees have been paid:

Request fee [if any]: R _____

Deposit [if any]: R _____

Access fees: R _____

3. Decision on requestRequest is ***APPROVED / DENIED** [*Delete whichever is not applicable], subject to the following conditions [if any]_____

INFORMATION OFFICER_____
DATE

ANNEXURE B**NOTICE OF INTERNAL APPEAL**

[As contemplated in section 75 of the Promotion of Access to information Act, 2000 [Act 2 of 2000] and Regulation 8 of the Regulations concerned]

Reference Number:

A. PARTICULARS OF PUBLIC BODY

Name of Municipality:

Name of Information Officer:

B. PARTICULARS OF APPELLANT / THIRD PARTY WHO LODGES THE INTERNAL APPEAL

- [a] The particulars of the person who requests access to the record must be given below.

[b] Proof of the capacity in which appeal is lodged, if applicable, must be attached.

[c] If the appellant is a third person and not the person who originally requested the information, the particulars of the original requester must be given at C below.

Full names and surname:

Identity number: Telephone: Fax:

Postal Address:

E-mail address:

Capacity in which an internal appeal on behalf of another person is lodged:

C. PARTICULARS OF ORIGINAL REQUESTER

This section must be completed ONLY if a third party other than the requester lodges the internal appeal.

Full names and surname:

Identity number: Telephone / Cell:

D. THE DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:	
<input type="checkbox"/>	Refusal of request of access
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 22 of the Information Act
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26 [1] of the Information Act
<input type="checkbox"/>	Decision in terms of section 29 [3] of the Information Act to refuse access in the form requested by the requester
<input type="checkbox"/>	Decision to grant request for access

E. GROUNDS FOR APPEAL

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
You must sign all the additional folios.

State the grounds on which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

F. NOTICE OF DECISION ON APPEAL

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars en enable compliance with your request.

Manner of notification: _____

Particulars: _____

Signed at _____ on this _____ day of _____ 20 _____

SIGNATURE OF APPELLANT

FOR OFFICIAL USE**OFFICIAL RECORD OF INTERNAL APPEAL****1. Appeal received**

by _____

[state rank, name and surname of Information Officer] on _____ [date]

- 2.** The notice of appeal, accompanied by the reasons for the Information Officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, was submitted to the Executive Mayor on _____ [date] for consideration

3. OUTCOME OF APPEAL

The decision of Information Officer is confirmed / the decision is submitted with the following new decision:

NEW DECISION:_____

SPEAKER_____
DATE**4. RECEIPT OF OUTCOME OF APPEAL**

This document containing the decision of the Speaker was received by the Information Officer on _____ [date]

INFORMATION OFFICER_____
DATE

ANNEXURE C

FEES PAYABLE IN TERMS OF THE INFORMATION ACT

1.	Copy of this Manual is available on request	Cost
2.	Request Fees [As meant in section 22[1] of the Information Act]	R 35-00
3.	Reproduction Fees [For records meant in section 15 of the Information Act] Every photocopy of an A4-size or a part thereof Every printed copy if an A4-size page or a part thereof held on a computer or in electronic or machine readable form A copy in a computer-readable form on: Stiffy disc Compact disc A transcription of visual images for an: A4-size page or part thereof for a copy of visual images for a transcription of an audio record for an A4-size page or part thereof for a copy of an audio record	R 0-60 R 0-40 R 5-00 R 40-00 R 22-00 R 60-00 R 12-00 R 17-00
4.	Access Fees [For records meant in section 22 of the Information Act] Every photocopy of an A4-size page or part thereof Every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form on: Stiffy disc Compact disc A transcription of visual images for an: A4-size page or part thereof for a copy of visual images for a transcription of an audio record for an A4-size page or part thereof for a copy of an audio record	R 0-60 R 5-00 R 40-00 R 22-00 R 60-00 R 12-00 R 17-00
5.	Search Fees [As meant in section 22[2] of the Information Act] To search for the record, for each hour or part of an hour	R 15-00
6.	Deposit A deposit is required if it is expected that the search will exceed six hours. One-third of the access fee, calculated in accordance with paragraph 4, is payable by the requester as a deposit.	
7.	Postage Postage is payable by the requester when a copy of the record must be posted to the requester.	
8.	Appeal Fees Appeal fees of R 50-00 is payable when an internal appeal is lodged. All amounts mentioned in annexure C is exclusive of VAT	

CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE / VOLUNTARY DISCLOSURE
[Section 14[1][e]]

[These records are automatically available without a person having to request access in terms of the Act, but where appropriate remain subject to review by the Information Officer in terms of section 15[4] of the Act.]

1. Records that is automatically available

The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in paragraph 10 of the Act:

- Personnel records are available to the employee concerned.
- Records of disciplinary hearings and related matters are available to the employee concerned.
- Policies and procedures documents are available to all employees.

The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in paragraph 10 of the Act:

- the municipality's establishment notice;
- public relations brochures and publications;
- media releases;
- minutes and agendas prepared for council excluding those parts which relate to personnel matters and which may in terms of relevant legislation be excluded;
- documents, reports, plans, frameworks, policies and procedures the content of which the municipality must notify the general public in terms of applicable legislation of its existence, council discussions on the subject or which must with intervals be published for general comment or cognisance by the public.
- the municipality's by-laws;
- legislation applicable to the municipality;
- the municipality's Integrated Development Plan;
- the municipality's operational budget;
- the municipality's financial statements.

2. How to access the records

- 2.1 To access the records a written request must be submitted to the information officer by completing **Annexure A** of this manual.
- 2.2 No request fee is however payable for access to a record that is automatically available.
- 2.3 Access fees will however be charged for access to records that are automatically available.