

MOHOKARE LOCAL MUNICIPALITY

ACCESS TO INFORMATION MANUAL

The Municipal Manager of Mohokare Local Municipality hereby, in terms of Section 14 of the Promotion of Access to Information Act, Act No. 2 of 2000, hereinafter referred to as PAIA, publishes the manual of the Mohokare Local Municipality as approved by the Municipal Council, as set out hereunder.

CONTENTS	PAGE
1. Definitions	2
2. Introduction	3
3. Description of the Municipality's Structure	3
4. Description of the Municipality's Functions	6
5. Guide developed by the Human Rights Commission	7
6. Details of the Information Officer and Deputy Information Officer	7
7. Description of Records held by the Mohokare Local Municipality	8
8. Procedure to Request Access to Records of Municipality	12
9. Description of Municipal Services Available to Members of the Public and How to gain Access to the Services	14
10. Arrangement and Provision for Persons to make Representations, Consult or Otherwise to participate or Influence the Formulation of Policy or the Exercising of Powers or Performance of Duties by the Municipality	14
11. Discretionary Refusal of Access to Records	15
12. Mandatory Refusal of a Request for Access to a Record	16
13. Internal Appeal against Decision of Information Officer	16
14. Procedure for an Internal Appeal and Appeal Fees	17
15. General Information	17
16. Commencement	17
17. List of Schedules	
Annexure A – Request for Access to Records of the Mohokare Local Municipality	18
Annexure B – Notice of Internal Appeal	21
Annexure C – Fees Payable in Terms of the Information Act	24

1. DEFINITIONS

In this guide unless the context requires otherwise –

“access fee” means a fee prescribed for the purposes of reproduction and for search and preparation, and for time reasonably required in excess of the hours prescribed to search for and to prepare the record for disclosure;

“authorized official” means an official of the municipality or the official of another municipality or another organ of state with which the municipality has concluded an agreement for the rendering of services in terms of this manual and to whom the Municipal Manager has delegated a duty, function or power under this manual;

“court” means –

(a) the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution of the Republic of South Africa, 1996; or

(b) (i) a High Court or another court of similar status; or

(ii) a Magistrate’s Court, either generally or in respect of a specified class of decisions in terms of PAIA, designated by the Minister; by notice in the Gazette and presided over by a magistrate or an additional magistrate designated in terms of section 91A, within whose area of jurisdiction –

(aa) the decision of the information officer or relevant authority of a public body or the head of a private body has been taken;

(bb) the public body or private body concerned has its principal place of administration or business; or

(cc) the requester or third party concerned is domiciled or ordinarily resident;

“Guide” means the book produced by the Human Rights Commission in terms of section 10 of the Promotion of Access to Information Act, No. 2 of 2000, for the purposes of reasonably assisting a person who wishes to exercise any right in terms of the Act;

“Human Rights Commission” means the South African Human Rights Commission;

“information officer”, in relation to the municipality, means the Municipal Manager;

“Municipality” means

(a) The Mohokare Local Municipality or its successor-in-title; or

(b) The Municipal Manager of the Mohokare Local Municipality in respect of the performance of any function or exercise of any right, duty, obligation or function in terms of this manual; or

(c) An authorized agent of Mohokare Local Municipality

“Municipal Council” means municipal council as referred to in section 157(1) of the Constitution, 1996, Act No. 108 of 1996;

“Municipal Manager” means the person appointed by the municipal council as the municipal manager of the municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998, Act No 117 of 1998) and it includes any person –

(a) Acting in such a position; and

(b) To whom the Municipal Manager has delegated power, function or duty in respect of such a delegated power, function or duty;

“PAIA” means the Promotion of Access to Information Act, 2000, Act No.2 of 2000;

“person” means a natural or a juristic person;

“personal requester” means a requester seeking access to a record containing personal information about the requester;

“private body” means –

- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- (b) a partnership which carries or has carried on any trade, business or profession; or
- (c) any former or existing juristic person; but excludes a public body;

“public body” means –

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or
- (b) any other functionary or institution when –
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any other legislation;

“record” means any recorded information –

- (a) regardless of the form or medium;
- (b) in the possession or under the control of that public or private body respectively; and
- (c) whether or not it was created by that public or private body, respectively;

“Regulations in terms of the promotion of access to information” means regulations regarding the promotion of access to information published in Government Notice no. R. 187 of 15 February 2002 (Government Gazette No. 23119), amended by Government Notice No. R.1244 of 22 September 2003 (Government Gazette No.25411)

“relevant authority” in relation to records requested from the Municipality means - the Municipal Manager or the Deputy Information Officer;

“request for access” means a request for access to a record in terms of section 11 of PAIA;

“requester” means –

- (i) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or
- (ii) a person acting on behalf of the person referred to in subparagraph (i);

“third party” means any person (including, but not limited, to the government of a foreign state, an international organisation or an organ of that government or organisation) other than –

- (i) the requester concerned; and
- (ii) a public body.

“working days” means any days other than Saturdays, Sundays or public holidays, as defined in section 1 of the Public Holidays Act, 1994 (Act, No. 36 of 1994).

In this Guide, words importing any one gender shall include the other two genders, and the singular shall include the plural, unless the context indicates otherwise.

2. INTRODUCTION

This Manual has been compiled by the Mohokare Local Municipality (hereafter “the Municipality”) in terms of the provisions of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000) (hereafter “the Information Act”) with the object to give effect to the constitutional right of access to information, and it will apply to all records of the Municipality as defined in the Information Act.

3. DESCRIPTION OF THE STRUCTURE OF THE MUNICIPALITY

The Municipality is an organ of state within the local sphere of government and

established by means of Provincial Notice No. 181 published in the Free State Provincial Gazette of 28 September 2000.

The Municipality is a municipality with a plenary executive system combined with a ward participatory system as contemplated in section 2(f) of the Determination of Types of Municipality Act, 2000 (Act No.1 of 2000).

The structure of the Municipality consists of a political office and administrative structure.

3.1 Political Structure

The political structure comprises of the Council which appointed members to serve in five Section 79 Committees. The Council is chaired by the Speaker who is also called the Mayor.

3.1.1 The Mayor

The Mayor is responsible for political supervision of, and in consultation with the Municipal Manager, for the accountability of the administration. He/she is also responsible for interacting with the community on matters that affect them, particularly on compilation of Integrated Development Plan (IDP) and Annual Budget.

He/she presides over the meetings of the Council and performs the duties and exercise the powers assigned to him/her in terms of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) (hereafter “the Structures Act”), as well as those powers and functions delegated to him/her by the council.

3.1.2 The Section 79 Committees

The Section 79 Committees process the items that are placed before them by the administration and forward them with recommendations to the Council.

3.2 Administrative Structure

The administrative structure is composed of five directorates, namely, Office of the Municipal Manager, Corporate Services, Financial Services, Technical Services and Community Services.

3.2.1 Office of the Municipal Manager (Planning and Development)

The Office of the Municipal Manager is responsible for the overall administration of the institution. However, the following specific responsibilities are located within the office of the Municipal Manager:

Performance Management System

Internal Audit
Risk Management
Human Resources
Public Safety and Security
Integrated Development Planning
Land Use Management (SPLUMA)
Licensing (business & hawkers) and Permits (advertising boards)
Local Economic Development services

3.2.1 Corporate Services

The Department of Corporate Services performs the following functions:

Corporate Management Support Services
Committee Services
Records Management
Labour Relations
Human Resources Development
Communications
Customer Relations
Intergovernmental Relations
Office of the Mayor

3.2.3 Technical Services

The Department Technical Services performs the following functions:

Drinking Water services
Waste Water services
Mechanical maintenance
Urban roads and storm water infrastructure
Electrical maintenance assistance services
Civil engineering services
Project management

3.2.4 Community Services

This Department Community Services performs the following functions:

Land and Housing management
Municipal amenities
Parks and sports facilities
Council properties
Cleaning services (refuse and sidewalks)
Pounds management
Traffic Law enforcement

Disaster management
Social development
Environmental health services
Rural development

3.2.5 Financial Services

This Department Financial Services performs the following functions:

Financial Management
Revenue Enhancement
Budget and Reporting
Asset Management
Supply Chain Management Services
Support Services

4. DESCRIPTION OF THE MUNICIPALITY'S FUNCTIONS

The Municipality has all the powers and functions assigned to it in terms of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996) (hereafter "the Constitution") and in terms of other national and provincial legislations. It has legislative and executive authority in respect of such powers and functions.

The Municipality also has the right to do anything reasonably necessary for or incidental to the effective performance of its functions.

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

Potable Water Supply
Domestic Waste Water and Sewage disposal
Solid Waste Disposal
Electricity Distribution
Municipal Public Works (Roads and Storm Water)
Community and Social Services
Municipal Planning
Emergency Services
Municipal Health Services
Environmental Management
Housing
Local Economic Development
Local Tourism
Disaster Management
Traffic and Policing
Cemeteries
Quarries

The Municipal Council has the right to finance its affairs by charging fees for services rendered and rates on property as authorized by national legislation.

5. THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE (SEC. 10 OF THE ACT)

The Human Rights Commission, established in terms of the provisions of section 181 (b) of the Constitution, has in accordance with the provisions of section 10 of the Information Act, compiled a guide containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Information Act. This guide was published within 18 months of the Information Act coming into effect. If a person wishes to obtain further information, he or she should contact the Human Rights Commission at:

Head Office

Human Rights Commission
33 Hoofd Street
Braampark Forum 3
Braamfontein
2017
Tel: (011) 8773601
Fax: (011) 4030625

Regional Office (Free State)

Human Rights Commission
50 East Burger Street
1st Floor TAB Building
Bloemfontein
9300
Tel: (051) 4471130
Fax: (051) 4471128

6. DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER.

6.1 The contact details of the Information Officer of the Municipality are listed below:

Designation	: Municipal Manager, CT Panyani
Street address	: Hoofd Street, Zastron, 9950
Postal Address	: P.O. Box 20, Zastron, 9950
Telephone Number	: 051 - 6739600

Fax Number	: 051 – 6731 550
Electronic mail address	: tpanyani@yahoo.com

6.2 The contact details of the Deputy Information Officer of the Municipality are listed below:

Designation	: Director: Corporate Services, LV Nqoko
Street address	: Hoofd Street, Zastron, 9950
Postal Address	: PO Box 20, Zastron, 9950
Telephone Number	: 051 - 6739600
Fax Number	: 051 - 6731550
Electronic mail address	: limakatson@mohokare.gov.za

7. DESCRIPTION OF RECORDS HELD BY THE MOHOKARE LOCAL MUNICIPALITY

7.1 Legislation

National legislation
 Provincial legislation
 Municipal by-laws

7.2 Organization and local government system

Policies
 Functions
 Creating of new directorates and sub-directorates
 Language Matters
 Computer developments
 Planning and procedure
 Delegation of powers
 Privatization
 Standing resolutions
 Signing powers
 Office instructions
 Local government system
 Establishment and implementation
 Reconstruction and development program

7.3 Elections

Policies
 Demarcation
 Voters' Roll
 Nominations

By-election
Voting stations
Election officials
Election of office bearers
Revision Court
Reports and statistics

7.4 Council and Council Matters

Policies
Meetings
Agendas and minutes
Member matters

7.5 Finance

Policies
Budget
Sources of income
Deposits and guarantees
Recovering of money
Trust funds and investments
Payments
Loans
Insurance
Financial control

7.6 Human Resource Matters

Policies
Conditions of service
Management of posts
Remuneration
Vacancies and appointments
Training and development
Human Resource Management
Equipment
Personnel evaluation
Retirement and resignation
Labour relations
Performance
Occupational Health & Safety

7.7 Land Affairs and Buildings

Acquisition of land
Alienation of land
Acquisition of buildings
Maintenance of buildings
Lease of buildings
Security at buildings

7.8 Stock, Equipment and Services

- Policies
- Stock and equipment
- Standard specifications
- Acquisition and maintenance
- Statistics and reports
- Disposal
- Asset register
- Services provided to the council
- Professional appointments
- Contract appointments
- Communication
- Telephones and cell phones
- Radio masts

7.9 Tenders, Quotations and Contracts

- Policies
- Conditions
- Advertisement
- Specific Tenders & Quotations
- Specific Contracts

7.10 Records Management

- Policies
- Filing system
- Disposal of archives
- Micro filming
- Data processing
- Inspections

7.11 Statements and Reports

- Policies
- Internal reports
- External reports

7.12 Publicity and Information

- Policies
- Own publicity and information
- Council emblems
- Provision of information
- Publicity by private persons and bodies
- Advertisement rights
- Advertisements
- Permanent signs

7.13 Festivals and Social Interaction

- Policies
- Festivals

Social interaction
Own receptions and functions
Other receptions and functions
Awards of honour to members of public

7.14 Composition and Meetings of Institutions and Other Bodies

Policies
Own meetings and gatherings
External bodies and gatherings
Agendas, minutes and policy rulings
National and Provincial
Regional and Local

7.15 Legal Matters

Policies
Legal opinions
Civil matters
Criminal matters
Damaging of council property
Motor vehicle accidents

7.16 Licenses, Certificates, Permits and Exemptions

Policies
Licenses
Certificates
Permits
Exemptions

7.17 Town Planning and Building Control

Policies
Planning
Control of township areas
Appointment of consulting town engineers
Register of consent use
Sinking of boreholes
Reservation of grounds
Geological surveys
Guidelines, structural and town planning schemes
Township plans
Establishment of townships
Control over housing development
Building control

7.18 Essential Services

Water
Electricity
Roads and streets
Sewerage

Sanitation
Cemeteries
Quarries

7.19 Community Services

Health
Diseases and pests
Investigations
Education
Child care facilities
Traffic control
Housing
Sidings
Community halls, parks, gardens and open areas
Conference facilities and theaters
Sport and recreation
Transport
Provision and running of firefighting service
Abattoir
Pounds
Welfare
Research
Environment conservation
Religion and churches
Museums and other monuments
Protection services
Security
Community development

8. PROCEDURE TO REQUEST ACCESS TO RECORDS OF MUNICIPALITY

- 8.1 If a member of the public wishes to make a request for access to a record of the Municipality in terms of the provision of the Information Act, a written request must be made to the Information Officer on the application form attached hereto as Annexure A.

A person who is illiterate or otherwise unable to make a request for access to a record because of a disability may make an oral request. The Information Officer must assist the requester by putting the request to writing. The Information Officer must also assist a person who requires reasonable assistance free of charge.

The language in which the requester wishes to obtain the record must be stated by the requester. If the record is not available in the language preferred by the requester, access may be granted in the language in which the record is available.

The application should provide sufficient information to enable the Information Officer to:

- identify the records requested (including a description of the record, a reference number and any further particulars on the record); and
- identify the requester, including all contact information.

The information should also enable the Information Officer to identify the form of access required by the requester, for instance:

- whether the requester wishes to make a copy of a written or printed record or inspect the record,
- whether the requester wishes to view or copy visual images which may be photographs, slides, video recordings, computer generated images or sketches or obtain a transcription of the images;
- whether the requester wishes to listen to a soundtrack or obtain a written or printed transcription of the soundtrack.;
- whether the requester wishes to obtain a printed copy of a computer or an electronic or machine readable derived from the aforesaid.

8.2 The application form must be accompanied by the prescribed search fee listed in Annexure C of this manual. A person who is seeking information about himself or herself does not have to pay the initial fee, while a requestor other than a personal requester has to pay an initial fee of R 35-00 for a record. All requesters, except those who are exempted in terms of section 22 (8) (a) of the Information Act, must pay the required fees to obtain a record.

The requester will be given the required information, if available, within a reasonable time after receipt of the application form and prescribed fee.

The Information Officer may transfer a request where a record is not under the control or in the possession of the Municipality or where the subject matter is more closely connected with the functions of another public body or where the record contains commercial information in which another public body has a greater interest. The request will be transferred as soon as reasonably possible, but in any event within 14 days after the request is received. The Information Officer must notify the requester of the transfer as well as the reasons for the transfer and the period within which the request must be addressed.

If information is no longer available or cannot be found and all reasonable steps have been taken to find such a record, the Information Officer must, by way of an affidavit of affirmation notify the requester accordingly. Access may be deferred where a record is not yet available. The requester will be notified accordingly.

The Information Officer must decide within 30 days whether to grant the request. If the request is granted, a notice shall be send to the requester stating the following:

- that the access fee, if any, must be paid upon being granted access;
- the form in which access will be given; and
- that the requester may lodge an internal appeal with the Municipality or an application with a court against the access fee to be paid or the form in which access is to be granted.

If the request is not granted, the notice by the Information Officer must give adequate reasons for the refusal, excluding any reference to the content of the record and stating that the requester may lodge an internal appeal with the Municipality or application with a court against the refusal of the request and the procedure to lodge an internal appeal or application.

The Information Officer may extend the period of 30 days in which to decide on the request if:

- it is for a large number of records and compliance would unreasonably interfere with the activities of the Municipality; consultations with other departments of the Municipality or with another public body are necessary or desirable and the Information Officer cannot be reasonably be expected to complete the consultations within the initial 30 days; or
- the requester consents in writing to the extension.

If a period is extended, the Information Officer must within 30 days after the request is received, notify the requester of that extension and the reasons. The notice must state the period of extension as well as adequate reasons for the extensions. The notice must also state that the requester may lodge an internal appeal with the Municipality or an application with a court against the extension and the procedure (including the period) for lodging the application. The notice must also provide information on the procedure to be followed to lodge such an appeal or application.

9. DESCRIPTION OF MUNICIPAL SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THE SERVICES

The municipal services as set out in 4 are available to members of the public, and information about these services can be obtained from the officer indicated in 6.

10. ARRANGEMENT AND PROVISIONS FOR PERSONS TO MAKE REPRESENTATIONS, CONSULT OR OTHERWISE TO PARTICIPATE OR INFLUENCE THE FORMULATION OF POLICY OR THE EXERCISING OF POWERS OR PERFORMANCE OF DUTIES 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 or 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 6.

11. 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, plans 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:
 - prejudice the investigation of a contravention or possible contravention of the law;
 - reveal or enable a person to identify a confidential source of information related to the enforcement or administration of the law;
 - 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;
 - a contravention of the law; or
 - prejudice or impair the fairness of a trial or the impartiality of adjudication.
- (g) information, the disclosure of which could cause prejudice to the defense, 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 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;
- (j) information which is a computer program, defined in the Copyright Act, 1978 (Act No 98 of 1978), owned by the state or a public body;
- (k) 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 seriously disadvantage a public body, person carrying out the research or subject matter of

the research;

- (l) 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.

12. 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, 977 (Act No 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 or where the disclosure of information about research would expose the person or third party carrying out the research or the subject matter of the research causing serious disadvantage, access must be refused.

13. 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;

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.

14. 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.

15. 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.

16. COMMENCEMENT

The date of commencement of this Manual is 01 December 2014.

ANNEXURE A

REQUEST FOR ACCESS TO RECORDS OF THE MOHOKARE LOCAL MUNICIPALITY

(As contemplated in Section 18(1) of the Promotion of Access to Information Act, 2000
(Act No 2 of 2000) and regulation 6 of the Regulation concerned

A. PARTICULARS OF PERSON REQUESTING ACCESS TO 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 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 of 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 in 1 – 4 below state your disability and indicate in which form the record is required.

Disability	
------------------------------	--

*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.
- (c) In such a case you will be informed if access will be granted in another form requested.

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

Copy of record ·		Inspection of records ·
------------------	--	-------------------------

2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc:

view the images *		Copy of the Images ·	transcription of the images*
-------------------	--	----------------------	------------------------------

3. If record consists of recorded words or information which can be reproduced in sound:

Listen to the soundtrack(audio cassette)		transcription of soundtrack* (written or printed document)
--	--	--

4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record' ·		printed copy information derived from the record*	copy in computer readable form* (floppy or compact disc)
---------------------------	--	---	--

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO	
---	-----	----	--

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?

G. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS.

You will be notified 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 of your request.

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

.....
.....
.....
.....

Signed aton thisday 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

Request fee (if any): R.....
Deposit (if any): R
Access fee: R.....

3.Decision on Request

Request is ***APPROVED/DISAPPROVED**, subject to the following conditions (if any)

.....
.....
.....

(*Delete whichever is not applicable).....

INFORMATION OFFICER **DATE**

ANNEXURE B

NOTICE OF INTERNAL APPEAL

(As contemplated in Section 75 of the Promotion of Access to Information Act 2000
(Act No. 2 of 2000))[Regulation 8 of the Regulation concerned]

Ref number

A. PARTICULAR

B. S

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 lodge the internal appeal 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 requester must be given at C below. |
|---|

Full names and surname:

Identity number:TelephoneFax

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 for access
<input type="checkbox"/>	

	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by
	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 to enable compliance with your request.

Manner of Notification:

Particulars :

Signed at.....on thisday of20

SIGNATURE OF APPELLANT

**FOR OFFICIAL USE:
OFFICIAL RECORD OF INTERNAL APPEAL**

1. Appeal received by.....
(State rank, name and Surname of Information Officer) on

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 Speaker ondate for consideration.

3.OUTCOME OF APPEAL:

*The decision of the Information Officer is confirmed /the decision is substituted by

NEW DECISION:

SPEAKER **DATE**

RECEIPT OF APPEAL OUTCOME

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. 1. Copy of this Manual is available on request

Form of Access	COSTS
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	R 0-60
Every printed copy if an A4-size page or a part thereof held on a computer or in electronic or machine-readable form	R 0-40
A copy in a computer-readable form on: Compact disc	R 40-00
A transcription of visual images for an A4-size page or part thereof	R 22-00
for a copy of visual images	R 60-00
for a transcription of an audio record for an A4-size page or part thereof	R12-00
for a copy of an audio record	R17,00
4. Access Fees	
(For records meant in section 22 of the Information Act)	
Every photocopy of an A4-size page or a part thereof	R 0,60
Every printed copy of an A4-size page or a part thereof held on a computer or in electronic or machine readable form	R 0-40
A copy in a computer-readable form on:	
Compact disc	R 40,00
A transcription of visual images for an A4-size page or part thereof	R 22-00
for a copy of visual images	R 60-00
for a transcription of an audio record, for an A4-size page or part thereof	R 12,00
for a copy of an audio record	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 R50-00 is payable when an internal appeal is lodged	
All amounts mentioned in Annexure C are exclusive of VAT	