



PROMOTION OF ACCESS TO INFORMATION ACT – MANUAL

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**IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT, ACT 2 OF 2000
(THE ACT)**

ACCESS TO INFORMATION

This manual has been compiled in accordance with the Promotion of Access to Information Act (Act 2 of 2000) (hereinafter referred to as "the Act")

This manual has been compiled with a view to:

- Establish a culture of transparency and accountability and to be able to afford every person the right of access to information;
- Actively promote a community where people residing in the Garden Route District Municipal Area can have access to information that will enable them to effectively promote and protect their rights;
- Create an understanding of functions performed and records kept by the Municipality, and
- Assist in fostering a culture of transparency and accountability in a democratic and open society.

CHAPTER 1: DESCRIPTION OF STRUCTURES AND FUNCTIONS (DC4)

The Garden Route District Municipality was instituted on 5 December 2000 in accordance with the provisions of the Local Government: Municipal Systems Act, 2002 (Act 32 of 2000) [hereinafter referred to as the Systems Act] with a section 12 Notice, Provincial Notice No. P.N. 497 dated 22 September 2000.

The Municipality is guided by its mission, vision and strategic priorities and has structured its organisation accordingly.

1.1 MACRO ORGANISATIONAL STRUCTURE

Refer to **Annexure "A"** for the Organisational Structure.

1.2 Municipal Council:

The Council consists of 35 Councillors, including the following full time Councillors: the Executive Mayor, the Deputy Mayor, the Speaker and 7 Councillors (Mayoral Committee).

The Executive Mayor has been assigned with the Executive Leadership of the Council and all the relevant powers, excluding those as stipulated in the Constitution, 1996 has been assigned to this office, subject to the stipulations of Section 59(1)(a) of the Systems Act. A Mayoral Committee consisting of the Deputy Mayor and seven (7) Councillors who are chairing the Portfolio Committees assists the Executive Mayor.

There are seven (7) Portfolio Committees which report to the Executive Mayor via the Mayoral Committee, namely

1. Portfolio: Community Services
2. Portfolio: Strategic Services
3. Portfolio: Financial Services
4. Portfolio: Corporate Services
5. Portfolio: Planning & Economic Development
6. Portfolio: Property/Asset Management

1.3 Functions

Garden Route District Municipality is mainly responsible for the following:

1. Integrated development planning in the district;
2. Bulk infrastructure planning;
3. Solid waste disposal sites;
4. Provincial roads (agency basis);
5. Regulation of passenger transport services;
6. Municipal Health Services;
7. Fire Fighting services in the District / Disaster Management; and
8. Promotion of local tourism

A district municipality may also seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole by-

- (a) promoting bulk infrastructural development and services for the district as a whole.
- (b) building the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking; and
- (c) promoting the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within the area.

1.4 Office of the Municipal Manager

The Municipal Manager is responsible for the management of the Municipality and all its Departments and is the contact between the political structures and the administration. The departments are described hereunder.

- (a) Department: Corporate Services
- (b) Department: Financial Services
- (c) Department: Community Services
- (d) Department: Road Services (Agency Provincial Government)
- (e) Department: Planning & Economic Development
(See Annexure "A")

CHAPTER 2: CONTACT DETAILS OF INFORMATION OFFICERS

The Act purports to actively promote a society in which the public have effective access to information to enable them to more fully exercise and protect all their rights.

The particulars of the Information Officers and deputies appointed are as follows:

2.1 CONTACT DETAILS

2.1.1 Information Officer

Municipal Manager: Mr M G Stratu –
Name: Mr M G Stratu Tel: 044 803 1300
e-mail:records@gardenroute.gov.za

2.1.2 Deputy Information Officers

- a) Department: Corporate Services
Name: Beatrix Holtzhausen Tel: 044 -803 1353
e-mail:trix@gardenroute.gov.za
- b) Department: Community Services
Name: Clive Africa Tel: 044 – 803 1524
e-mail:cafrica@gardenroute.gov.za
- c) Department: Financial Services
Name: Jan-Willem de Jager Tel: 044 – 803 1341
e-mail:Jan-Willem@gardenroute.gov.za
- d) Department: Road Services (Agency Provincial Government)
Name: John Daniels Tel: 044 – 803 1536
e-mail:johnd@gardenroute.gov.za
- e) Department: Planning & Economic Development
Name: Lusanda Menze Tel: 044-803 1398
e-mail: lusanda@gardenroute.gov.za

2.1.3	Street Address PO Box 12 George 6530	Postal Address 54 York Street George 6530
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2.1.4 **Tel No:** 044 803 1300

2.1.5 **Fax No:** 086 555 6303

2.1.6 **Website:** www.gardenroute.gov.za

2.1.7 **Email:** records@gardenroute.gov.za

All formal requests for access to information, on the prescribed form, must be addressed to the information officer or (any) one of the applicable Deputies.

CHAPTER 3: GUIDELINES ON THE APPLICATION OF THE ACT REGARDING THE PROTECTION OF HUMAN RIGHTS

The Human Rights Commission is the appropriate and constitutionally designated institution for guidance on the protection of Human Rights.

Section 14(1)(c) of the Act calls for a description of the guide referred to in section 10 of the Act, and how to obtain access to it, a guide to be compiled by the Human Rights Commission.

The Guide is obtainable from the South African Human Rights Commission.

Any enquiries in this regard should be directed to:

The Department of Research and Documentation
South African Human Rights Commission
PAIA Unit
Private Bag 2700
HOUGHTON
2041

Tel No: +27 11 484 8300

Fax No: +27 11 484 7146/7

Website: www.sahrc.org.za

Email: paia@sahrc.org.za

CHAPTER 4: RECORDS AND CATEGORIES OF SUBJECTS HELD BY THE MUNICIPALITY

4.1 SUBJECTS

The Municipality holds records on various subjects, the different categories of records within these subjects follow hereafter like

- 4.1.1 Legislation,
- 4.1.2 Organisation and Control
- 4.1.3 Political system,
- 4.1.4 Policies
- 4.1.5 Tenders and Contracts
- 4.1.6 Reports, returns and statistics,

and other information regarding the Municipal administration and services.

“Records” of the Municipality refer to those records created or received in the course of official business and which are kept as evidence of the Municipality’s functions, activities and transactions.

There are different forms of records, for example correspondence files, maps, plans, registers, agendas and minutes, which could be available in different media, e.g. paper, electronic.

Annexure “B” gives a description of the subjects on which the Municipality holds records. More complete particulars may be inspected at the Municipal offices on arrangements made with (any) one of the applicable Deputy Information Officers.

4.2 ACCESS GIVEN

When a record / information is requested in terms of the Act, the requester will be given access thereto if the requester complies with the following:

- All the procedural requirements in the Act relating to the request for access to a record; and
- Access to the record is not refused on any ground of refusal mentioned in the Act.

CHAPTER 5: CATEGORIES OF RECORDS THAT ARE AVAILABLE AUTOMATICALLY

The following categories of records of the Garden Route District Municipality are automatically available as voluntary disclosure without a person having to request access in terms of the Act and this manual. Some of these records will also be made available free of charge and be updated from time to time on the website (www.gardenroute.gov.za)

The records listed hereunder may be obtained from the Municipality's Head Office, which is situated at 54 York Street, George. Where there are sufficient copies available, the record may be obtained free of charge while stocks last, where after a reproduction fee is payable. (The records automatically available remain subject to review by the Information Officer in terms of section 15(4) of the Act.)

RECORDS AVAILABLE

5.1 Business details

The name, location, address, telephone number, contact person, business hours, etcetera of all municipal offices, depots, installations, facilities and amenities.

5.2 Agendas and minutes

The agendas, minutes, time and venue of all meetings held by the Council, its structure as well as formal personnel meetings, excluding agendas and minutes that have been marked as in committee or confidential.

5.3 Councillors

Official information of the Executive Mayor, Deputy Executive Mayor, Speaker and other office bearers like proportional, political party and election details, office in Council, eg. Members of a committee and whether he/she is a full-time office bearer or not, representation on other bodies, salary, allowances, etcetera and, declaration of interest in terms of item 7 of the Code of Conduct.

5.4 Structures of the Council and Committees

5.5 Municipal legislation, by-laws and policies

5.6 Delegations

Delegated to:

- Political office bearers
- Councillors
- Personnel
- Structures (Mayoral Committee, Portfolio Committees)

5.7 Authorisation granted to political office bearers, councillors and personnel

5.8 Resolutions

Specific formal resolutions by Councillors, Mayco or Management in accordance with the authority or duty that has been delegated or sub-delegated to him/her.

5.9 Budget

Documentation with regard to –

- IDP
- Capital budget
- Operational budget
- Budget control
- Business plans

5.10 Financial records

- Annual statements
- Monies in arrears (excluding personal details)

5.11 Particulars

In connection with –

- Assets
- Agreements
- Contractors, service providers
- Tenders awarded

5.12 Tariffs, fees, levies, etcetera

- All tariffs, fees, levies etcetera approved by the Council for the current financial year.
- All tariffs, fees, levies, etcetera approved by the Council for the previous two financial years.

5.13 Personal information on personnel

Personal information on personnel in accordance with Section 34(2)(f) with regard to-

- The fact whether a person is or has been an official;
- The title, business address, business telephone number, e-mail address of an official;
- The post level, salary scale and allowances of an official;
- Responsibilities related to an official's position

5.14 Statistics

(Excluding individual's personal details)

- Specific statistics maintained for departmental use in the format in which it is available
- Statistics in the format as prescribed by law.

5.15 Personal information of personal requester

Personal information requested by a personal requester for access to a record that contains personal information of the requester on positive identification

5.16 Research

Information with reference to specific research conducted by or on behalf of the Municipality with the proviso that such research results have already been submitted to the Council or one of its structures and that no copyright rests with persons or institution(s) that is not associated with the municipality.

5.17 Publications

All publications by or on behalf of the Municipality which have already been made public or have already been submitted to the Council and in terms of which no copyright rests with a person or institution that is not associated with the municipality.

5.18 Tenders

Tenders and development proposals once they have been opened and adjudicated.

5.19 Service Providers

Details of providers of services to the Council.

CHAPTER 6: CATEGORIES OF INFORMATION THAT NEED TO BE REQUESTED FORMALLY

6.1 Formal request for information

Where a person wishes to access information held by the Municipality, other than the records listed in chapter 4, such a person must make a request for access to the Information Officer/Deputy Information Officer in the manner prescribed hereunder:

The completed request form may be submitted to the addresses indicated in chapter 2 in any one of the following ways:

- Delivered by hand at the Head Office marked for attention: Rekords
- By post marked for attention: Rekords
- By facsimile or
- e-mail to rekords@gardenroute.co.za

6.2 Request procedures

6.2.1 Access to information must be requested by-

6.2.1.1 completion of the prescribed form (**“Annexure “C”**) addressed to the Municipal Manager and;

6.2.1.2 payment of the prescribed fee as set out in Schedules of this manual **Annexure “D”**. A requester who seeks access to a record containing personal information about that requester is, however, not required to pay the request fee.

6.2.1.3 the applicant should state clearly what information is required in order for the Information Officer/Deputy Information Officer to provide the information to identify-

- the correct records requested and the nature thereof; and
- clearly identify the requestor

6.2.2 After the Information Officer/Deputy Information Officer has made a decision on the request, the requester will be notified of such a decision in the format as requested.

6.2.3 The requester must indicate whether the request is for a copy of the record or whether the requester wants to scrutinise the record at the offices of the Garden Route District Municipality.

6.2.4 Access to the above information will only be granted to the requester in the form requested, unless doing so would interfere unreasonably with the running or operation of the Garden Route District Municipality, or damage the record, or infringe a copyright not owned by the District Municipality.

- 6.2.5 If for practical reasons access cannot be given in the required form but in an alternative form, then the fee will be calculated according to the form that the requester first asked for.
- 6.2.6 If the requester is unable to read or write, or has a disability, he/she can submit the request for the record verbally, in which case the Information Officer or Deputy Information Officer will complete the form on behalf of such requester and give the requester a copy of the completed form.
- 6.2.7 The requester must clearly indicate the following on the requisition form
- a) whether the requester would like to be informed telephonically about how successful his/her request has been, or in any other way;
 - b) the capacity in which the request is made, in case of the information being requested on behalf of someone else. In cases where the requester is asking for information on behalf of someone else, the capacity in which the request is being made should be indicated and proof thereof provided.
- 6.2.8 The requestor will be given the required information, if available, within a reasonable time after receipt of the application form and prescribed fee.
- 6.2.9 If a request for access is made for information which the Garden Route District Municipality is not in possession of, or the information is more closely connected to another public body, the request will be transferred as soon as reasonably possible, but in any event within 14 days after the request is received to the other body / institution / organization who could provide the information.
- 6.2.10 If information is no longer available and all reasonable steps have been taken to find a record requested, the Information Officer/Deputy Information Officer will, by means of an affidavit of affirmation inform the requestor accordingly, giving full reasons.
- 6.2.11 Requests may be deferred until information becomes available. The requestor will be notified accordingly and requested to make representations within thirty (30) days why the information is required prior to it becoming public.
- 6.2.12 Fees: the application form must be accompanied by the prescribed fees listed in Annexure "D" of this manual. A person who is seeking information about himself or herself does not have to pay the initial fee, while a requester other than a

personal requester has to pay an initial fee for a record. All requesters, except those who are exempted in terms of Section 22(8)(a) of the Act, must pay the required fees to obtain a record.

6.3 Appeal against refusal of access to information or a failure to act by the Municipality

6.3.1 If, on compliance with the requirements for the procedure to be followed as set out in 6.2 above:

- a) the Information Officer/Deputy Information Officer refuses to grant access to information; and/or
- b) such refusal is not based on any valid grounds for refusal as set out in the Act,

the applicant may lodge an appeal with the Information Officer against the decision taken by such a Deputy Information Officer.

6.3.2 An internal appeal-

- a) must be lodged in the prescribed form [notice of internal appeal] (**Annexure "E"**)
 - i) within sixty (60) days;
 - ii) if notice to a third party is required by section 49(1)(b), within thirty (30) days after notice is given to the appellant of the decision appealed against or, if notice to appellant is not required, after the decision was taken;
- b) must be delivered or sent to the Information Officer/Deputy Information Officer at his or her address, fax number or electronic mail address for handing over to the Executive Mayor, or the Speaker if delegated.
- c) must identify the subject of the internal appeal and state the reason for the internal appeal and may include any other relevant information known to the appellant; 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/she must state the manner and provide the necessary particulars to be so informed;
- d) if applicable, the request must be accompanied by the prescribed appeal fee;
- e) must specify a postal, e-mail or fax number.

- 6.3.3 The requester may file for a court order as additional assistance if the decision taken by the Information Officer/Deputy Information Officer, Executive Mayor or Speaker on appeal is not satisfactory.

CHAPTER 7: REFUSAL OF ACCESS TO RECORDS

7.1 Refusal of Access to records

The right of access to information is 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 and in a manner which balances that right with any other right, including the Bill of Rights in Chapter 2 of the Constitution.

Section 9(b)(ii) of the Constitution 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. The Information Officer/Deputy Information Officer may refuse access to certain records under the circumstances provided for in sections 33 to 46 of the Act.

7.2 Grounds for refusal of access to records

The Information Officer has the powers and-

- (a) must refuse a requester for access to a record contemplated in section 34(1), 35(1), 36(1), 37(1)(a), 38(a), 39(1)(a) 40 or 43(1); or
- (b) may refuse a request for access to a record contemplated in section 37(1)(b), 38(b), 39(1)(b), 41(1)(a) or (b), 42(1) or (3), 43(2), 44(1) or (2) or 45 unless the provisions of section 46 apply, or/and if, the disclosure thereof would reveal evidence of:
 - I) a substantial contravention of, or failure to comply with the law; or
 - II) an imminent and serious public safety or environmental risk; and the public interest in the disclosure of the record, outweighs the harm contemplated under the ground for refusal.

- 7.3 The summary of the more important grounds for refusal of access to records is attached as **Annexure "F"**

CHAPTER 8: MISCELLANEOUS

GENERAL MANUAL

- 8.1 This manual will be updated annually and be available in each sub office of the Municipality

8.2 Sub Offices

Particulars of sub offices where services are rendered are as follows:

ADDRESS	CONTACT NUMBER
MOSSEL BAY c/o Samson and Marlin Str extension 23 Mossel Bay 6506	044-693 0006 / 044-693 1746
RIVERSDALE 23 Mitchell Street Next to Hessequa Municipality	028-713 2438
OUDTSHOORN 94 St John Street Oudtshoorn 6600	044-272 2241
UNIONDALE 39 Voortrekker Street Uniondale Next to PEP Stores	044-752 1024
KNYSNA 24A Queen Street Behind old Edgars Mall	044-382 7214/5
PLETTENBERG BAY 4 Virginia Street Plettenberg Bay 6600	044-501 1600

ANNEXURES

Annexure "A"	Macro Organisational Structure
Annexure "B"	Categories of Records held by the Municipality
Annexure "C"	Prescribed application form for access
Annexure "D"	Scale of prescribed fees
Annexure "E"	Notice of Internal Appeal
Annexure "F"	Summary: Grounds for refusal of access to records

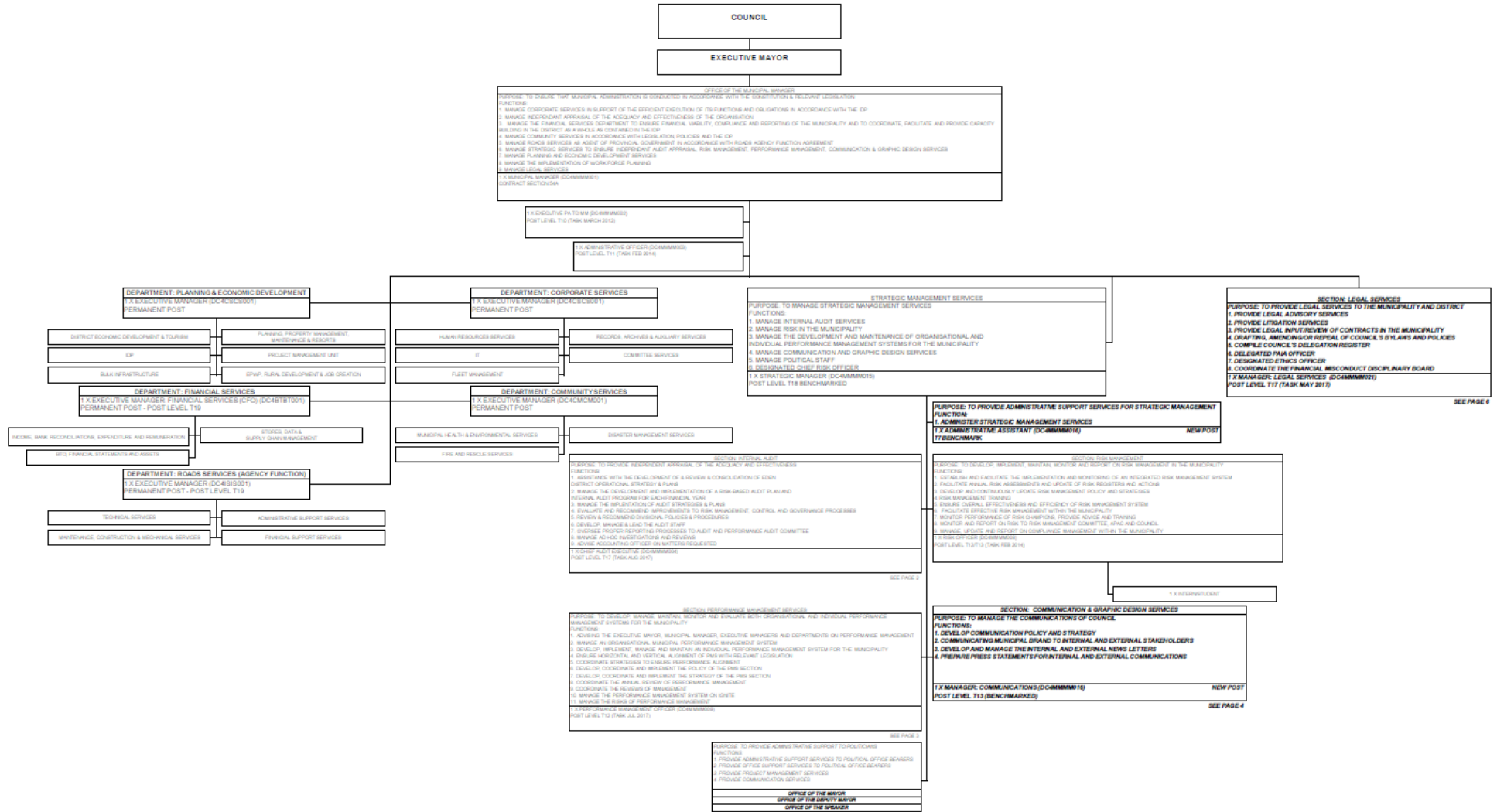
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EDEN DISTRICT MUNICIPALITY
ORGANOGRAM: OFFICE OF MUNICIPAL MANAGER (2018/2019)
COUNCIL APPROVAL: DC C.5 on 29/05/2018

Last Modified
06/12/2018

ANNEXURE A



ANNEXURE “B”: Categories of Records held by the Municipality

The Municipality holds records on the following categories: inter alia-

4.2.1 Legislation

- (a) National and Provincial Acts applicable to local government
- (b) Municipal ordinances of the Garden Route District Municipality.

4.2.2 Organisation and Control

- (a) Organisational Structure
- (b) Integrated Development Plan
- (c) The Municipality's vision and mission
- (d) Strategies
- (e) Delegation and powers to personnel
- (f) Delegation of powers to political structures, political office bearers and councillors
- (g) Filing system
- (h) Performance Management System
- (i) Business Plans
- (j) Policy Statements

4.2.3 Political system

- (a) Institution notices
- (b) Political Structure: name, composition, terms of reference, party political representation, office bearers, time and date of meeting.
- (c) Political Office bearers: names, official job title, party political affiliation, contact details
- (d) Councillors: names, party-political affiliation, ward or proportional status, contact details, financial declaration in accordance with the code of conduct.
- (e) Remuneration and allowances of office bearers and councillors.
- (f) Agendas and minutes of all meetings of political structures.
- (g) Rules and procedure governing meetings.

4.2.4 Policy

- (a) Garden Route District Municipality Air Quality Management Plan
1. Risk Management Policy
 2. Risk Committee Charter
 3. Revised Performance Management Policy Framework
 4. Individual Performance Management Policy
 5. Performance Management Policy Framework
 6. Internal Audit Charter
 7. Audit & Performance Audit Committee Charter
 8. Communication Policy

9. ICT Security Control Policy
10. Information and communication Technology Disaster Recovery
11. Management Policy
12. Laptop Security Policy
13. ICT Operating System Security Control Policy
14. Municipal Corporate Governance of Information and Communication Technology Policy
15. ICT Data Backup and Recovery Policy
16. ICT helpdesk Policy
17. ICT User Access Management Policy
18. Motor Vehicle Allowance Scheme Policy
19. Bouquets for Employees
20. Placement Policy
21. S&T Policy
22. Amended Acting Policy
23. Essential Motor Scheme Policy
24. Overtime Policy
25. Recruitment and Selection Policy
26. Smoking Policy
27. Leave Policy
28. Contract Appointment Policy
29. Experiential Training Policy
30. External Bursary Fund Policy
31. Ethical Standard Policy
32. Private Work Policy
33. Medical Policy
34. SHE Rep Policy
35. Parking policy
36. Skills Development Policy
37. Succession Planning and Career Pathing Policy
38. Catering Policy
39. Security and Risk Policy and SOP
40. Key Use Operating Procedures Policy
41. Telephone Usage Policy
42. Gender Empowerment Policy
43. Funeral Memorial Service Policy
44. Employee Assistance Policy
45. Draft Disability Policy
46. Employment Equity Policy
47. Abscondment Policy
48. Grievance Policy
49. Appointment of Consultants Policy
50. Task Policy
51. Record Management Policy
52. Parking Policy
53. Anti-Fraud Policy
54. PAIA Policy
55. Contract Management Policy
56. IDP
- 57.

58. Immovable Property Policy
59. EPWP Policy
60. Fleet Management Policy
61. Supply Chain Management Policy
62. Asset Management Policy
63. Preferential Procurement Policy
64. Tariffs Policy
65. Credit Control and Debt Management Policy
66. Long-term Financial Plan Policy
67. Budget Policy
68. Banking Cash Management and Investment Policy
69. Borrowing Policy
70. Funding and Reserve Policy

4.2.5 Accommodation and fixed property

- (a) Asset register
- (b) Property leased for municipal purposes: description and details
- (c) Property rented: description and details
- (d) Panel of attorneys

4.2.6 Financial

- (a) Operating budget and Capital Budget
- (b) Management information: financial statements, spending patterns, revenue figures, details of bad debt, budget control mechanisms.
- (c) Loans: Detail of external loans.
- (d) Equitable share: Details of government allocations
- (e) Funds: name, purpose and financial standing
- (f) Investments: investment amount, institution, terms
- (g) Insurance portfolio: insurer, premium, ensured risks
- (h) Audit reports
- (i) Donations: Amounts and beneficiaries
- (j) Bursaries: amounts and beneficiaries
- (k) Bank accounts: name of banker, reports and statements.

4.2.7 Tenders and Contracts

- (a) Tender Procedure
- (b) tenders accepted, rejected and not accepted: details and reasons
- (c) Annual tenders: details of goods, services and supplier
- (d) Objections and complaints in terms of regulation 50 Supply Chain Management Regulations
- (e) Insurance Policies
- (f) Progress and completion certificates

4.2.8 Personnel

- (a) Personnel structure, job descriptions, job evaluations
- (b) Main performance indicators

- (c) Allowances and conditions of service
- (d) Termination of service and disciplinary action
- (e) Training statistics and merit awards
- (f) Injuries on duty
- (g) Members authorised to do private work
- (h) Union representatives
- (i) Rules governing pension/retirement and medical funds

4.2.9 Legal Matters

- (a) Panel of legal practitioners appointed
- (b) Legal actions instituted by the Municipality
- (c) Legal actions instituted against the Municipality
- (d) Appeals in accordance with section 62 of the Systems Act
- (e) Appeals in accordance with other acts
- (f) Legal costs incurred

4.2.10 Services

- (a) Usage concessions on municipal property
- (b) Agreements in respect of installations and connections
- (c) Agreements in respect of services rendered to or by other bodies of state
- (d) Details of private service providers

4.2.11 Community Services (Environmental health, public amenities)

- (a) Record of exhumations and re-burials
- (b) Health records and health statistics
- (c) Environmental health records

4.2.12 Protection services (Fire Brigade, disaster management, law enforcement)

- (a) Reports on incidents
- (b) Disaster plans, reports and returns
- (c) Agreements with reference to service rendering to and by other bodies of state

4.2.13 Licences and permits

- (a) Air Quality

4.2.14 Reports, returns and statistics

- (a) Mayoral report
- (b) Reports and other organs of state
- (c) Internal reports, returns and statistics where applicable

4.2.15 Publications

- (a) Press and other media releases
- (b) Advertisements placed by the Municipality
- (c) Brochures and newsletters
- (d) Departmental telephone directory
- (e) Maps and tourism guides
- (f) Speeches delivered by political office bearers
- (g) Annual Report
- (h) IDP
- (i) Newsletter

ANNEXURE “C”: Prescribed application form for access

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

**(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))
[Regulation 6]**

FOR DEPARTMENTAL USE

Reference number: _____

Request received by _____
(state rank, name and surname of information officer/deputy information officer) on
_____ (date) at _____ (place).

Request fee (if any):

Deposit (if any):

Access fees:

R

R

R

SIGNATURE OF INFORMATION
OFFICER/DEPUTY INFORMATION
OFFICER

A Particulars of public body

The Information Officer/Deputy Information Officer:

B 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:

Identity number: _____

Postal address: _____

Fax number: _____ Telephone number: _____

E-mail address: _____

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

C 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.

Full names and surname:

Identity number: _____

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

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: _____

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:
---	--

	copy of record*		inspection of record		
2	If record consists of virtual images- (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
	View the images.		Copy 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 information derived from the record* copy in computer readable form* (stiffy or compact disc)				
	printed copy of record*		printed copy of information derived from the record		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? Postage is payable.				YES	NO
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 of 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 _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE “D”: Scale of prescribed fees

FEES IN RESPECT OF PUBLIC BODIES

1	The fee for a copy of the manual as contemplated in regulation 5(c) for every photocopy of an A4-size page or part thereof is	R0.60
2	The fees for reproduction referred to in regulation 7(1) are as follows:	
	(a) For every photocopy of an A4-size page or part thereof	R0.60
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.40
	(c) For a copy in a computer-readable form on-	
	(i) compact disc	R40.00
	(d) (i) For a transcription of visual images, for an A4-size page or part thereof	R22.00
	(ii) For a copy of visual images	R60.00
	(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	R12.00
	(ii) For a copy of an audio record	R17.00
3	The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is	R35.00
4	The access fees payable by a requester referred to in regulation 7(3) are as follows:	
	(a) For every photocopy of an A4-size page or part thereof	R0.60
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R1.20
	(c) For a copy in a computer-readable form on-	
	(i) compact disc	R40.00

- | | | |
|-----|--|--------|
| (d) | (i) For a transcription of visual images, for an A4-size page or part thereof | R22.00 |
| | (ii) For a copy of visual images | R60.00 |
| (e) | (i) For a transcription of an audio record, for an A4-size page or part thereof | R12.00 |
| | (ii) For a copy of an audio record | R17.00 |
| (f) | To search for and prepare the record for disclosure, R15.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. | |
- 5 For purposes of section 22(2) of the Act, the following applies:
- | | |
|-----|--|
| (a) | Six hours as the hours to be exceeded before a deposit is payable; and |
| (b) | one third of the access fee is payable as a deposit by the requester. |
- 6 The actual postage is payable when a copy of a record must be posted to a requester.

Part III
Fees in respect of private bodies

- | | | |
|---|---|--------|
| 1 | The fee for a copy of the manual as contemplated in regulation 9(2)(c) is for every photocopy of an A4-size page or part thereof. | R1.10 |
| 2 | The fees for reproduction referred to in regulation 11(1) are as follows: | |
| | (a) For every photocopy of an A4-size page or part thereof | R1.10 |
| | (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R0.75 |
| | (c) For a copy in a computer-readable form on- | |
| | (i) compact disc | R70.00 |
| | (d) (i) For a transcription of visual images, for an A4-size page or part thereof | R40.00 |
| | (ii) For a copy of visual images | R60.00 |
| | (e) (i) For a transcription of an audio record, for an A4-size page or part thereof | R20.00 |

(ii)	For a copy of an audio record	R30.00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is	R50.00.
4	The access fees payable by a requester referred to in regulation 11(3) are as follows:	
(a)	For every photocopy of an A4-size page or part thereof	R1,10
(b)	For every printed copy of an A4-size page or part hereof held on a computer or in electronic or machine-readable form	R0,75
(c)	For a copy in a computer-readable form on-	
(i)	compact disc	R70.00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R40.00
(ii)	For a copy of visual images	R60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R20.00
(ii)	For a copy of an audio record	R30.00
(f)	To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.	
(1)	For purposes of section 54(2) of the Act, the following applies:	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and;	
(b)	one third of the access fee is payable as a deposit by the requester.	
(2)	The actual postage is payable when a copy of a record must be posted to a requester.	

ANNEXURE “E”: Notice of internal appeal

NOTICE OF INTERNAL APPEAL

**(Section 75 of the Promotion of Access to information Act, 2000 (Act 2 of 2000))
[Regulation 8]**

STATE YOUR REFERENCE NUMBER: _____

A Particulars of public body

The information Officer/Deputy Information Officer:

B Particulars of requester/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: _____

Postal address: _____

Fax number: _____ Telephone number: _____

E-mail address: _____

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

C Particulars of 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: _____

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:	
Refusal of request for access	
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 with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
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.

State the manner: _____

Particulars of manner: _____

Signed at _____ this _____ day of _____ 20_____

SIGNATURE OF APPELLANT

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

Appeal received on _____ (date) by _____
_____ (state rank, name and surname of
information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's
decision and, where applicable, the particulars of any third party to whom or which the
record relates, submitted by the information officer/deputy information officer on
_____ (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/NEW
DECISION SUBSTITUTED

NEW DECISION: _____

DATE _____

RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE RELEVANT
AUTHORITY ON (date): _____

ANNEXURE "F": GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

DISCRETIONARY REFUSAL OF ACCESS TO RECORDS

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

- information supplied in confidence by a third party, the disclosure of which could reasonably be expected to cause prejudice ;
- 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;
- 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;
- 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;
- 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;
- 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;
- prejudice or impair the fairness of a trial or the impartiality of adjudication;
- 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 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 of 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.

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 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 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.

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 public body.