



**PROMOTION OF ACCESS TO INFORMATION
MANUAL
FOR
THE CITY OF uMHLATHUZE**

COMPILED IN COMPLIANCE WITH PART 3 CHAPTER 2 (SECTION 14 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000

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ENGLISH MANUAL & ANNEXURES:

AFRIKAANS MANUAL & ANNEXURES

ISIZULU MANUAL & ANNEXURES

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CITY OF uMHLATHUZE

MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000

1. Functions and Structures of the City of uMhlathuze

The City of uMhlathuze is a category B municipality as described in Section 155(1) (b) of the Constitution of the Republic of South Africa.

The functions of the Municipality are as described in Section 156 of the Constitution.

2. Information Officer

In terms of Section 1 of the Act, the Chief Executive Officer is the Information Officer for the City of uMhlathuze. In this case, the City Manager, Mr NG Zulu, is the Information Officer. Requests for Information will be attended to by the Deputy Information Officer, Mr LM Mngadi in terms of section 17(1) of the Act for such purposes.

Written requests for Information must be submitted to the following:

2.1 The Information Officer
Mr NG Zulu
City of uMhlathuze
Private Bag X1004
RICHARDS BAY
3900

2.2 Or fax to 035 – 907 5444/5/6/7

2.3 Or email creg@umhlathuze.gov.za

2.4 The street address of the City of uMhlathuze is:

Municipal Offices
5 Mark Strasse
CBD
RICHARDS BAY

2.5 The Deputy Information Officer's particulars are as follows:

Name	:	Lethukuthula Mngadi
Designation	:	Records Manager
Tel. Number	:	(035) 907 5406

3. **Guideline by the Information Regulator**

The City of uMhlathuze, in compliance with the Promotion of Access to Information Act 2 of 2000, as amended (PAIA), has prepared this PAIA Manual (which Manual must be read in conjunction with the Guide on how to use PAIA) to facilitate the public's access to information held by the Municipality. One of the basic values and principles governing public administration is transparency. The Constitution of the Republic of South Africa Act 108 of 1996 (Constitution) demands that transparency must be fostered by providing the public with timely, accessible and accurate information.

The guide is available from the Information Regulator. All enquiries can be directed to:

The Information Regulator (South Africa)

PAIA Unit

Postal Address: P.O. Box 31533

Braamfontein

2017

Physical Address: The Information Regulator (South Africa)

JD House 27 Stiemens Street

Braamfontein

Johannesburg

2001

Tel: 010 023 5200

Website: <https://www.justice.gov.za/infoereg/index.html>

Email: enquiries@infoeregulator.org.za

4. **Records of Council**

The records of the Council are kept in electronic format and are accessed via a software programme. Hard copies of records are kept in terms of the Archives Act as amended under the following main directories.

4.1 **Legislation**

Drafting and amendment of legislation relevant to the Municipality

4.2 **Organisation and Control**

- Policy
- Delegation of authority
- Work planning and procedure
- Records control
- Privatisation
- Departmental organisation

4.3 **OWN COUNCIL AND COUNCIL MATTERS**

- Policy
- General elections
- Revision Court
- Municipal elections
- Council meetings and committees

4.4 **Staff**

- Policy
- Routine enquiries
- Posts control
- Departments
- Determination of conditions of service
- Vacancies and appointments
- Training and qualifications
- Financial (salaries and allowances)
- Termination of service
- Staff control
- Staff evaluation
- Staff returns and statistics
- Risk assessment
- Labour relations
- Productivity

4.5 **Finance**

- Budget
- Policy
- Valuations
- Valuation Board
- Tax
- Loans (external and long-term)
- Tariffs
- Land prices
- Subsidies
- Deposits
- Grants and funds
- Investments
- Claims
- Settlement of accounts
- Payment of grants
- Collection of Monies
- Insurance

- Accounting Responsibility
- Financial assistance
- Losses
- Bank account
- Financial reports
- Credit control

4.6 **Domestic Supplies and Services**

- Domestic supplies
- Acquisition and maintenance
- Domestic services
- Communication

4.7 **Municipal Buildings and Grounds**

- Policy
- Municipal buildings
- Municipal grounds/erven

4.8 **Tenders, Quotations, Contracts and Consultants**

- Tenders and quotations
- Specific tenders
- Contracts

4.9 **Reports and Returns**

- Policy
- Reports
- Monthly returns
- Census

4.10 **Publicity and Information**

- Own publicity and Information
- Enquiries
- Emblems of the Council
- Publicity by other bodies

4.11 **Festivals and Social Matters**

- Policy
- Festivals
- Social matters
- Honorary decorations
- Civic funerals

4.12 **Composition and meetings of bodies**

- Policy

- Minutes and reports
- Institutes/institutions
- Associations: national and provincial
- Committees
- Other bodies

4.13 **Legal Services**

- Policy
- Legal matters and court decisions
- Claims
- Prosecutions

4.14 **Licenses**

- Policy
- Routine enquiries
- Licenses
- Exemptions

4.15 **Town Planning and Control**

- Policy
- Municipal boundaries
- Reservation of sites
- Commercial
- Service Industrial
- Planning and development
- Town planning schemes
- Establishment of townships
- Industrial development
- Control over townships
- Surveys of data

4.16 **Essential Services**

- Water supply
- Water sources
- Treatment works, pump stations, main pipelines and reservoirs
- Networks: planning, layout, maintenance and operations
- Roads, streets, footpaths and stormwater
- Footpaths: planning, layout, maintenance and operations
- Sewerage
- Railway lines
- Electricity
- Cemetery
- Sanitation

- Services to or by other bodies
- Harbour facilities

4.17 **Community Services**

Health

- Provision of clinic services
- Permits
- Diseases and plaques
- Prevention and combating
- Inspections
- Pollution
- Offensive trade
- Nuisances
- Housing
- Municipal housing scheme
- Housing scheme for senior citizens
- Illegal structures
- Education
- Traffic
- Allocation and parking, and loading zones
- Library services
- Civic centre, parks, gardens and open spaces
- Sport and recreation
- Provision and maintenance of sports facilities
- Community and recreation halls
- Maintenance of beaches
- Bus transport
- Provision and management of fire brigade and ambulance service
- Abattoir
- Pound
- Welfare
- Churches and places of worship
- Museum and memorials
- Civil defence
- Nursery schools and crèches
- Environmental conservation
- Airport

In addition to the services, separate case files are kept for each proclaimed erf in the municipal area and personal files. These files are held in Richards Bay.

5. **Categories of records which are available without having to request access in terms of the Act**

Said categories of records are automatically available without having to request access in terms of the Act, including any issue relating to;

- 5.1 Fixed property owned by the applicant;
- 5.2 Any by-law framed by Council;
- 5.3 Any tariff charged by Council;

- 5.4 Any land use scheme or development plan adopted and administered by Council, and;
- 5.5 How to obtain access to any service rendered by the Council;
- 5.6 Annual reports
- 5.7 Brochures and maps
- 5.8 Information available on the website
- 5.9 Geographic Information System Service register (alphanumerical data)
Infrastructure themes Orthophotos Digital terrain modules (DTMs)
- 5.10 Technical Library Reference books Reports
- 5.11 Plan filing (civic Information) Paper-based Microfilm
- 5.12 Cadastral maps (paper-based / electronic)
- 5.13 Surveyor general plans (paper-based / electronic)
- 5.14 Framework plans (paper-based / electronic)
- 5.15 Scheme maps (paper-based / electronic)
- 5.16 Lease area plans (paper-based / electronic)
- 5.17 Budget including adjustment budget (electronic / paper based)
- 5.18 Budget related policies
- 5.19 Performance agreements
- 5.20 Service delivery agreements
- 5.21 Long-term borrowing contracts
- 5.22 Contracts/information/public partnership agreements as prescribed in section 75 of the Municipal Financial Management Act
- 5.23 Orders & remittances (paper-based)
- 5.24 Investment register (Manual)
- 5.25 Loan register (Manual)
- 5.26 Asset register (electronic/ manual)
- 5.27 Financial statements (electronic/ manual)
- 5.28 Debtors history (electronic)
- 5.29 Strategic environmental assessment
- 5.30 Building plans

- 5.31 Minutes of open Council and open executive committee
- 5.32 Approved minutes of Enterprise Risk Management Committee
- 5.33 Approved minutes of the Municipal Planning Tribunal and /or Municipal Planning Appeals Tribunal
- 5.34 Risk Register
- 5.35 Integrated Development Plan
- 5.36 Various policies of the Council
- 5.37 Delegation of powers
- 5.38 Records listed in Sections 105 and 106 of the uMhlathuze Spatial Planning and Land Use Management Bylaw, 2017 (as amended).

6. Services available to members of the public

The structure of the Municipality is divided into two sections:

6.1 Political Structure

The Mayor, who is the Chairman of the Executive Committee, is the political head of the Council, which comprises members elected by the voters of the Municipality. The Executive Committee consists of members appointed by the elected councillors from its members. The members of the elected councillors also appoint various portfolio committees. The Council consists of 67 councillors, i.e. 34 ward councillors and 33 proportionally elected with the following political party representation:

- IFP
- ANC
- DA
- EFF
- ACDP
- FF PLUS
- NFP

6.2 Functional Structures

The functional structure consists of a City Manager who heads 7 Departments. The 7 Deputy City Managers report directly to the City Manager:

- Office of the City Manager (OCM)

Communications, performance management, integrated development planning, audit, Public Participation, Special Programmes, Youth and risk management.

- **Deputy City Manager: Corporate Services (CS)**

Administration of Council and its committees, councillor support, legal services, records management, call centre and customer services, human resources, training and organisational development, health and safety, employee assistance, occupational health, Richards bay airport and information communication technology

- **Deputy City Manager: Infrastructure Services (IS)**

Water and sanitation, customer services, roads transport and stormwater management, engineering support services (building and structures and infrastructure and asset management)

- **Deputy City Manager: Energy and Electrical Services (EES)**

Infrastructure planning, asset creation, operation and maintenance, customer services, and fleet management.

- **Deputy City Manager: Financial Services (FS)**

All financial procedures and processes

- **Deputy City Manager: Community Services (CS)**

Public health and emergency services, air quality, fire and disaster, environmental and recreational services, arts and culture and public safety and security

- **Deputy City Manager: City Development (CD)**

Development including local economic development, business licenses, estates and property valuation, building control, town planning, human settlement, tourism and investment, public transport, urban and rural planning, outdoor advertising

The Council has legal jurisdiction within its boundaries for matters under municipal control. It acts as an agent for the City of uMhlathuze in terms of the Business Act No 71 of 1991. Services rendered by the Council are described in Section 84 of the Municipal Structures Act no 117 of 1998 and include traditional municipal services such as water, services, electricity, refuse removal, and recreational facilities. The

services are rendered by the Department as specified in section 6.2 above and must be accessed by application to the relevant Department as and when applicable.

7. Representation and Policies

7.1 Functional

Public members may submit a representation in writing to the Council at its physical or postal address. Appeals against the outcome may be directed to the City Manager, the relevant committee of the Council, the Council's Executive Committee or the full Council.

7.2 Political

Any public member may submit representations to the ward Councillor elected for his ward or to a Councillor representing a political party of his choice. Said councillor will then act upon representations as he or she sees fit. Suppose there is no appeal to the functional structure regarding any failure, omission or action by a political party member. In that case, such remedy must be sought from the Speaker, the Chairman of the Council, or the relevant political party.

8. Requests for Information

8.1 Requests for Information other than requested in terms of clauses 5.1 to 5.42 must be submitted to the person mentioned in clause 2.1 on the prescribed form "A".

The fees, as reflected in Part 2 attached hereto, must accompany the formal request for Information.

8.2 **Requests for Information can be refused: (Note: Sections in brackets refer to Sections of the Act)**

8.2.1 If records regarding the request cannot be found or do not exist (Section 23).

8.2.2 To protect the privacy of a third party who is a natural person (Section 34).

8.2.3 To protect the commercial Information of a third party (Section 36).

8.2.4 To protect confidential Information pertaining to Council or a third party (Section 37).

8.2.5 To protect the safety of individuals and to protect property (Section 38).

8.2.6 To protect law enforcement and legal proceedings (Section 39).

8.2.7 To protect records privileged from production in legal proceedings (Section 40).

8.2.8 To protect the economic interests, financial welfare and commercial activities of the Council (Section 42).

8.2.9 To protect research information of a third party or Council (Section 43).

8.2.10 To protect the functional operation of the Council (Section 44).

8.2.11 If the request is manifestly frivolous or vexatious or if it will lead to substantial and unreasonable diversion of resources (Section 45).

9. Appeal against refusal to supply Information

Should a request for Information in terms of this Manual be refused, the applicant may appeal such decision by completing the attached form B and submitting it to the person in clause 1.2 within 60 days of the date of the refusal of the initial request. If the fees paid in terms of clause 8.1 have already been refunded, the relevant fees must accompany the request for Information.

10. Protection of Personal Information Processed by uMhlathuze Municipality

10.1 Chapter 3 of the Protection of Personal Information Act (POPIA) provides the minimum Conditions for the Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated unless specific exclusions apply as outlined in POPIA.

10.2 How this Information is processed and the purpose for which it is processed is determined by uMhlathuze Municipality. uMhlathuze Municipality is accordingly a Responsible Party for POPIA and will ensure that the Personal Information of a Data Subject:

10.2.1 is processed lawfully, fairly and transparently. This includes providing appropriate Information to Data Subjects when uMhlathuze Municipality collects their data in the form of privacy or data collection notices.

10.2.2 is processed only for the purposes for which it was collected;

10.2.3 will not be processed for a secondary purpose unless that processing is compatible with the original purpose;

10.2.4 is adequate, relevant and not excessive for the purposes for which it was collected;

10.2.5 is accurate and kept up to date;

10.2.6 will not be kept for longer than necessary;

10.2.7 is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by uMhlathuze Municipality, to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;

10.2.8 is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:

(a) be notified that uMhlathuze Municipality is collecting their Personal Information. The Data Subject also has the right to be notified in the event of a data breach;

(b) know whether uMhlathuze Municipality holds Personal Information about them and to access that Information. Any request for Information must be handled in accordance with the provisions of this Manual;

- (c) request the correction or deletion of inaccurate, irrelevant, excessive, out-of-date, incomplete, misleading or unlawfully obtained personal Information;
 - (d) object to uMhlathuze Municipality's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to uMhlathuze's record-keeping requirements)
 - (e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications, and
 - (f) complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPI and to institute civil proceedings regarding the alleged noncompliance with the Protection of his, her or Personal Information
- 10.3 Purpose of Processing Personal Information may only be processed for a specific purpose. The purposes for which uMhlathuze Municipality will process Personal Information is set out in Part 3 of Annexure;
- 10.4 Categories of Data Subjects and Personal Information/Special Personal Information relating thereto as per Section 1 of POPIA, a Data Subject may either be a natural or a juristic person. Part 4 of the Annexure sets out the various categories of Data Subjects that uMhlathuze Municipality Processes Personal Information on and the types of Personal Information relating thereto.
- 10.5 Recipients of Personal Information Part 5 of Annexure outlines the recipients to whom uMhlathuze Municipality may provide a Data Subjects Personal Information.
- 10.6 Section 72 of POPIA (Cross-border flows of Personal Information) provides that Personal Information may only be transferred out of the Republic of South Africa if the;
- (a) recipient country can offer such data an "adequate level" of Protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
 - (b) Data Subject consents to the transfer of their Personal Information; or
 - (c) the transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
 - (d) the transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party in the interests of the Data Subject; or
 - (e) the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject. If it were, the Data Subject would, in all likelihood, provide such consent.
- 10.6.1 Part 6 of Annexure sets out the planned cross-border transfers of Personal Information and the condition from above that applies thereto.
- 10.7 Part 6 of Annexure sets out the types of security measures to be implemented by uMhlathuze Municipality to ensure that Personal Information is respected and protected. A preliminary assessment of the suitability of the information security

measures implemented or implemented by uMhlathuze Municipality may be conducted to ensure that the Personal Information that uMhlathuze Municipality processes is safeguarded and Processed in accordance with the Conditions for Lawful Processing.

- 10.8 Objection to the Processing of Personal Information by a Data Subject Section 11 (3) of POPIA and regulation 2 of the POPIA Regulations provide that a Data Subject may, at any time, object to the Processing of his/her/its Personal Information in the prescribed form attached to this Manual as Form C subject to exceptions contained in POPIA.
- 10.9 Section 24 of POPI and regulation 3 of the POPI Regulations provide that a Data Subject may request their Personal Information to be corrected/deleted in the prescribed form attached as FORM D.

Annexures

1. Form A : Request for Access to Record of Public Body
2. Part 2 : Fees in respect of Public Bodies
3. Form B : Notice of Internal Appeal
4. Part 3 : Processing of Personal Information in accordance with the Protection of Personal Information Act 4 of 2013
5. Part 4 : Categories of Data Subjects and Categories of Personal Information Relating Thereto
6. Part 5 : Recipients of Personal Information
7. Part 6 : Cross-Border Transfers of Personal Information
8. Part 7 : Description of Information on Security Measures
9. Form C : Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013
11. Form D : Request for Correction or Deletion of Personal Information or Destroying or Deletion of Records of Personal Information in terms of Section 24(1) of the Protection of Personal Information Act, 2013

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000)
(Act No. 2 of 2000)
[Regulation 6]

<u>FOR DEPARTMENTAL USE</u>	<u>Reference Number:</u>
<p>Request received by (state rank, name and surname of information officer/deputy information officer)</p> <p>on(date) at (place)</p> <p>Request fee (if any): R.....</p> <p>Deposit (if any): R.....</p> <p>Access fee: R.....</p> <p style="text-align: right;"><u>SIGNATURE OF INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER</u></p>	

A. Particulars of the public body

The Information Officer/Deputy Information Officer:

.....

.....

.....

.....

B. Particulars of the 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) *If applicable, proof of the capacity in which the request is made must be attached.*

Full names and surname:

.....

Identity number:

Postal address:

.....

..... Fax number:

Telephone number: Email address:

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

.....

C. Particulars of the person on whose behalf the 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 the record

Suppose a disability prevents you from reading. In that case, viewing or listening to the record in the form of access provided 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 request form.

1. If the record is in written or printed form:					
	copy of record*		Inspection of record		
2. If the 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 image*
3. If the 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 the record is held on a computer or in an electronic or machine-readable form:					
	A printed copy of the record*		A printed copy of Information derived from the record*		Copy in computer-readable form* (stiffy 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? Postage is payable.	YES	NO
<i>Note that if the record is unavailable in the language you prefer, access may be granted in the language in which the record is available.</i>		
In which language would you prefer the record?		

G. Notice of decision regarding the 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 of20....

.....
**SIGNATURE OF REQUESTER / PERSON ON
 WHOSE BEHALF REQUEST IS MADE**
 DMS224260

PART 2**FEES IN RESPECT OF PUBLIC BODIES**

1. The fee for a copy of the Manual as contemplated in regulation 6(c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on –	
(i) stiffy disc	6,00
(ii) compact disc	40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00
3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) 35,00
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

(1)	(a) For every photocopy of an A4-size page or part thereof	0,60
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,40
	(c) For a copy in a computer-readable form on –	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
	(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00

- | | | | |
|-----|------|---|-------|
| (d) | (ii) | For a copy of visual images | 22,00 |
| (e) | (i) | For the transcription of an audio record, for an A4-size page or part thereof | 12,00 |
| | (ii) | for a copy of an audio record | 17,00 |
| (f) | | To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, is reasonably required for such search and preparation. | |
- (2) 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) third of the access fee is payable as a deposit by the requester.
 - (c) The actual postage is payable when a copy of a record must be posted to a requester.

FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000)

(Act No. 2 of 2000)

[Regulation 8]

STATE YOUR REFERENCE

NUMBER:

A. Particulars of the public body

The Information Officer/Deputy Information Officer:

.....
.....

B. Particulars of the requester/third party who lodges the internal appeal

- (a) *The particulars of the person who lodged the internal appeal must be given below.*
- (b) *If applicable, proof of the capacity in which the appeal is lodged 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: Email address:

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

.....

C. Particulars of the 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 the 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
DMS224260

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:
.....
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DATE

.....

RELEVANT AUTHORITY

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

PART 3

Processing of Personal Information in accordance with Protection of Personal Information Act 4 of 2013

For consumers:

- a. Performing duties in terms of any agreement with consumers
- b. Make, or assist in making credit decisions for consumers
- c. Operate and manage consumers' accounts and manage any application, agreement or correspondence consumers may have with the uMhlathuze Municipality
- d. Communicating with consumers by email, SMS, letter, telephone or in any other way about services, unless consumers indicate otherwise
- e. Performing other administrative and operational purposes, including the testing of systems
- f. Recovering any debt consumers may owe the uMhlathuze Municipality
- g. Complying with regulatory and other obligations of uMhlathuze Municipality
- h. Any other reasonably required purpose relating to uMhlathuze Municipality

For prospective consumers:

- a. Verifying and Updating Information
- b. Any other reasonably required purpose relating to processing a prospect's personal Information reasonably related to uMhlathuze Municipality.

For employees:

- a. The same purposes as for consumers (above)
- b. Verification of applicant employees' Information during the recruitment process
- c. General matters relating to employees:
 - i. Pension
 - ii. Medical aid
 - iii. Payroll
 - iv. Disciplinary action
 - v. Training
- d. Any other reasonably required purpose relating to the employment or possible employment relationship.

For vendors /suppliers /other businesses:

- a. Verifying Information and performing checks;
- b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- c. Payment of invoices;
- d. Complying with the uMhlathuze Municipality regulatory and other obligations; and
- e. Any other reasonably required purpose relating to the uMhlathuze Municipality business.

PART 4

CATEGORIES OF DATA SUBJECTS AND CATEGORIES OF PERSONAL INFORMATION RELATING THERETO

Employees

- a. Name and contact details
- b. Identity number and identity documents, including passports
- c. Employment history and references
- d. Banking and financial details
- e. Details of payments to third parties (deductions from salary)
- f. Employment contracts
- g. Employment equity plans
- h. Medical aid records
- i. Pension Fund records
- j. Remuneration/salary records
- k. Performance appraisals
- l. Disciplinary records
- m. Leave records
- n. Training records

Consumers and prospective consumers (which may include employees)

- a. Postal and/or street address
- b. title and name
- c. contact numbers and/or email addresses
- d. ethnic group
- e. employment history
- f. age
- g. gender
- h. marital status
- i. nationality
- j. language
- k. financial information
- l. identity or passport number

Vendors /suppliers /other businesses:

- a. Name and contact details
- b. Identity and/or company information and directors' Information
- c. Banking and Financial details
- d. Postal and/or street address
- e. title and name
- f. contact numbers and/or email addresses
- g. ethnic group
- h. employment history
- i. age
- j. gender
- k. marital status
- l. nationality
- m. language
- n. financial information
- o. identity or passport number
- p. other Information not specified, reasonably required to be processed for business operations

PART 5

RECIPIENTS OF PERSONAL INFORMATION

- a. Any firm, organisation or person that the uMhlathuze Municipality uses to collect payments and recover debts or to provide a service on its behalf;
- b. Any firm, organisation or person that/who provides the uMhlathuze Municipality with products or services;
- c. Any payment system the uMhlathuze Municipality uses;
- d. Regulatory and governmental authorities, or other authorities, including tax authorities, where uMhlathuze Municipality has a duty to share Information;
- e. Third parties to whom payments are made on behalf of employees;
- f. Financial institutions from whom payments are received on behalf of data subjects;
- g. Any other operator not specified;
- h. Employees, contractors and temporary staff; and
- i. Agents.

PART 6

CROSS-BORDER TRANSFERS OF PERSONAL INFORMATION

Personal Information may be transmitted transborder to uMhlathuze Municipality suppliers in other countries. Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. uMhlathuze Municipality will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

PART 7

Description Of Information Security Measures

uMhlathuze Municipality undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given will be interpreted as examples of achieving an adequate data protection level for each objective. uMhlathuze Municipality may use alternative measures and adapt to technological security development, provided that the objectives are achieved.

1. Access Control of Persons

uMhlathuze Municipality shall implement suitable measures to prevent unauthorised persons from gaining access to the data processing equipment where the data are processed.

2. Data Media Control

uMhlathuze Municipality undertakes to implement suitable measures to prevent the unauthorised manipulation of media, including reading, copying, alteration or removal of the data media used by uMhlathuze Municipality and containing personal data of Customers.

3. Data Memory Control

uMhlathuze Municipality undertakes to implement suitable measures to prevent unauthorised input into data memory and the unauthorised reading, alteration or deletion of stored data.

4. User Control

uMhlathuze Municipality shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons by means of data transmission equipment.

5. Access Control to Data

uMhlathuze Municipality represents that the persons entitled to use the uMhlathuze Municipality data processing system can only access the data within the scope and to the extent covered by their respective access permissions (authorisation).

6. Transmission Control

uMhlathuze Municipality shall be obliged to enable the verification and tracing of the locations/destinations to which the Personal Information is transferred by utilisation of uMhlathuze Municipality data communication equipment/devices.

7. Transport Control

uMhlathuze Municipality shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorised persons during transmission or during the transport of the data media.

8. Organisation Control

uMhlathuze Municipality shall maintain its internal organisation in a manner that meets the requirements of this Manual.

FORM C

Objection to the Processing of Personal Information in terms of Section 11(3) of the Protection of Personal Information Act, 2013

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided in this form is inadequate, submit Information as an Annexure to this form and sign each page.
3. Complete as is applicable

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Email address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of data subject:	
Residential, postal or business address:	
Contact number(s):	
Email address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of20...

.....
Signature of the data subject/designated person

FORM D

Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information in terms of Section 24(1) of the Protection of Personal Information Act, 2013

Note:

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided in this form is inadequate, submit Information as an Annexure to this form and sign each page.
3. Complete as applicable.

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal Information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal Information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of Information

A	Details of Data Subject
Name(s) and surname/registered name of the data subject	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Email address:	
B	Details of Responsible Party
Name(s) and surname/ registered name of the data subject	
Residential, postal or business address:	
Contact number(s):	
Email Address	
C	Information to be Corrected/Deleted/Destroyed/Destroyed
D	Reasons for *Correction or Deletion of the Personal Information about the Data Subject in Terms of Section 24(1)(a) which is in Possession or Under the Control of the Responsible Party; and or Reasons for *Destruction or Deletion of a Record of Personal Information about the Data Subject in Terms of Section 24(1)(b) which the Responsible Party is no longer Authorised to Retain. (Please Provide Detailed Reasons for the Request)

Signed at this day of20...

.....
Signature of the data subject/designated person