

BA PHALABORWA MUNICIPALITY

ACCESS TO INFORMATION MANUAL

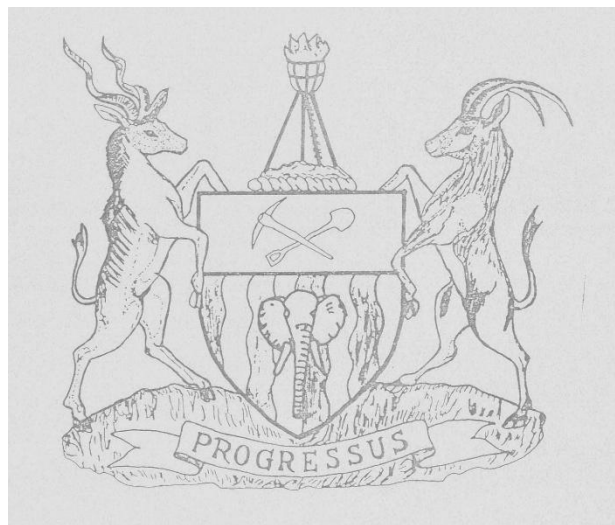


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BA-PHALABORWA MUNICIPALITY

ACCESS TO INFORMATION MANUAL

1 INTRODUCTION

This Manual has been compiled in accordance with section 14 of PAIA and the Promotion of Access of Information Act, No 2 of 2000 (hereinafter referred to as “the Act”).

The Promotion of Access of Information Act, No 2 of 2000 was enacted on 3 February 2000 giving effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.

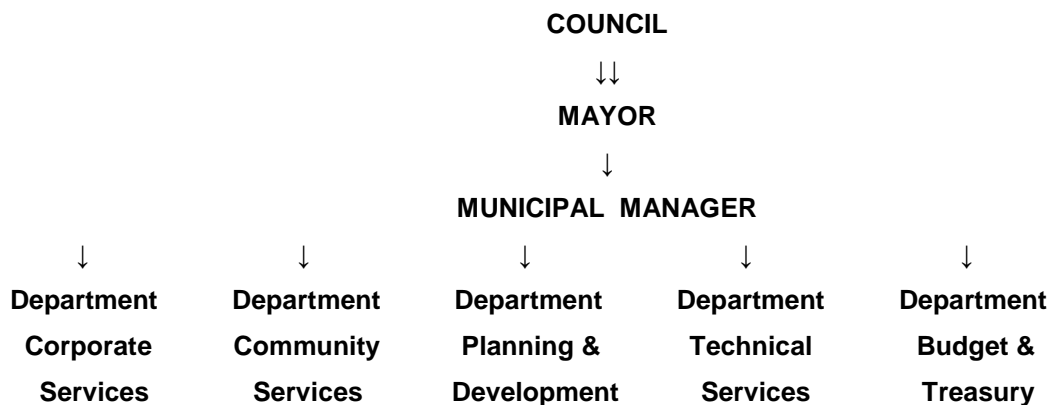
Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or may not be released. The Act sets out the prerequisite procedural issues attached to such request.

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including but not limited to:

1. Limitations aimed at the reasonable protection of privacy
2. Commercial confidentiality
3. Effective, efficient good governance

2 PARTICULARS OF PUBLIC BODY

ORGANOGRAM : BA-PHALABORWA MUNICIPALITY



Ba-Phalaborwa Municipality is located in the town of Phalaborwa in Limpopo Province. Phalaborwa means “This place is better than the South”.

The Municipality is established in terms of the Municipal Structures Act No 117 of 1998 as an Executive Council with Ward Committees. The Municipality consists of 28 Council Members, 14 of which are Ward Councillors, and 14 proportionally elected Councillors.

Contact Details:

Name of Body : Ba-Phalaborwa Municipality
Contact Person : Municipal Manager
Addresses: Nelson Mandela Avenue, Phalaborwa
Private Bag X01020, Phalaborwa, 1390
Tel: 015 780 6300
Fax: 015 781 0726
E-mail : phalamun@lantic.net

3 PURPOSE OF THE MANUAL

The purpose of this Manual is to give effect to section 14 of the Act, and is intended to reflect on the Municipality’s commitment to the fostering a culture of transparency and accountability by giving effect to the right of information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to fully exercise and protect their rights.

This Manual will be reviewed as and when the need arise.

This Manual will be available at the following places:

- every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997;
- The South African Human Rights Commission;
- Ba-Phalaborwa Municipality’s offices; and
- The Records Office, Department of Corporate Services, Ba-Phalaborwa Municipality.

4 GUIDE OF THE HUMAN RIGHTS COMMISSION

The Human Rights Commission, established in section 181 (b) of the Constitution of the Republic of South Africa Act No 108 of 1996 has compiled the guide contemplated in section 10 of the Act. The guide will contain such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The mentioned guide is available from Human Rights Offices.

The Guide will describe in each official language:

- What the objects of the Act are
- The details of each Public and Private Body
- The process that needs to be followed in order to make a request for information
- How to get copies of the Guide at no cost
- How to get access to the Manual of a Public or Private Body
- All the legal remedies available to you

Any enquiries regarding this guide must be directed to:

The South African Human Rights Commission

c/o The Promotion of Access to Information Act Unit

Postal Address

Private Bag X2700

Houghton

2041

Physical Address

29 Princess of Wales Terrace

Parktown

2193

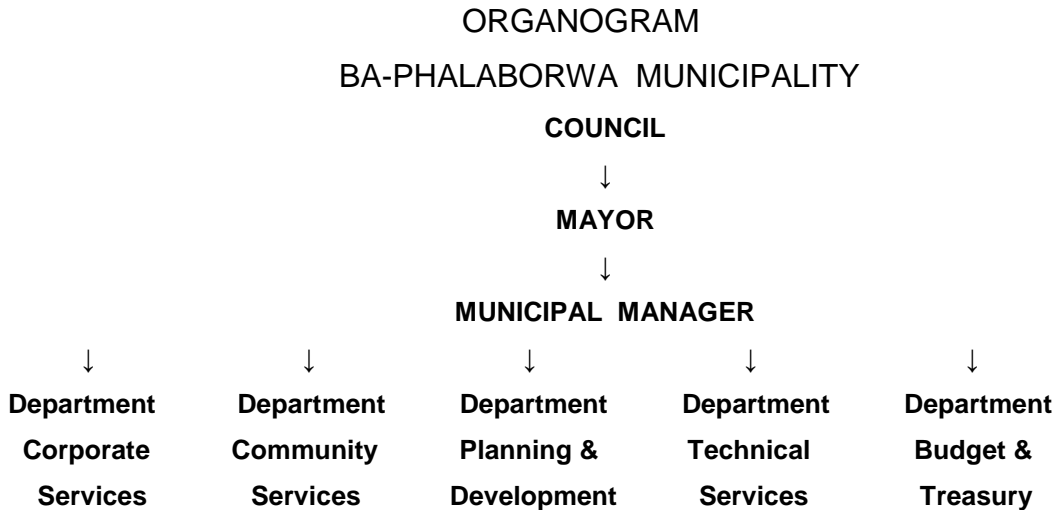
Johannesburg

Telephone Number : 011 484 8300
Facsimile Number : 011 484 1360
E mail : **PAIA@sahrc.org.za**
Website : www.sahrc.org.za

5 BACKGROUND TO THE MUNICIPALITY (PUBLIC BODY)

5.1 Structure of the Municipality

The structure of the Municipality consists of a political and administrative component. The councillors, mayor, municipal manager and directors is political appointed.



5.1.1 Political Component

The political component of the Municipality is comprised of a Council, the Executive Committee and various Committees of the Council. The Municipality has 15 Ward Councillors, 9 Proportional elected Councillors, 5 Traditional Leaders and 5 Executive Committee Members. The Mayor, Speaker and Chief Whip are in full time positions.

The Speaker presides over meetings of the Council and performs the duties and exercises the powers conferred to in the Municipal Structures Act.

The Mayor presides at meetings of the Executive Committee and exercises the powers delegated by the Council or the Executive Committee.

5.1.2 Administrative Component

The administrative component is led by the Municipal Manager appointed in terms of Sections 82 of the Local Government Municipal Structures Act and the staff establishment consisting of the following departments:

- Office of the Municipal Manager
- Budget and Treasury Office
- Corporate Services

- Technical Services
 - Planning and Development
 - Community and Social Services
- i) The **Municipal Managers Office** encompasses the following sections:
- Disaster Management
 - Youth and Gender
 - Audit
 - Communication
 - Performance Management
- ii) The **Budget and Treasury Office** deals with all the:-
- Financial operations of the Municipality, including
 - Revenue generation and collection
 - Supply Chain Management
 - Fleet Service
- iii) The **Corporate Services Department** encompasses the following sections:
- Administration
 - Legal Matters
 - Human Resources / Personnel
 - Occupational Health and Safety
 - Information Technology
 - Records Management
- iv) The **Technical Services Department** comprises of an Electrical and a Civil Division.
- A. The Electrical Division deals with:**
- Maintenance
 - Maintenance of Phalaborwa Town Electrical Distribution Network;
 - Street Lighting and Robots
 - Electrical and Mechanical Plants (Sewage & Water Pumping & Sewerage Purification Plant).
- B. The Civil Division deals with:**
- Water, Sanitation & Storm Water Drainage
 - Roads
 - Building Regulations
 - Sewerage Management
 - Solid Waste Disposal

- v) The **Planning and Development** Department deals with all the:
- Economic Development
 - Town Planning
 - Control Consent Use
 - Housing
 - Tourism
- vi) The **Community Services Department** consists of a number of divisions:
- Health
 - Traffic
 - Library
 - Parks and Recreation Division
- A. The Health Division** encompasses the areas of:
- Health Matters
 - Malaria Control
 - Air Pollution
 - Municipal Health
 - Cleansing
 - Refuse removal; and Refuse Dumps
 - Pounds
- B. The Traffic Division** deals with
- Traffic Control and Parking
 - Licensing (Vehicles and Businesses)
 - Public Nuisance Control
 - Street Trading
- C. The Library Division** encompasses Library Services and Tourism Information.
- D. The Parks and Recreation Division** encompasses the Maintenance of Parks / Grounds and Cemeteries.

6 MUNICIPALITY'S FUNCTIONS

The objects of the Municipality in terms of section 152(1) of the Constitution of South Africa are:

- a) to provide democratic and accountable government for local communities
- b) to ensure provision of services to communities in a sustainable manner
- c) to promote social and economic development

- d) to promote a safe and healthy environment; and
- e) to encourage the involvement of communities and community organisations in matters of local government. In this regard, the core functions and powers of the Municipality relate to:
 - Administration and Management of the Municipality
 - Services Delivery to Public
 - Water, Sanitation, Roads Management
 - Health Services
 - Library Services
 - Street Trading and Control Public Places
 - Provision and Assistance of Electrical Distribution and Maintenance
 - IDP Management and LED
 - Town Planning
 - Local Amenities
 - Property Administration
 - Cemeteries
 - Air Pollution Control
 - Traffic Licensing Control
 - Disaster Management
 - Tourism Services

7 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (SECTION 14 of PAIA and Access to Information Act)

Records are kept in accordance with the following legislation:

- 7.1 Basic Conditions of Employment Act No 75 of 1997 as amended;
- 7.2 Labour Relations Act No 66 of 1995 as amended;
- 7.3 Skills Development Act No 97 of 1998;
- 7.4 Skills Development Levies Act No 9 of 1999
- 7.5 Unemployment Insurance Act No 30 of 1966;
- 7.6 Employment Equity Act No 55 of 1998;
- 7.7 Occupational Health and Safety Act No 85 of 1993;
- 7.8 Compensation for Occupational Injuries and Diseases Act No 130 of 1993
- 7.9 Income Tax Act No 58 of 1962 as amended;
- 7.10 Value Added Tax Act 58 of 1991

- 7.11 Local Government: Municipal Structures Act No 117 of 1998;
- 7.12 Local Government: Municipal Systems Act No 32 of 2000
- 7.13 Minerals Act No 50 of 1991
- 7.14 National Environmental Management Act No 107 of 1998
- 7.15 National Water Act No 36 of 1999

8 RECORDS AVAILABLE WITHOUT RESTRAINT

The following information is available without restraint or application.

- 8.1 Information: Tourism Issues
- 8.2 Information: Health Issues
- 8.3 Information: Traffic Matters Forms, Permits
- 8.4 Information: Human Resources – Application Forms
- 8.5 Information: Tariffs
- 8.6 Valuation Roll Information
- 8.7 Extracts from the minutes of Council meetings
- 8.8 By-Laws
- 8.9 Township Planning Information
- 8.10 Statements of accounts of consumers
- 8.11 Information contained in this manual
- 8.12 Information contained in the Guide issued by the Human Rights Commission
- 8.13 Town Map or section of Town Planning Maps
- 8.14 Extracts of the IDP and LED

9 DESCRIPTION OF THE CATEGORIES OF THE RECORDS HELD BY BA-PHALABORWA MUNICIPALITY AND THE CATEGORIES IN WHICH THESE CATEGORIES ARE CLASSIFIED (Sections 51(1)(e))

Annual Reports are automatically available, while other categories of information is available from the Municipality when requested accompanied with the necessary documents:

9.1 Legislation

- 9.1.1 Parliamentary Legislation
- 9.1.2 Provincial Legislation and Regulations
- 9.1.3 Ordinances
- 9.1.4 By-Laws

9.2 Organisation And Control

9.2.1 Department Organisation and Job Descriptions

9.2.2 Records Control & Archiving

9.2.3 Departmental Meetings

9.3 Elections

9.3.1 Policy / Routine Enquiries

9.3.2 Demarcation of Wards

9.3.3 Voters Roll

9.3.4 Petitions

9.3.5 Arrangements

9.3.6 Elections of Offices Bearers (Mayor, Deputy Mayor, & Executive Committee Members)

9.4 Council And Committee Meetings

9.4.1 Motions of Proposal

9.4.2 Official Announcements

9.4.3 Questions by Members

9.4.4 Matters not yet accomplished

9.4.5 Leave of Absence

9.4.6 Proposals

9.4.7 Council Meetings

9.4.8 Executive Committee Meetings

9.4.9 Ad-Hoc Committees

9.5 Personnel

9.5.1 Control

9.5.2 Conditions of Services

9.5.3 Vacancies & Appointments

9.5.4 Training & Qualifications

9.5.5 Salaries

9.5.6 Insurances

9.5.7 Personnel Management

9.5.8 Personnel Evaluation

9.5.9 Reports & Statistics

9.5.10 Housing

9.5.11 Labour Relations

9.5.12 Military Training

9.6 Finances

- 9.6.1 Budget
- 9.6.2 Valuations
- 9.6.3 Tax
- 9.6.4 External Loans / Internal Loans
- 9.6.5 Tariffs
- 9.6.6 Subsidies Received
- 9.6.7 Deposits & Guarantees
- 9.6.8 Funds & Levies
- 9.6.9 Investments
- 9.6.10 Claims
- 9.6.11 Settlements of accounts
- 9.6.12 Allowances and Funds – Councillors
- 9.6.13 Collection and Repayment of money
- 9.6.14 Insurance
- 9.6.15 Financial Control
- 9.6.16 Financial Assistance
- 9.6.17 Losses
- 9.6.18 Statements and Reports
- 9.6.19 Notices – Estates and Execution Sales

9.7 Council's Assets – Grounds And Emblems

- 9.7.1 Building & Grounds
- 9.7.2 Alienation
- 9.7.3 Letting (Hiring Out)
- 9.7.4 Sales
- 9.7.5 Obtaining
- 9.7.6 Surface Right Permits
- 9.7.7 Emblems

9.8 Supplies, Services, Equipment, Vehicles & Accommodation

- 9.8.1 Stock Taking
- 9.8.2 Purchasing and Maintenance
- 9.8.3 Household Services
- 9.8.4 Communication
- 9.8.5 Cleaning Services
- 9.8.6 Office Accommodation

9.9 Tenders And Contracts

- 9.9.1 Routine Enquires
- 9.9.2 Premier's Approval
- 9.9.3 Tenders
- 9.9.4 Contracts

9.10 Reports

- 9.10.1 Annual Reports
- 9.10.2 Monthly Reports

9.11 Publicity And Information

- 9.11.1 Own Publicity
- 9.11.2 Publicity and information by other
- 9.11.3 Shows / Exhibitions

9.12 Festivities And Social Gathering

- 9.12.1 Speeches
- 9.12.2 Protocol and List of addresses
- 9.12.3 Festivals
- 9.12.4 Own Functions
- 9.12.5 Expression of thanks, congratulations, condolences
- 9.12.6 Granting of awards

9.13 ORGANISATIONS AND INSTITUTIONS (Minutes, Reports Etc)

- 9.13.1 National and Provincial
- 9.13.2 Regional
- 9.13.3 Local

9.14 Administration Of Justice

- 9.14.1 Legal Advice
- 9.14.2 Appointments of Attorneys
- 9.14.3 Claims
- 9.14.4 Prosecutions
- 9.14.5 Determinations of Magisterial Districts
- 9.14.6 Appointment of Peace Officers
- 9.14.7 Appointment of Officers in accordance with the Act of Hazardous Substances
- 9.14.8 Consumer's Boycott and Stay Away Actions

9.15 Licences And Permits

- 9.15.1 Applications and Issue

9.15.2 Navis / Natis

9.16 Town Planning, Development And Control

9.16.1 Municipal Boundaries and Reservation of Sites

9.16.2 Town Establishment Schemes

9.16.3 Establishment of Municipal Areas

9.16.4 Control over Municipal Areas (Extensions 1.19)

9.16.5 Sales of Erven

9.16.6 Exchange of stands/erven

9.16.7 Donation of stands

9.16.8 Demarcation of stands

9.17 Essential Services

9.17.1 Water

9.17.2 Electricity

9.17.3 Roads, Streets, Storm Water Drainage

9.17.4 Sewerage

9.17.5 Sanitation

9.17.6 Cemetery and Crematorium

9.17.7 Sun Energy

9.17.8 General

9.18 Community Services

9.18.1 Health

9.18.2 Education

9.18.3 Traffic Control

9.18.4 Library Services

9.18.5 Housing

9.18.6 Parks, Open Spaces, Public Gardens

9.18.7 Sports and Recreation

9.18.8 Bus Transport

9.18.9 Market

9.18.10 Fire and Ambulance Services

9.18.11 Abattoir

9.18.12 Pounds

9.18.13 Welfare

9.18.14 Religion and Churches

9.18.15 Public Disturbance

9.18.16 Control – Invader Plants and Weeds

- 9.18.17 Civil Protection Services
- 9.18.18 Conservation of Flora
- 9.18.19 Post Office Services
- 9.18.20 Television and Radio Services
- 9.18.21 Museums
- 9.18.22 Old Age Homes
- 9.18.23 National Defence Service
- 9.18.24 Nature and Environmental Conservation
- 9.18.25 Provision of Milk
- 9.18.26 Automatic Stations (Seismographic & Water Stations)
- 9.18.27 Culture

9.19 Erven Files

9.20 Security Files

10 HOW TO GO ABOUT REQUESTING INFORMATION

10.1 Application

Any person may request information in terms of the Promotion of Access to Information Act.

To request information the person must:

Complete the prescribed form “**A**” – **Information Request Form**, submit to the Information Officer and remember to:

- a) Indicate the form of access required e.g. examination at offices of Municipality.
- b) Pay the prescribed fees as per form “**A + B**” – **Fees in Respect of Public Bodies**. If the information requested is containing personal information about the requester, no fee is payable;
- c) Specify a postal address or fax number in South Africa, or an e-mail address;
- d) Please refer to the act why the record is needed and for what purpose;
- e) Provide enough information to enable the Information Officer to identify the records requested, including a description of the record, a reference, and any further particulars on the record;
- f) Indicate the form of reply to the request, other than a written reply, which may be preferable, with the relevant particulars;
- g) Provide proof of the capacity in which application is being made, if requesting access on behalf of another.

10.2 Once complete the form can be submitted over the counter at:

- (1) Nelson Mandela Avenue, Phalaborwa
Tel: 015 780 6300
Fax: 015 781 0726
- (2) Calvin Ngobeni Street, Namakgale
Tel: 015 769 1553
Fax: 015 769 1544
- (3) Akanani Street, Lulekani
Tel: 015 783 0160
Fax: 015 783 0163
- (4) Hardekool Street, Gravelotte
Tel: 015 318 4521
Fax: 015 318 4348

OR

The completed form can be mailed to the Information Officer:

Private Bag X01020, Phalaborwa, 1390

**10.3 Decision on Request for Information in the Time Frame according to
The Act**

The Information Officer will make a decision on the request and notify the applicant in such manner, which the applicant wanted to be notified in.

If for practical reasons, access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester had requested.

If the applicant is unable to read or write, or has a disability, then they can make the request for the record orally, in which event the Information Officer will complete the form on behalf of such applicant and furnish the requester with such completed form.

10.4 Grounds for refusal of access to information

The information Officer will refuse access to records where a request for access relates to:

- 10.4.1 Mandatory protection of the privacy of a third party who is a natural

- person, which would involve the unreasonable disclosure of personal information of that natural person;
- 10.4.2 Information supplied in confidence by a third party, the disclosure of which could reasonably be expected in favour of this in mere;
- 10.4.3 Information, the disclosure of which would be likely to impair the security of a building, structure of system, which may be a computer system, means of transport or any other property;
- 10.4.4 A record containing the methods, techniques or guidelines for the prevention, detection, curtailment investigation of a contravention or possible contravention of law or persecution of an alleged offender.
- 10.4.5 Information, the disclosure of which could cause prejudice to the security of the Municipality;
- 10.4.6 Information, the disclosure of which is likely to materially jeopardise the economic or financial interest of the Municipality;
- 10.4.7 Information, which contains financial, commercial, scientific or technical info, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of the Municipality;
- 10.4.8 Information which is a computer program, defined in the Copyright Act No 98 of 1978 owned by the Municipality, State or Public Body.
- 10.4.9 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 expose a public body or person carrying out the reach, or subject matter of the research to serious disadvantage;
- 10.4.10 Information about a record of public body which contains an opinion, advice report or recommendation obtained or prepared or an account of an 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.
- 10.4.11 Information regarded as privileged in legal proceedings;

The information Officer will also refuse requests that are clearly frivolous or vexatious or which would involve an unreasonable diversion or wastage of resources.

10.5 Appeal against refusal of access to information

If after complying with the procedural requirements mentioned in above, the Information Officer refuses to grant access to information; and such refusal is not based on any ground of refusal mentioned in the Act; the applicant may appeal against the decision of such Information Officer to Mayor.

The application for appeal must be made on the prescribed form “***B – Notice of Internal Appeal.***”

If the applicant is not satisfied with the decision of the Mayor, the applicant may lodge a Court application for further relief if not satisfied with the appeal decision of the Mayor in the necessary time frames according to the act.

FORM A - Information Request Form

BA-PHALABORWA MUNICIPALITY

The Information Officer
Ba-Phalaborwa Municipality
Private Bag X01020
Phalaborwa 1390

Tel : 015 780 6300
Fax : 015 781 0726
E-mail : phalamun@lantic.net

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]

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

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images -
(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

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

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
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*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 not available 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 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

FORM B – NOTICE OF INTERNAL APPEAL

BA-PHALABORWA MUNICIPALITY

The Information Officer
Ba-Phalaborwa Municipality
Private Bag X01020
Phalaborwa 1390

Tel : 015 780 6300
Fax : 015 781 0726
E-mail : phalamun@lantic.net

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 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:

<input type="checkbox"/>	Refusal of request for access
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 22 of the Act
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
<input type="checkbox"/>	Decision to grant request for access

E. Grounds for appeal

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

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

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

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars 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): _____

FORM C – FEES PAYABLE

BA-PHALABORWA MUNICIPALITY

The Information Officer
Ba-Phalaborwa Municipality
Private Bag X01020
Phalaborwa 1390

Tel : 015 780 6300
Fax : 015 781 0726
E-mail : phalamun@lantic.net

FORM C – FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5(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	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
(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) is R35,00.
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(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
(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
(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.	
(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) one third of the access fee is payable as a deposit by the requester.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	