

Overstrand Municipality



*PROMOTION OF ACCESS TO
INFORMATION ACT, 2000
(ACT 2 OF 2000)*

MANUAL IN TERMS OF
SECTION 14

April 2012

PREFACE

This manual purports to comply with the requirements of section 14 of the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000) in recognition by the OVERSTRAND MUNICIPALITY of the following values and principles:

- (a) A high standard of professional ethics to be promoted and maintained.
- (b) Efficient, economic, effective and accountable use of resources to be promoted.
- (c) Public administration to be developmentally oriented.
- (d) Services to be provided impartially, fairly, equitably and without bias.
- (e) People's needs to be responded to and the public to be encouraged to participate in policy-making.
- (f) Public administration to be accountable.
- (g) Transparency to be fostered by providing the public with timely, accessible and accurate information.
- (h) Good human-resource management and career-development practices, to maximise human potential, to be cultivated.
- (i) Public administration to be broadly representative of the South-African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.

SECTION 1

OVERVIEW

1. Background

South Africa held its first democratic elections in April 1994 under an Interim Constitution. The final Constitution of the Republic of South Africa, 1996 which followed, warrants -

- a society based on democratic values, social justice and fundamental human rights;
- an open society in which government is based on the will of the people and in which every citizen is equally protected by law, and
- improvement of the quality of life of all citizens.

In order for local government to achieve the Constitutional goals, legislation was enacted to provide for the core principles, mechanisms and processes that are necessary for municipalities to move progressively towards the upliftment of local communities.

Legislation provides for a system of community participation in municipal governance. One of the corner-stones of community participation is to be found in the preparation, implementation and review of an integrated development plan (IDP).

Through participatory democracy (as opposed to former representative democracy) local communities are legally engaged in local governance.

2. The Promotion of Access to Information Act, 2000

The objectives of the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000) are to give effect to the constitutional right of access to any information held by the State as well as promoting transparency, accountability and effective governance and to allow for access to information required for the exercise or protection of any rights.

To honour its legal obligations in this regard, the Overstrand Municipality prepared this manual in order to -

- enable people to exercise their rights in terms of the Act;
- create an understanding of the functions performed and records kept by the Municipality, and
- assist in fostering a culture of transparency and accountability in a democratic and open society.

3. Understanding Municipal Government in Overstrand

Local government in Overstrand is based on a mayoral executive system which allows for the exercise of executive authority through an executive mayor, in whom the executive leadership of the municipality is vested and who is assisted by a mayoral committee and a ward participatory system.

The ward committees of which there are thirteen (13) and OMAF (Overstrand Municipal Advisory Forum) are the main liaison mechanisms for and with the community on all municipal matters. The OMAF co-ordinates inputs made by the ward committees.

Access to ward committees is obtained directly through members or with the assistance of the following secretarial offices:

- Office of the Senior Manager, Hermanus Administration
Mr D Kearney
P O Box 20
HERMANUS
7200
Tel. no. 028 - 313 8084
- Office of the Senior Manager, Hangklip-Kleinmond
Mrs C Jonkheid
Private Bag X3
KLEINMOND
7195
Tel. no. 028 - 271 8417

- Office of the Senior Manager, Gansbaai Administration
Mr F Myburgh
P O Box 26
GANSBAAI
7220
Tel. no. 028 - 384 8364

- Office of the Manager, Stanford Administration
Mrs P Ferreira
P O Box 84
STANFORD
6250
Tel. no. 028 - 341 8500

SECTION 2

STRUCTURE AND FUNCTIONS OF THE OVERSTRAND MUNICIPALITY

The Overstrand Municipality is guided by a vision, mission and strategic priorities, as follows, and has structured its organisation accordingly:

Vision

To be a centre of excellence for the community.

Mission

To deliver optimal services in support of sustainable economic, social and environmental goals.

Strategic Priorities

- Provision of democratic and accountable governance
- Provision and maintenance of municipal services
- Management and conservation of the natural environment
- Creation and maintenance of a safe and healthy environment
- Promotion of tourism, economic and rural development

Particulars of councillors are, as per Annexure A.

Councillors have structured themselves into five portfolio committees, which report to the Executive Mayor via the Mayoral Committee, as follows:

Speaker, Ald A Coetsee

1. Portfolio Committee: Finance and Local Economic Development
(Chairman: Cllr B Solomon, Committee Members: Cllrs L Krige, D Coetzee, M Mshenxiswa & P May)
2. Portfolio Committee: Community Services
(Chairman: Cllr R Smith, Committee Members: Cllrs L Ndevu, L Beyers-Cronje, M Ponoane & N Nqinata)
3. Portfolio Committee: Infrastructure and Planning
(Chairman: Deputy Executive Mayor, Ald P A Scholtz, Committee Members: Cllrs M Lerm, A Prins, M Gillion & J Januarie)

4. Portfolio Committee: Protection Services
(Chairman: Cllr M Opperman, Committee Members: Ald A Coetsee, Cllrs E Nell, V Machota & T Pie)
5. Portfolio Committee: Management Services
(Chairman: Cllr P Appelgrein, Committee Members: Cllrs E Nell, M Andrews, M Sapepa and M Mandindi)

The Mayoral Committee which assists the Executive Mayor, Cllr N Botha-Guthrie, comprises -

1. The Deputy Executive Mayor, Ald P Scholtz
2. Cllr P Appelgrein
3. Cllr B Solomon
4. Cllr R Smith
5. Cllr M Opperman

Directors for the Overstrand Municipality are -

1. Director: Finance, Mr H Kleinloog, Tel. 028 - 313 8040,
Fax 028 - 313 8128, E-mail: hkleinloog@overstrand.gov.za
2. Director: Community Services, Mr R Williams, Tel. 028 - 313 8156,
Fax 028 - 313 8128, E-mail: rwilliams@overstrand.gov.za
3. Director: Infrastructure & Planning, Mr S Müller, Tel. 028 - 313 8104,
Fax 028 - 313 8128, E-mail: smuller@overstrand.gov.za
4. Director: Economic Development, Mr S Madikane, Tel. 028 - 313 8192
Fax: 028 - 313 8128, E-mail: smadikane@overstrand.gov.za
5. Director: Management Services, Ms D Arrison, Tel. 028 - 313 8004
Fax: 028 - 313 8128, E-mail: darrison@overstrand.gov.za
6. Director: Protection Services, Mr N Michaels, Tel. 028 - 313 8054
Fax: 028 - 313 8128, E-mail: nmichaels@overstrand.gov.za

The Directors report to the Municipal Manager, Mr C C Groenewald, Tel. 028 - 313 8003, Fax 028 - 3138030, E-mail: cgroenewald@overstrand.gov.za

Annexure B depicts the Managers reporting to the respective Directors.

SECTION 3

INFORMATION OFFICERS

The Promotion of Access to Information Act, Act 2 of 2000 purports to -

- foster a culture of transparency and accountability in public administration by giving effect to the right of access to information, and
- actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

In order to promote the objectives of the Act, the Director: Management Services, Ms D Arrison has been designated as the Information Officer with the following deputies appointed by her:

- | | | | | |
|----|------------------|---|--------------------|-------------------------|
| 1. | Mrs H van Tonder | - | Hermanus | Tel. No (028) 313 8037 |
| 2. | Mrs C Jonkheid | - | Hangklip-Kleinmond | Tel. No. (028) 271 8417 |
| 3. | Mr D Kearney | - | Hermanus | Tel. No. (028) 313 8084 |
| 4. | Mr F Myburgh | - | Gansbaai | Tel. No. (028) 384 8364 |
| 5. | Mrs P Ferreira | - | Stanford | Tel. No. (028) 341 8500 |

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

Information automatically available (see Annexure C - in this regard) and general enquiries should preferably be made to the Manager: Council Support Services, Ms H van Tonder at Tel. No. (028) 313 8037, E-mail: hvantonder@overstrand.gov.za.

SECTION 4

GUIDANCE ON PROTECTION OF HUMAN RIGHTS

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

Particulars relevant to the Human Rights Commission are as follows:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal Address
Private Bag 2700
Houghton
2041

Telephone number: (011) 484 8300

Facsimile (fax) number: (011) 484 1360

Website: www.sahrc.org.za

E-mail address: paia@sahrc.org.za

SECTION 5

ACCESS TO RECORDS HELD BY THE MUNICIPALITY

5.1 Automatic/Voluntary Disclosure

Annexure C describes the categories of records of the Municipality which are, subject to payment of the prescribed fees, automatically available without a person having to formally request access in terms of the Act.

5.2 Description of Subjects and Categories of Records held by the Municipality

“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, or on microfilm.

Annexure D 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 Deputy Information Officers.

5.3 Request Procedure

❖ Access Given

When a record/information is requested in terms of the Act, the requester must 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.

❖ **Form of Request**

- The request must be made in writing on the prescribed form, attached as Annexure E and be forwarded to:

Postal Address

The Information Officer
Overstrand Municipality
P O Box 20
HERMANUS
7200

or

Fax Number

(028) 312 1894

or

E-mail

darrison@overstrand.gov.za or hvantonder@overstrand.gov.za

- The application should clearly state what information is required and if the request is for a copy of a record or whether the requester would like to view the record at the office of the Municipality.
- The application form must be accompanied by the prescribed request fee (For fees, see "Fees Payable" - Annexure G).
- If a person asks for access in a particular form, the requester would be given access in the manner that has been asked for, unless doing so would interfere unreasonably with the running of the office, would damage the record, or infringe a copyright not owned by the Municipality.
- If the requester wishes to be informed of the decision regarding the request in any other manner, e.g. by telephone/fax/e-mail, in addition to a written reply, it must be indicated as such.
- In the case where the requester is asking for information on behalf of somebody else, the capacity in which the request is being made should be indicated.

-
- When a requester is unable to read or write or has a disability, the request can be made orally. In such a case, the Information Officer/Deputy Information Officer must complete the form on behalf of the requester.

❖ **Decision and Notice**

- After the Information Officer/Deputy Information Officer has made a decision on the request, the requester will be notified thereof within 30 (thirty) days after the request has been received, unless the period to deal with the request has been extended.
- If the request is granted, a further access fee must be paid for the search, preparation and reproduction of the record where applicable. See also Annexure G for fees payable.
- The requester will be given the required information, if available, within a reasonable time after receipt of the application form and prescribed fee.

❖ **Transfer of Requests**

- If a request for access is made for information which is not in the possession of the Municipality, or if the information is more closely connected to another public body, the request will be transferred within 14 (fourteen) days after the request has been received, to the other body/institution/Organisation who could provide the information.

❖ **Records not found/Does not exist**

- In cases where records cannot be found or do not exist and all reasonable steps have been taken to find the requested record, the Information Officer will by means of an affidavit/affirmation inform the requester accordingly, giving full reasons.

❖ **Deferral of Access**

- Requests may be deferred until information becomes available. The requester will be notified accordingly and requested to make representations within 30 (thirty) days as to why the information is required prior to it becoming public.

❖ Refusal of Access to Records

- The Information Officer/Deputy Information Officers may refuse access to records under the circumstances as provided for in part 2, chapter 4, of the Act.

❖ Remedies

The following remedies are available if the Municipality does not comply with the provisions of the Act:

A requester may lodge an internal appeal with the Executive Mayor against a decision of the Information Officer or Deputy Information Officer if:

- A request for access is refused
- The fees charged are unacceptable
- The period within which a decision with regard to access to a record must be made is extended
- Access to a record is not provided in the requested form

A third party may lodge an internal appeal with the Executive Mayor against a decision by the Information Officer or Deputy Information Officers to disclose information relating to the third party.

❖ Appeal Procedure

- An internal appeal must be lodged on the prescribed form which is attached as Annexure F:
 - i) Within a period of 60 (sixty) days;
 - ii) If notice to a third party is required by section 49(1)(b), within 30 (thirty) days after notice is given to the appellant of the decision appealed against or, if notice to the appellant is not required, after the decision was taken.

The internal appeal -

- Must be delivered, posted, faxed or sent by electronic mail to the Information Officer.
- Must identify the subject of the internal appeal and give reasons for the appeal.
- Must state the manner in which the applicant wishes to be informed of the decision on the internal appeal, in addition to a written reply.
- Must, if applicable, be accompanied by the prescribed appeal fee.
- Must specify a postal address, fax number or e-mail address.

- The Information Officer must within 10 (ten) working days after receipt of an internal appeal, submit it to the Appeal Authority, namely the Speaker, for consideration.
- Late appeals may be allowed if good cause can be shown.
- A requester or third party may only apply to a court if the internal appeal procedure against a decision of the Information Officer has been exhausted.

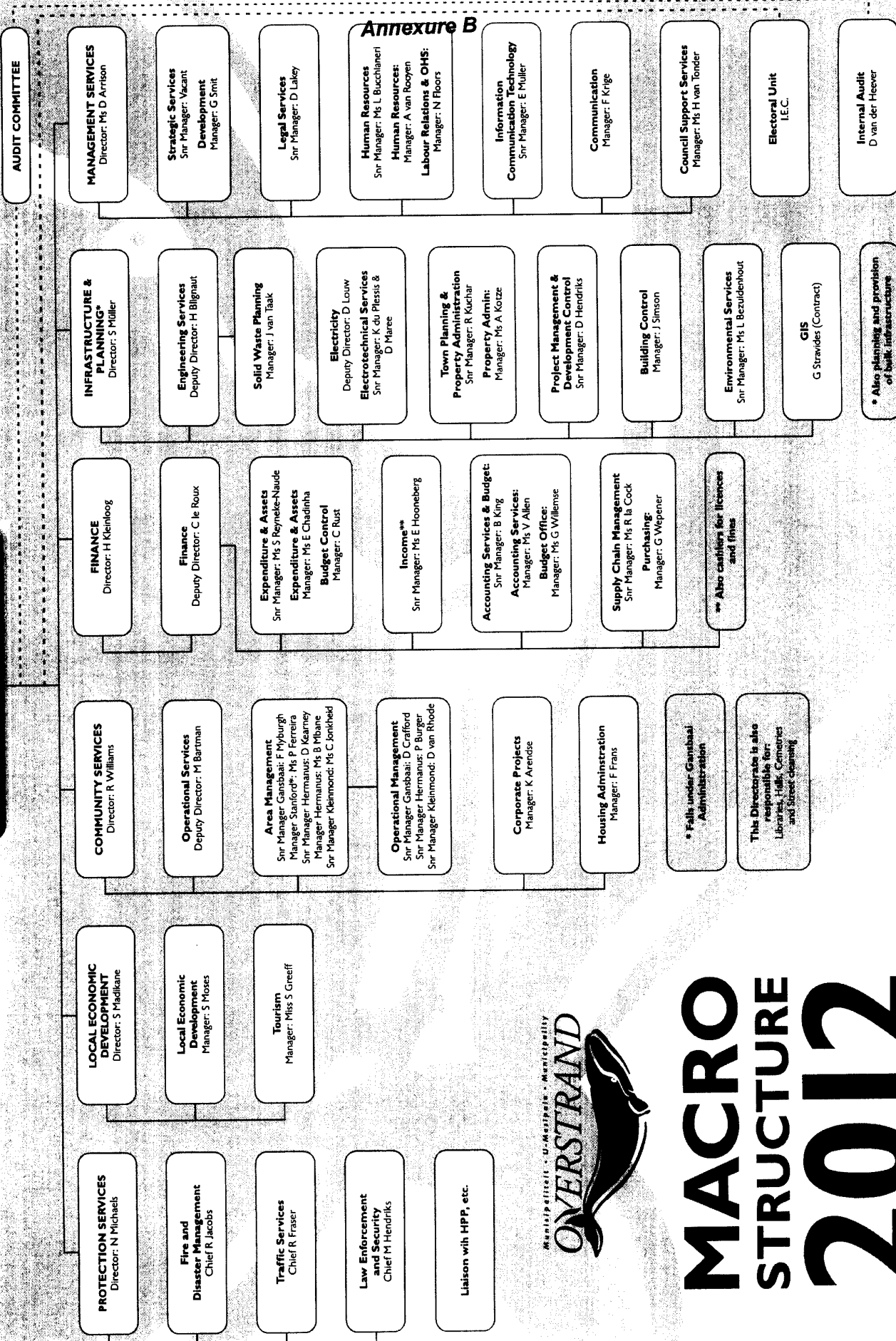
ANNEXURES

- Annexure A: Particulars of Councillors
- Annexure B: Organisational Structure
- Annexure C: Records automatically available
- Annexure D: Subjects of files kept by the Municipality
- Annexure E: Prescribed form for Request of Information
- Annexure F: Notice of Appeal
- Annexure G: Fees Payable

COUNCILLORS: OVERSTRAND MUNICIPALITY ~ APRIL 2011~ Annexure A

SURNAME, FULL NAMES		BIRTHDATE	FAXS & E-MAIL	TELEPHONE NUMBERS	WARD
Andrews, Mercia DA	Rdl / Cllr	630424	mercia.andrews@medclinic.co.za	028-313 0168 (w) 072 461 6839	
Appelgrein, Philippus DA (Philip)	Rdl / Cllr	530709	pappelgrein@overstrand.gov.za filmar@vodamail.co.za Fax (028) 313 8067	028-313 8017 (w) 082 927 6289	9
Beyers-Cronje, Lianda DA	Rdl / Cllr	581102	fredli@hermanus.co.za	028-313 1014 (h) 082 948 2450	4
Botha-Guthrie, Nicolette DA	Rdl / Cllr	480505	nbotha-guthrie@overstrand.gov.za Fax (028) 313 8067	028-313 8058 (w) 082 376 6265	
Coetsee, Anton DA	Rdh / Ald	600826	antoncoetsee@hermanus.co.za Fax 086 603 6114	028-316 4454 (w) 083 283 5237	
Coetzee, Dudley Peter DA	Rdl / Cllr	470721	dcoetzee@overstrand.gov.za Fax (028) 3819867	028-3819867 (w) 082 574 4404	11
Gillion, Maurencia Natalie ANC	Rdl / Cllr	660322	forward.anc@gmail.com	078 074 6490	
Januarie, Johannes JS NICO	Rdl / Cllr	660528	jjjanuarie@gmail.com 086 219 9528 (fax)	079 959 3376	
Krige, Lisel DA	Rdl / Cllr	551116	lisel@solidstuff.co.za Fax 086 614 7261	028-272 9533 (w) 082 572 2711	10
Lerm, Mageret Dorothea DA (Maxie)	Rdl / Cllr	550809	tmch@mweb.co.za	082 555 9984	3
Macotha, Vuyani Colbert ANC	Rdl / Cllr	811216	vmacotha@overstrand.gov.za	076 859 7607	12
Mandindi, Caroline, Q ANC	Rdl / Cllr	650830	cmandindi@overstrand.gov.za	079 140 6038	
May, Phillipus Johannes ANC	Rdl / Cllr	590530	hermanuswhales@lantic.net	028-313 2722 (w) 082 562 2355	
Mshenxiswa, Mzameni ANC	Rdl / Cllr	750501	mshenxiswa@overstrand.gov.za	073 276 4152	5
Nell, Elzette DA	Rdl / Cllr	551106	lz@hermanus.co.za	028-316 3091 083 945 5713	13
Ndevu, Linda DA	Rdl / Cllr	780128		083 946 6594	
Nqinata, Nomaxesibe NT ANC	Rdl / Cllr	820405	nnqinata@overstrand.gov.za	072 335 1338	1
Opperman, Moira DA	Rdl / Cllr	570802	mopperman@overstrand.gov.za Fax (028) 313 8067	028-313 8018 (w) 072 898 3335	
Pie, Marilyn Thembisa ANC	Rdl / Cllr	760818	mpie@overstrand.gov.za	083 940 2549	
Prins, Abraham DA	Rdl / Cllr	400704	aprins@overstrand.gov.za	028-312 4910 071 220 2074	
Ponoane, Makhaya V ANC	Rdl / Cllr	711225	mponoane@overstrand.gov.za Fax 086 655 8244	076 061 3381	
Sapepa, Michelle N ANC	Rdl / Cllr	711110	msapepa@overstrand.gov.za	072 580 5157	6
Scholtz, Petrus Albertus DA (Pieter)	Rdh / Ald	450316	pscholtz@overstrand.gov.za pa.scholtz@telkomsa.net Fax (028) 313 8067	028-313 8023 (w) 082 928 8869	2
Smith, Rudolph John DA	Rdl / Cllr	670610	rsmith@overstrand.gov.za Fax (028) 313 8067	028-313 8191 (w) 082 514 6411	8
Solomon, Ben DA	Rdl / Cllr	450421	bsolomon@overstrand.gov.za Fax (028) 313 8067	028-313 8016 (w) 083 257 8378	7

MUNICIPAL MANAGER: C. Groenewald



MACRO STRUCTURE 2012

CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE VOLUNTARY DISCLOSURE

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

BUSINESS DETAILS

AGENDAS AND MINUTES

- Agendas and minutes of all meetings of Council, excluding minutes and agendas which have been marked “confidential”

STRUCTURES

(Including Council, Mayoral Committee, Portfolio Committees and other committees)

COUNCIL LEGISLATION, BY-LAWS AND POLICIES

DELEGATIONS

AUTHORITY GRANTED TO COUNCILLORS AND MEMBERS OF STAFF

BUDGET

- Capital budget
- Estimates of income and expenditure
- Reports on budget control
- Business plans

IDP DOCUMENTS

FINANCIAL RECORDS

- Annual statements
- Arrears (excluding personal details)

REGISTERS

TARIFFS, FEES, SURCHARGES ETC.

STATISTICS

- Statistics kept for departmental use in the format in which it is available
- Statistics in the format as requested by legislation

PUBLICATIONS

- All publications by and on behalf of the municipality which has been made public or presented to council and in which no copyright is held by persons or bodies not connected with the municipality

HOUSING

- Details of housing waiting list
- Land available for housing development
- Available municipal housing

TENDERS

- Tenders after public opening
- Evaluations and recommendations once the decision-making authority has awarded the tender

SERVICE PROVIDERS

- Details of providers of services to the municipality

PLANNING

- Zoning and structure plans
- Policies and policy plans
- Individual zonings and conditions
- Register of approved departures and consent uses
- Documentation relating to town planning applications

LAND

- Property records only to owners of land if available
- Details of municipal owned land

ORGANISATIONAL STRUCTURE

See Annexure B

FILES KEPT BY THE MUNICIPALITY:

LIST OF MAIN SERIES

1. LEGISLATION
2. ORGANISATION AND CONTROL
3. OWN COUNCIL AND COUNCIL MATTERS
4. STAFF
5. FINANCE
6. DOMESTIC SUPPLIES AND SERVICES
7. BUILDINGS AND LAND
8. TENDERS, QUOTATIONS AND CONTRACTS
9. REPORTS AND RETURNS
10. PUBLICITY AND INFORMATION
11. FESTIVALS AND SOCIAL MATTERS
12. COMPOSITION AND MEETINGS OF BODIES AND OTHER GATHERINGS
13. LEGAL MATTERS
14. LICENCES AND PERMITS
15. TOWN PLANNING AND CONTROL
16. ESSENTIAL SERVICES
17. COMMUNITY SERVICES

ANNEXURE E

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:

.....

.....

.....

Telephone number :

Fax 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
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"/>		<input type="checkbox"/>	transcription of the images*
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)
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"/>		<input type="checkbox"/>	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 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

(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.

<i>Mark the decision against which the internal appeal is lodged with an X in the appropriate box:</i>	
	Refusal on 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 G

FEES PAYABLE

(In terms of Regulation 187 dated 15 February 2002)

1. The fee for a copy of the manual as contemplated 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. | |