



GREATER TZANEEN MUNICIPALITY  
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# GREATER TZANEEN MUNICIPALITY

## PROMOTION OF ACCESS TO INFORMATION MANUAL, 2025

### VERSION 1

Prepared in accordance with section 14 of Promotion of Access to Information Act (PAIA, No. 02 of 2000 and the Protection of Personal Information Act of 2013 and Regulations

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## i. LIST OF ACRONYMS AND ABBREVIATIONS

“DIO” Deputy Information Officer

“GTM” Greater Tzaneen Municipality

“IO” Information Officer

“PAIA” Promotion of Access to Information Act (No.02 of 2000)

“POPIA” Protection of Personal Information Act (No. 04 of 2013)

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## ii. DEFINITIONS AND INTERPRETATIONS

- a) **Access fee:** means a fee prescribed for the purposes of section 22(6) or 54(6), as the case may be.
- b) **Data subject:** means the person to whom personal information relates.
- c) **Deputy Information Officer:** means the designated individual in the public or private body who is responsible for assisting the Information Officer with the **PAIA** Request.
- d) **Employee:** means any person who works for, or provides services to, or on behalf of Greater Tzaneen Municipality, and receives or is entitled to receive remuneration.
- e) **Guide:** means the guide on how to use **PAIA** by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act (PAIA, 2 of 2000) and the Protection of Personal Information Act (POPIA, 04 of 2013, as contemplated in section 10 of **PAIA**).
- f) **Information Officer:** in the case of a municipality, means the municipal manager appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), or the person who is acting as such; or in the case of any other public body, means the chief executive officer, or equivalent officer, of that public body or the person who is acting as such.
- g) **Information Regulator:** means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013.
- h) **Internal appeal:** means an internal appeal to the relevant authority in terms of section 74.
- i) **Manual:** means this manual, together with all annexures thereto as amended and made available at the offices of Greater Tzaneen Municipality from time to time.
- j) **PAIA:** means the Promotion of Access to Information Act (No. 2 of 2000) together with any regulations published thereunder.

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k) **Personal information:** means information relating to an identifiable natural person, including, but not limited to -

- 1) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the person.
- 2) information relating to the education or the medical, financial, criminal or employment history of the person.
- 3) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person.
- 4) the biometric information of the person.
- 5) the personal opinions, views, or preferences of the person.
- 6) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
- 7) the views or opinions of another individual about the person.
- 8) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person but excludes information about an individual who has been dead for more than 20 years.

l) **Person:** means a natural person or a juristic person.

m) **POPIA:** means the Protection of Personal Information Act (No. 4 of 2013) together with any regulations published thereunder.

n) **Private body:** means –

- 1) a natural person who carries or has carried on any trade, business, or profession, but only in such capacity.
- 2) a partnership which carries or has carried on any trade, business, or profession.
- 3) any former or existing juristic person.

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4) a political party but excludes a public body.

o) **Processing**: shall bear the meaning ascribed thereto in POPIA;

p) **Public body**: means -

1) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government.

2) any other functionary or institution when

- i. exercising a power or performing a duty in terms of the Constitution or a provincial constitution.
- ii. exercising a public power or performing a public function in terms of any legislation.

q) **Record**: of, or in relation to, a public or private body, means any recorded information -

- 1) regardless of form or medium
- 2) in the possession or under the control of that public or private body, respectively
- 3) whether or not it was created by that public or private body, respectively.

r) **Request for access**: in relation to -

1) a public body, means a request for access to a record of a public body in terms of section 11.

2) a private body, means a request for access to a record of a private body in terms of section 50.

s) **Requester**: means any person or entity (including any Data Subject) requesting access.

t) **Responsible party**: means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

u) **Third party**: in relation to a request for access to –

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- 1) a record of a public body, means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than –
  - (i) the requester concerned
  - (ii) a public body
- 2) a record of a private body, means any person (including, but not limited to, a public body) other than the requester, but, for the purposes of sections 34 and 63, the reference to 'person' in paragraphs (a) and (b) must be construed as a reference to 'natural person'.

v) **The Act:** means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of section 92.

w) **Interpretation:**

- 1) any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation, or other legislation as at the signature date, and as amended or substituted from time to time.
- 2) if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual.
- 3) where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document.
- 4) where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day.
- 5) any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months, or years, as the case maybe.

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- 6) the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the eiusdem generis rule shall not be applied in the interpretation of such general wording or such specific example/s.
- 7) insofar as there is a conflict in the interpretation of or application of this Manual and the Act, the Act shall prevail.

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## 1. PREAMBLE

Before South Africa became a constitutional democracy with an enforceable Bill of Rights, it had a government that thrived on secrecy, clandestine activities, and the suppression of information. There was no transparency or accountability. Therefore, post the first democratic elections in 1994, South Africa began to draft and gazette policies and legislations that is fair and transparent to the citizenry of the country and the world in particular.

The Promotion of Access to Information Act (PAIA, No.02 of 2000) provides for the constitutional right as enshrined in the Constitution of the Republic of South Africa 1996, with reference to section 32 which outlines the access to information by affording citizens the rights of access to information held by the state and information that is held by another person and that is required for the exercise or protection of any rights. Furthermore, the constitution demands that transparency must be fostered by providing the public with timely, accessible, and accurate information.

The Promotion of Access to Information Act (No.02 of 2000), seeks to provide fairness, openness and promote public confidence in the administration of public affairs. This confidence is one of the characteristics of the democratically governed society towards which the constitution strives.

## 2. PURPOSE OF THE PAIA MANUAL

The aim of PAIA is to foster a culture of transparency and accountability by public and private bodies and assist in realising South Africa's goals of an open and participatory democracy. PAIA plays a pivotal role in affording the citizenry the right of access to information and to actively promote a society in which any person has effective access to information. This will enable any person to fully exercise their rights.

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In promoting a culture of transparency and accountability in public and private bodies, the PAIA manual is useful for the public to-

- i. Check the nature of the records which may already be available at Greater Tzaneen Municipality (GTM), without the need for submitting a formal PAIA request.
- ii. Understand how to make a request for access to a record of the Greater Tzaneen Municipality.
- iii. Access all the relevant contact details of the persons who will assist the public with the records they intend to access.
- iv. Establish the nature of the records which may already be available at the Greater Tzaneen Municipality, without the need for submitting a formal PAIA request.
- v. Describe the services available to members of the public from the Greater Tzaneen Municipality and how to gain access to those services.
- vi. Outline the description of the guide on how to use PAIA, as updated by the Greater Tzaneen Municipality and how to obtain access to it.
- vii. Understand if the Information Officer will process personal information, the purpose of processing of personal information, the description of the categories of data subjects and of the information or categories of information relating thereto.
- viii. Know if the Information Officer has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
- ix. Know whether the Information Officer has appropriate security measures to ensure the confidentiality, integrity and availability of the information which is to be processed

### **3. SCOPE OF APPLICATION**

This Manual has been prepared in respect of and applies to the Greater Tzaneen Municipality.

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#### **4. LEGISLATIVE FRAMEWORK**

The directives contained in this policy are implemented in accordance with the following provisions:

- (a) The Constitution of South Africa, 1996
- (b) National Archives and Records Service of South Africa Act (No.43 of 1996)
- (c) National Archives and Records Service of South Africa regulations
- (d) Protection of Personal Information Act (No. 4 of 2013)
- (e) Promotion of Access to Information Act (No.2 of 2000)
- (f) Promotion of Administrative Justice Act (No.3 of 2000)
- (g) The Limpopo Province Archives Act (No.5 of 2001)
- (h) Electronic Communications and Transaction Act (No.25 of 2002)
- (i) Local Government: Municipal Structures Act (Act No.117 of 1998)
- (j) Local Government: Municipal Systems Act (Act No. 32 of 2000)
- (k) Local Government: Municipal Finance Management Act (Act No. 56 of 2003)
- (l) Labour Relations Act (No.66 of 1995)

#### **5. ADMINISTRATION OF THE MANUAL**

The Municipal Manager (appointed as Information Officer) must ensure that the Director of Corporate Services (appointed as Deputy Information Officer) has an effective structure in Records Management to fulfil the functions of administration and enforcement of this policy.

#### **6. POLICY CONTENTS**

##### **6.1. Roles and responsibility**

The Municipal Manager is responsible for the efficient management and administration of the municipality. The power to approve a policy to deal with the protection of personal information of staff members, councilors and municipal residents is vested in the council.

The council hereby delegates the power of implementing this policy to the municipal manager who is in turn authorized to sub-delegate to any directors or officials of the municipality.

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## 7. ESTABLISHMENT, STRUCTURE, FUNCTIONS OF GTM AND ADDRESS OF DEPUTY INFORMATION OFFICERS/INFORMATION OFFICERS

### 7.1. Establishment of the municipality

The Greater Tzaneen Municipality is category B, municipality established in terms of chapter 7 of the Constitution of the Republic, 1996 and the Local Government: Municipal Structures Act (No. 117 of 1998). The Greater Tzaneen Municipality is an organ of state within the local sphere of government, and it was established after the first democratic municipal elections held on the 5<sup>th</sup> of December 2000, guided by section 12 of the Local Government: Municipal Structures Act (No. 117 of 1998), which notice was promulgated in the Provincial Gazette 307 of 2000 on the 1<sup>st</sup> of October 2000.

The Greater Tzaneen Municipality shares the municipal executive and legislative authority in its area with a category C municipality, which in this case is Mopani District Municipality. The municipality comprises of 69 councillors inclusive of the Speaker, Chief Whip and 10 executive committee members. The municipality has 35 ward councillors. All the 35 ward councillors chair a ward committee as part of the ward participatory system that brings participation down to community level.

Ward councillors play a strategic role in the communication process between the communities they represent and the council, reporting back regularly through ward meetings and assisting the community in identifying needs and priority areas of development which feed into the municipality's planning processes.

### 7.2. Structure of the municipality

The Greater Tzaneen Municipality uses section 79 of the Local Government: Municipal Structures Act (No. 117 of 1998), to establish and appoint committees of municipal council and selects the 10 executive committees' members to provide political oversight in the municipality. A system of good governance and effective management of Greater Tzaneen Municipality was adopted and put in place by an independent oversight mechanism in accordance with the African Charter on Democracy, Elections, and Governance (ACDEG) and the international principles of good governance.

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The administration of Greater Tzaneen Municipality is led by the Municipal manager who manages the Office of the Chief Operating Officer, Office of the Mayor, Department of Planning and Economic Development, Department of Engineering Services, Department of Community Services, Department of Electrical Engineering, Department of Budget and Treasury and the Department of Corporate Services. Below is the structure of the Municipality.

- i. Office of the Chief Operating Officer
  - Integrated Development Planning
  - Organisational Performance Management
  - Individual Performance Management
  - Internal Audit
  - Risk and compliance
  - Disaster management
  - Special programme
- ii. Department of Planning and Economic Development
  - Local Economic Development
  - Spatial Planning and Land use management
  - Land and Human Settlements
  - Geo-spatial information system
- iii. Department of Civil Engineering Services
  - Technical Planning, Design and PMU
  - Water and Sanitation Services
  - Roads and Building Maintenance
  - Mechanical workshop
- iv. Department of Community Services
  - Law enforcement, licensing, and testing
  - Solid waste management
  - Library services
  - Parks, cemeteries, Sports, Arts and Culture
  - Safety, Security and Protection Services

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- v. Department of Electrical Engineering
  - Operations and Maintenance
  - Electrical control, public lighting, and connections
  - Electrical planning and projects
- vi. Department of Budget and Treasury
  - Budget control and reporting
  - Expenditure
  - Revenue
  - Supply Chain Management
  - Assets management
  - Fleet management
  - Inventory management
- vii. Department of Corporate Services
  - Human resource management
  - Communications and marketing services
  - Council support, records management, and shared services
  - Information and communication technological services
  - Public participation

### 7.3. Functions of the municipality

The Greater Tzaneen Municipality has the following powers and functions assigned to it in terms of section 84 (2) of the Local Government Municipal Structures Act, 1998 (Act No 117 of 1998):

Powers and functions		
No	Powers	Functions
1	The provision and maintenance of childcare facilities	Cleansing
2	Development of local tourism	Administer pounds
3	Municipal planning	Development and maintenance of public places
4	Municipal public transport (District)	Refuse removal, refuse dumps disposal

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5	Municipal public works relating to the municipality's functions	Administer street trading
6	Administer trading regulations	The imposition and collection of taxes and surcharges on fees as related to the municipality's functions
7	Administer billboards and display of advertisements in public areas	Imposition and collection of taxes, levies and duties as related to municipality's
8	Administer cemeteries, funeral parlors and crematoria	Provision and maintenance of municipal roads/streets
9	Control of public nuisances	Management of municipal airfields
10	Control of undertaking that sell liquor to the public	Provision of environmental health services
11	Ensure the provision of facilities for the accommodation, care, and burial of animals	Provision of disaster management services
12	Fencing and fences	Develop and administer markets
13	Licensing of dogs	Development and maintenance of municipal parks and recreation
14	Licensing and control of undertakings that sell food to the public	Regulate noise pollution
15	Administer and maintenance of local amenities	Receipt and allocation of grants made to the municipality
16	Development and maintenance of local sport facilities	Provision of electricity
17		Other powers as enshrined in section 83 schedule 4 (b) of the Municipal

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## 8. ADDRESS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER OF GREATER TZANEEN MUNICIPALITY

8.1. The designated Information Officer for Greater Tzaneen Municipality is the Municipal Manager

Mr Donald Mhangwana  
Information Officer  
Municipal Manager

Tel : 015 307 8246  
Email : [donald.mhangwana@tzaneen.gov.za](mailto:donald.mhangwana@tzaneen.gov.za)  
Cell : 079 665 9725

8.2. The designated Deputy Information Officer for Greater Tzaneen Municipality is the Director: Corporate Services

Mrs Ntebatse Helen Maggy Maake  
Deputy Information Officer  
Director: Corporate Services

Tel : 015 307 8005  
Email : [Ntebatse.maake@tzaneen.gov.za](mailto:Ntebatse.maake@tzaneen.gov.za)  
Cell : 076 333 6131

## 9. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

9.1. The regulator has, in terms of section 10 of PAIA, updated and made available the revised Guide on how to use PAIA manual, in an easily comprehensible manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

9.2. The purpose of the aforesaid manual is to provide information that is required by any person who wishes to exercise any right contemplated in PAIA and POPIA.

9.3. The manual is available in three official languages namely: Xitsonga, Sepedi, and Afrikaans. The English language will be used as standardised language for the GTM PAIA Manual.

9.4. The aforesaid manual contains the descriptions of-

9.4.1. The objects of PAIA and POPIA

9.4.1.1. The postal and street address, phone, and fax number and, if available, electronic and mail address of-

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- 9.4.1.1.1. The information officer of every public body
- 9.4.1.1.2. Every Deputy Information Officer of every public and private body designated in terms of section 17 (1) of PAIA and section 56 of POPIA.
- 9.4.2. The manner and form of request for-
  - 9.4.2.1. Access to a record of a public body contemplated in section 11 of PAIA
  - 9.4.2.2. Access to a record of a private body contemplated in section 50 of PAIA
  - 9.4.2.3. The assistance is available from the Information Officer of a public body in terms of PAIA and POPIA.
  - 9.4.2.4. The assistance available from the regulator in terms of PAIA and POPIA
- 9.4.3. All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - 9.4.3.1. An internal appeal
  - 9.4.3.2. A compliant to the regulator
  - 9.4.3.3. An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the regulator or a decision of the head of a private body.
  - 9.4.3.4. The provisions of sections 14 and 51 require a public body and a private body, respectively to compile a manual, and how to obtain access to a manual.
  - 9.4.3.5. The provisions of sections 15 and 52 provide for the voluntarily disclosure of categories of records by a public body and private body, respectively.
  - 9.4.3.6. The notices are issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access.
  - 9.4.3.7. The regulations made in terms of section 92
  - 9.4.3.8. Members of the public can inspect or make copies, during normal working hours, of the manual from the offices of the public and private bodies (in at least two of the official languages). The guide, in each of the official languages, can also be obtained-
    - 9.4.3.8.1. From the government gazette
    - 9.4.3.8.2. Upon request from the regulator, by the Information Officer on a form which corresponds substantially with the form of requesting a copy of the guide.

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9.4.3.8.3. Upon request from the regulator, by any person, other than an Information Officer referred to in paragraph 9.4.3.8.2., above on a form that corresponds substantially with the form requesting a copy of the manual to the PAIA regulations. The fees in relation to a copy of the manual as provided for in **Annexure C**.

9.4.3.8.4. From the website of the regulator <https://www.justice.gov.zainforreg/> and that of any public and private bodies.

9.4.3.8.5. Any request for the manual from Greater Tzaneen Municipality must be made in writing, by completing the form to request a copy of the manual.

## **10. REQUEST PROCEDURE AND FEES PAYABLE**

### **10.1. 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:

- a) All the procedural requirements in the Act relating to the request for access to a record have been met satisfactorily (Decision and notice)
- b) Access to the record is not refused on any grounds of refusal mentioned in the Act.

### **10.2. Form of Request**

- a) The request must be made in writing on the prescribed form, attached as Annexure A, and has to be forwarded to the Information officer/Deputy Information Officer.
- b) The application must clearly state what information is required and whether 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.
- c) The application form must be accompanied by the prescribed fee applicable at that time as per the official Municipal Fee Structure contained in **Annexure C**.
- d) If a person asks for access in a particular form, the requester will be given access accordingly, unless doing so interferes unreasonably with the running of the office, will damage the record, or infringe a copyright not owned by the municipality.

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- e) 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 on the application request form.
- f) In cases where the requester seeks information on behalf of somebody else, the capacity in which the request is being made to be indicated, and the necessary written consent to such an agent requesting on behalf of somebody else must be attached to the request/application form.
- g) When a requester is unable to read or write or has a disability, the request can be made orally. In which instance, the Information Officer/Deputy Information Officer must complete the form on behalf of the requester.

#### **10.3. Fees Payable**

In terms of the Act, two types of fees are required to be paid, namely the request fee and the access fee.

A requester who seeks access to a record of another person other than himself/herself must pay the relevant request fee and where the request for access to information is granted by the Information Officer/Deputy Information Officer, a further access fee must be paid.

The Information officer/Deputy Information officer will notify the requester to pay the prescribed fee before further processing the request. The requester may lodge an internal appeal or an application to the court against payment of the request fee.

#### **10.4. Decision and Notice**

After the Information Officer/ Deputy Information Officer has decided 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. The requester will be given the required information within a reasonable time after receipt of the prescribed access fee.

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#### **10.5. 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 can provide the information.

#### **10.6. 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/Deputy Information Officer will by means of an affidavit/affirmation inform the requester, accordingly, giving full reasons for the unavailability of the record.

#### **10.7. Deferral 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 becoming public.

#### **10.8. Refusal of access to records**

The Information Officer/ Deputy Information Officer may refuse access to records under the circumstances as provided for in Part 2, Chapter 4 of the Promotion of Access to Information Act (PAIA, No.02 of 2000) (**Refer to section 12.3. of this manual**).

### **11. REMEDIES AVAILABLE TO THE REQUESTER OF INFORMATION**

- 11.1. If Greater Tzaneen Municipality fails to comply with the provisions of PAIA, the requester or any aggrieved person may, in accordance with section 78 of PAIA and the Promotion of Administrative Justice Act (PAJA, No.3 of 2000), approach court with jurisdiction for appropriate relief.
- 11.2. If the requester or third party is aggrieved by the decision of the Information Officer, he or she may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of PAIA.

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### **11.3. Internal Appeal**

- 11.3.1.1. An internal appeal can only be lodged, in terms of section 74 of PAIA, with the relevant authority of the Greater Tzaneen Municipality.
- 11.3.1.2. However, the requirement of section 74 (1) and (2) of PAIA are not exclusive (this is because of the usage of the word “may” in section 74 (1) of PAIA). To this end, the Greater Tzaneen Municipality will have an internal appeal process to ensure an accountable, responsive, and transparent system of governance within the municipality.
- 11.3.1.3. Accordingly, a requester may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer on the following grounds-
  - 11.3.1.3.1 Refusal to grant access to records
  - 11.3.1.3.2 The tender or payment fee of the request fee in terms of section 22 (1) of PAIA
  - 11.3.1.3.3 The access fee to be paid is too excessive
  - 11.3.1.3.4 The tender or payment of a deposit in terms of section 22 (2) of PAIA
  - 11.3.1.3.5 The decision of the Information Officer to grant a request for access
  - 11.3.1.3.6 An extension of period in terms of section 26 (1) of PAIA
  - 11.3.1.3.7 Refusal to grant access to records in a particular form requested, in terms of section 29 (3) of PAIA
  - 11.3.1.3.8 Failure to disclose records
  - 11.3.1.3.9 Refusal to grant request to waive the fees
- 11.3.1.4. A third party may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer to grant a request for access to a record.
- 11.3.1.5. To appeal against any decision(s) made by the Information Officer or Deputy information Officer, referred to in paragraph 11.3.1.3, and 11.3.1.4, above, a requester must lodge an internal appeal by completing form to lodge an internal appeal.

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The mentioned form, attached hereto, must be submitted to the same Information Officer or Deputy information Officer that made the original decision, who is then required to forward it to the Chairperson (Complaints and Investigation Committee), or a member designated by the Chairperson within ten (10) working days after receipt of an internal appeal.

11.3.2 Period within which to lodge an appeal

11.3.2.3 An internal appeal form must be delivered or sent to the Information Officer or Deputy Information Officer's address, contact details of which can be found in section 4 of this manual.

11.3.2.3.1 Within 60 days after the decision was taken

11.3.2.3.1.1 Within 30 days after notice is given to the third party of the decision appealed against.

11.3.2.4 The appeal must be delivered or sent to any of the contact information listed in section 4 of this manual.

11.3.2.5 A requester lodging an internal and external appeal against the refusal of his or her request for access may pay the prescribed appeal fee (if any or unless he/she is exempted from paying fees. If the prescribed appeal fee is payable in respect of an internal appeal, the decision on the internal appeal may be deferred until the fee is paid.

#### 11.4 External Appeal

11.4.1.3 In addition to an internal appeal, a requester of information has the right to apply to a High Court and/or Magistrate's Court (Promotion of Access to Information Amendment Act (No. 54 of 2002, section 1) for an order that the record requested be disclosed.

11.4.1.4 The decision made by members of the GTM Protection of Personal Information Committee (POPIC), pertaining to any of the decisions the requester or third party is aggrieved by, is final and the requester or third party may, by way of an application, apply to a court within 180 days for appropriate relief in terms of section 82.

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11.4.1.5 Internal remedies in terms of section 78 of PAIA first must be exhausted.

11.4.1.6 For the link between the internal and external appeal refer to Section 74-78 of PAIA.

## 12. RECORDS HELD BY GREATER TZANEEN MUNICIPALITY

### 12.1. Categories of records automatically available/involuntary disclosure

#### FOR INSPECTION IN TERMS OF SECTION 15 (1) (a) (i)

##### General

- Section 14 manual made available in terms of the Promotion of Access to Information Act (No. 02 of 2000)
- Old photographs

##### i. Viewing of building plans

Approved building plans or building plans awaiting approval which includes all ancillary documentation pertaining thereto are available subject to making prior arrangements.

- (a) To affected parties in respect of new developments.
- (b) To adjoining neighbours who have a bona fide interest
- (c) A request form is completed for identification and record keeping purposes.
- (d) Satisfactory proof of residence or ownership is submitted by adjoining neighbours and viewing will take place under supervision.
- (e) Copyright protection applies; plans may not be copied without the written consent of the copyright holder.

#### FOR PURCHASING IN TERMS OF SECTION 15 (1) (a) (ii)

- (i) Health brochures
- (ii) Photographs
- (iii) Policy documents which are full colour versions including colour maps.

#### FOR COPYING IN TERMS OF SECTION 15 (1) (a) (ii): (normal fees for copying as per Council resolution apply in terms of rates policy)

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**(i) Agendas and minutes of Council and Council Committees**

(a) Agendas and minutes of all meetings of council structures and those of their predecessors, excluding minutes and agendas that have been marked confidential.

**(ii) Budget and business plans**

- (a) Capital budget
- (b) Estimates of income and expenditure
- (c) Reports on budget control
- (d) Business plans

**(iii) Business details**

Name, locality, address, telephone numbers, contact persons, hours of business of all council offices and depots.

**(iv) Official details about councillors**

The contact details of councillors should also include the mayor, speaker, and the whip as well as other office bearers' information.

**(v) Council delegations developed in terms of section 59 of the Local government: Municipal Systems Act, 32 of 2020**

Delegations to political office bearers, members of staff structure (Exco, sub-councils, portfolio committees.

**(vi) Council legislation, bylaws and policies guidelines and standards**

**(vii) Integrated development plan (IDP)**

**(viii) Financial records**

- (a) Account statements (Only available to account owners on positive identification).
- (b) Annual statements
- (c) Arrears (only available to account owners on positive identification).

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**(ix) Housing**

- (a) Land available for housing development
- (b) Available municipal housing

**(x) Land**

- (a) Details of municipal owned land
- (b) Records of land owned by the requester on positive identification

**(xi) Planning**

- (a) Business processes
- (b) Policy plans
- (c) Zoning schemes and certificates

**(xii) Registers**

- (a) Moveable assets
- (b) Contractors and service providers
- (c) Tenders awarded/new tenders
- (d) Greater Tzaneen Municipality approved file plan

**(xiii) Reports**

- (a) Annual report
- (b) Municipal entity annual report
- (c) All reports available on the website

**(xiv) Schedules**

Refuse collection schedules

**(xv) Statistics**

- (a) Health statistics
- (b) Waste minimisation statistics
- (c) Waste statistics
- (d) Statistics on solid waste management enforcement
- (e) Other statistics

**(xvi) Tariffs, fees, and surcharges****(xvii) Tenders**

- (a) Tender applications of requester after public opening on positive identification.
- (b) Tender adjudication decisions and minutes after tender award

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**(xviii) Maps**

(Paper form/digital maps/ static maps)

**(xix) Personnel information**

As included in the exceptions to personal information provided for in terms of section 34 (f) of the Promotion of Access to Information Act (No. 2 of 2000)

An individual who is or was an employee of Greater Tzaneen Municipality: An individual who is or was an official of the city: Title, work address and work telephone number. The classification, salary scale or remuneration and responsibilities of the position held, or services performed by the individual. (NB: Salary scale or remuneration pertains to that of a post currently by the individual, not specific salary or specific remuneration currently earned by an official).

**AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15 (1) (a) (iii)**

**(a) Information brochures/publications**

All publications by and on behalf of the municipality, that have been made public or presented to the council and in terms of which no copyright is held by persons or bodies not connected to the Greater Tzaneen Municipality.

(1) Access to Information brochures (PAIA, No. 2 of 2000)

(2) Municipality's online newsletter

**(b) All Information made available online**

(i) Any other record available on the website

(ii) Online information on councillors

(iii) Photographs

(iv) Road construction

(v) Transport, roads, and storm water schedule maps-online only

(vi) Information on the municipal political structures

(vii) Transport, roads, and storm water projects

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## 12.2. Categories of records of where availability are subject to access for request

### (i) Infrastructure

- (1) Electricity distribution layouts
- (2) Road maps and plans for future road development
- (3) Geographical information system
- (4) Landfill sites-future and existing sites

### (ii) Financial Information

- (1) Ticket pricing and income
- (2) Subsidy income
- (3) Estimates
- (4) VAT records
- (5) Invoices and supporting documentation
- (6) Bank statements and records of investments held
- (7) Pension funds: Annual reports and financial statements
- (8) Details of turnover and salaries paid
- (9) Debtor's statements and financial history
- (10) Council's bank reconciliation
- (11) Details of payments made to creditors
- (12) Rentals levied and arrears situation
- (13) Details of income from fines
- (14) Tariffs and income details of municipal facilities

### (iii) Human Resources Records

- (1) UIF Records
- (2) Staff vacancy circulars and advertisements
- (3) Human resource policies and procedures
- (4) Salary and remuneration package details
- (5) Leave records
- (6) Councillors allowances details

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**(iv) Operational Statistics and records**

- (1) Statistical information
- (2) Town planning statistical information
- (3) Electricity disconnection/reconnection statistics
- (4) Traffic signal information
- (5) Strategic plans and statistical information relating to:
  - (a) Roads
  - (b) Stormwater engineering
  - (c) Master drainage plans
  - (d) Catchment management plans
  - (e) Development setback lines
  - (f) Control lines
  - (g) Storm water complaints database
  - (h) Traffic and transportation
  - (i) Architectural services
    - a. Registration and inspection results
    - b. Contingency and strategic emergency plans
    - c. Monthly statistics
- (6) Legal opinions and litigation files
- (7) Details of evictions
- (8) Libraries archival collection
- (9) Fine's processing details, fines, summons, and court rolls
- (10) Motor vehicle testing and license records
- (11) Contraventions and prosecutions
- (12) Accident records
- (13) Arrest reports
- (14) Analysis of swimming pools usage
- (15) Water consumption records
- (16) Water services disconnection and reconnection details
- (17) Electricity supply agreements
- (18) Trade effluent information

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**(v) Municipal services and customer records**

- (i) Customers application, registration, and consumption details
- (ii) Libraries membership details

**(vi) Property matters**

- (a) Building plans-where requester not an affected party or adjacent neighbour-Refer to section 8.1.
- (b) Town planning applications and consents
- (c) Town planning enforcement records
- (d) Geographical information
- (e) Information on council owned land with particular reference to measures taken to prevent the illegal invasion and settlement on that land
- (f) Valuation rolls
- (g) Lease agreements for properties rented by the Municipality
- (h) Title deeds of municipal properties
- (i) Applications to lease or purchase properties
- (j) Allocations of social sites to religious/institutional organisations
- (k) Information on sale of commercial/non-commercial property within the municipal areas
- (l) Property holdings of the municipality

**(vii) General statistics, surveys, and audits**

- (1) Environmental impact assessments
- (2) Demographic data
- (3) Social information
- (4) Economic information of the region
- (5) Accident records
- (6) Accident statistics and reports
- (7) Flood lines and rainfall and stream-flow statistics
- (8) Major Hazard installation risk assessment
- (9) Diseases

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- (10) Details of current housing owners/tenants
- (11) Occupational health and safety audit of municipal buildings
- (12) Fire risk surveys of municipal buildings
- (13) Occupational hygiene reports on municipal properties
- (14) Records of investigations conducted and their outcomes
- (15) Water quality of swimming pools, fountains etc
- (16) Audit reports., e.g., forensic, computer and risk audit

**(viii) Procurement records**

- (i) Details of quotations obtained
- (ii) Copies of bids/tenders advertised and awarded
- (iii) Database of suppliers/service providers
- (iv) Details of bids/tenders/contractors/contracts awarded
- (v) Standards of performance of security bidding companies

**12.3. Information excluded from disclosure in terms of the Act**

The Promotion of Access to Information Act (No.02 of 2000) is not unlimited so far due to the availability of information by organs of state as concerned.

**Grounds for refusal to a request for access to information from a public body**

The information contained in this section is a summary of the grounds upon which a public body is entitled to raise, as a ground for the refusal of access to its records. The information is intended to provide a person with clarity as to the reasons why a request is intended by the public body.

The list is summary of the grounds contained in part 2, chapter of PAIA, and is by no means exhaustive or complete.

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In broad terms, the act stipulates that a requester may not be given access to information in *inter alia* the following instances: -

**12.3.1. Third party information or records:** Disclosure of this information is subject thereto that access to these records has to be approved by such a third party whose information is requested by a person other than the party to whom the information belongs or relates, especially where the information was given on a confidentiality or privacy basis. This information pertains to a deceased individual or third party.

However, a record may not be refused if it consists of information:

- (a) About a third party who has consented in writing to the disclosure of the information.
- (b) Given to the public body by the individual to whom it relates, and that individual is informed by the public body, before it is disclosed, and the information belongs to a class of information that might already be publicly available.
- (c) That is already publicly available
- (d) Relating to an individual's physical or mental health, or wellbeing, who is under the care of the requester, and who is under the age of 18 years or is incapable of understanding the nature of the request, and further the disclosure would be in the individual's best interests.
- (e) About an individual who is deceased, and the requester is the individual's next of kin, or is making the request with the written consent of the individual's next of kin.
- (f) About an individual who is or was an official of a public body, and the information relates to the position or functions of the individual.

**12.3.1.1. If the record is requested for the purpose of criminal or civil proceedings:**

The information officer of a public body must refuse a request for access to a record of a public body if the record is privileged from production in legal proceedings unless such privilege has been waived.

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**12.3.1.2.** The information officer of a public body may refuse a request for access to record of that public body if the request is manifestly frivolous or vexatious or if the work involved in processing the request would substantially and unreasonably divert the resources of the public body.

**Mandatory disclosure in the public interest**

Despite the above listed grounds of refusal, the information officer of a public body must grant a request for access to a record of a public body if the disclosure thereof would reveal evidence of:

A substantial contravention of, or failure to comply with, the law or an imminent and serious public safety or environmental risk and the public interest in the disclosure of the record, outweighs the harm contemplated under the grounds of refusal.

**13. PROCEDURE FOR ACCESS TO RECORDS HELD BY GREATER TZANEEN MUNICIPALITY**

13.1. Section 18 of PAIA prescribes the procedure to be followed in making a request for access to information held by the Regulator. Section 23(1) of POPIA also provides the procedure to access of personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 18 of PAIA.

**13.2.** A requester or data subject must use the prescribed form to request for access to a record. The form is attached as **Annexure B**.

13.3. A requester is any person making a request for access to a record of the Information Officer/Deputy Information Officer and in this regard, PAIA distinguishes between two types of requesters for access to information, i.e., Personal Requester, (data subject) and Other Requester.

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- 13.4. A data subject is a requester who, having provided adequate proof of identity, is seeking access to a record containing personal information about the data subject. Subject to the provisions of PAIA and POPIA, Information Officer/Deputy Information Officer will provide the requested information or give access to any record with regards to the data subject's personal information within a reasonable time, (at a prescribed fee, if any) in a reasonable manner and format and in a form that is generally understandable. The prescribed Fee for reproduction of the personal information requested will be charged by Information Officer/Deputy Information Officer.
- 13.5. A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, the Information Officer/Deputy Information Officer is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.
- 13.6. The Form attached as **Annexure B** must be addressed and submitted to the Information Officer/Deputy Information Officer by hand, post, per fax or e-mail, which details are set out in section 4.
- 13.7. The requester must provide sufficient information of the record(s) requested in order for the Information Officer or Deputy Information Officer, if any, to identify the record(s). The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify:
  - 13.7.1. the identity of the requester
  - 13.7.2. particulars of record requested
  - 13.7.3. type of record
  - 13.7.4. form of access
  - 13.7.5. manner of access
- 13.8. Some additional important points to remember when completing the request form
  - 13.8.1.1. each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being experienced.
  - 13.8.1.2. if records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person.

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- 13.8.1.3. a detailed description of the records being requested must be provided to enable the Information Officer or Deputy Information Officer to identify it accurately.
- 13.9. The requester must indicate, as per section 29(2) of PAIA, the form of access that is required.
- 13.10. The requester must indicate whether the requested record(s) is preferred in any particular language.
- 13.11. The requester should indicate the manner in which he/she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.
- 13.12. The requester will receive the information in such manner as indicated. Section 29(3) of PAIA indicates that making available the information will depend on whether the request will not interfere unreasonably with the effective administration of the Information Officer/Deputy Information Officer, be detrimental to the preservation of the record(s) or infringe any copyright not owned by the State.
- 13.13. An oral request for access to a record(s) may be made if the requester does not have a formal education or has a disability. The Information Officer or Deputy Information Officer will assist the requester to complete the prescribed form on behalf of such requester and provide him/her with a copy of the completed form.
- 13.14. The requester will be notified of the prescribed fee payable, if any, the method of payment and the office to which he/she can make such payment or submit proof of payment before a request for information is processed further. Please note that the requester is exempted from paying an access fee to the Information Officer/Deputy Information Officer if –
  - 13.14.1.1. the requester is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than **R14 712** a year.
  - 13.14.1.2. the requester is married and his/her joint income, after permissible deductions, such as PAYE and UIF, is less than **R27 192** per year.

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13.15. The request for information will, in terms of Section 25 of PAIA, be processed by the Information Officer within 30 days after receipt of the request or as soon as is reasonably possible, whereafter the Information Officer will inform the requester of his/her decision, either to grant or reject the request for access to records. The decision must, if it is reasonably possible, be communicated in the manner requested by the requester.

#### **14. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY GTM**

The members of the public are involved by public consultation processes in wards or districts by engaging with their representatives. Public members are also involved through mandatory public participation processes for By-law promulgation, council seating, budget meetings and Supply chain management.

#### **15. DEFAULT**

Non-compliance with this manual shall constitute the violation of the manual and shall be dealt with in accordance with the relevant applicable municipal disciplinary procedures and code of conduct.

#### **16. APPROVAL OF THE MANUAL**

This policy shall be adopted by the POPIA committee and approved by the Municipal Council.

#### **17. INCEPTION DATE**

This manual shall be effective upon approval by the Municipal Council.

#### **18. MONITORING AND REVIEW**

The Corporate Services Department will continuously monitor the implementation of this manual. This manual shall be reviewed and revised as and when required to ensure that it meets the business and service delivery requirements of Greater Tzaneen Municipality.

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## 19. ENQUIRIES

All enquiries shall be directed to the Director: Corporate Services. The forms under Item 13 can be downloaded from the following website address: [www.greatertzaneen.gov.za](http://www.greatertzaneen.gov.za). Completed forms can be emailed to the following email address: [records@tzaneen.gov.za](mailto:records@tzaneen.gov.za)

## 20. FORMS APPLICABLE WHEN REQUESTING INFORMATION

ANNEXURE A: REQUEST FOR A COPY OF THE GUIDE

ANNEXURE B: REQUEST FOR ACCESS TO RECORD

ANNEXURE C: OUTCOME OF REQUEST AND OF FEES PAYABLE

ANNEXURE D: INTERNAL APPEAL FORM

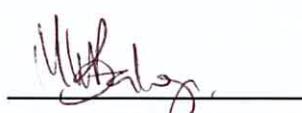
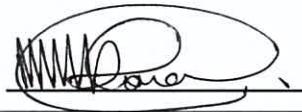
ANNEXURE E: COMPLIANT FORM

ANNEXURE F: REQUEST FOR ASSESSMENT

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## 21. AUTHORITY

POLICY TITLE	POPIA POLICY	
COMPILED BY:	COUNCIL SUPPORT AND RECORDS MANAGEMENT	
	MANAGER:	DATE:
		<u>26/06/2025</u>
CONSULTED WITH	POPIA COMMITTEE	
	CHAIRPERSON/SECRETARY:	DATE:
		<u>26/06/2025</u>
QUALIFIED BY:	DIRECTOR: (CORPORATE SERVICES)	DATE:
		<u>26/06/2025</u>
RECOMMENDED BY:	MUNICIPAL MANAGER:	DATE:
		<u>26/06/2025</u>
APPROVED BY:	COUNCIL:	DATE:
		<u>26/06/2025</u>

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## ANNEXURE: A

## REQUEST FOR A COPY OF THE GUIDE

## FORM 1

[Regulation 2]

I,

<b>Full names:</b>			
<b>In my capacity as (mark with "x"):</b>	<b>Information officer</b>	<b>Deputy Information Officer</b>	<b>Other</b>
<b>Name of *public/private body (if applicable)</b>			
<b>Postal Address:</b>			
<b>Street Address:</b>			
<b>E-mail Address:</b>			
<b>Facsimile:</b>			
<b>Contact numbers:</b>	<b>Tel.:</b>		<b>Cellular</b>

hereby request the following copy(ies) of the Guide:

<b>Language (mark with "X")</b>	<b>No of copies</b>
<b>English</b>	
<b>Xitsonga</b>	
<b>Sepedi</b>	

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**Manner of collection (mark with "x"):**

Personal collection	Postal address	Facsimile	E-Mail Address (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Signature of requester**

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## ANNEXURE: B

## FORM 2

REQUEST FOR ACCESS TO RECORD  
[Regulation 7]

## NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

	(Address)

E-mail address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel.:		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			

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Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel.		Facsimile
	Cellular		

**PARTICULARS OF RECORD REQUESTED**

*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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

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<b>TYPE OF RECORD</b> (Mark the applicable box with an "X")	
Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Record consists of recorded words or information which can be reproduced in sound	
Records are held on a computer or in an electronic, or machine-readable form	
<b>FORM OF ACCESS</b> (Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	
<b>MANNER OF ACCESS</b> (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	

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E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language <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>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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	

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You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	E-Mail (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

*Signature of Requester / person on whose behalf request is made*

-----  
**FOR OFFICIAL USE**

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

-----  
*Signature of Information Officer*

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## ANNEXURE: C

**FORM 3**  
**OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8] Note:

1. *If your request is granted the—*
  - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
  - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

**Reference number:** \_\_\_\_\_

**TO:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body (*including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form*) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

**OR**

**2. You requested:**

Printed copies of the information ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> )	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Transcription of soundtrack ( <i>written or printed document</i> )	
Copy of information on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of information on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

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**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/file transfer	
Preferred language: <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>	

Kindly note that your request has been:

Approved

Denied for the following reasons:

**4. Fees payable with regards to your request:**

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy	R1,50.00		
Printed copy	R1,50.00		
For a copy in a computer-readable form on:			
(i) Flash drive • To be provided by requestor	R40.00		
(ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			

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Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60. 00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

Reference Nr: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Information officer**

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## ANNEXURE: D

[records@tzaneen.gov.za](mailto:records@tzaneen.gov.za)

## INTERNAL APPEAL FORM

## FORM 4

[Regulation 9]

Reference Number: .....

<b>PARTICULARS OF PUBLIC BODY</b>				
Name of Public Body				
Name and Surname of Information Officer:				
<b>PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL</b>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel.		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?	Yes		No	
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				

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**PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED**  
*(If lodged by a third party)*

Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel.		Facsimile
	Cellular		
E-Mail Address			

**DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED**  
*(mark the appropriate box with an "X")*

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	

**GROUND FOR APPEAL**

*(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)*

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State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Email Address (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20  
 \_\_\_\_\_

**Signature of Appellant/Third party**

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

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>		
Date received:		
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**OUTCOME OF APPEAL**

Refusal of request for access. Confirmed?	<input type="checkbox"/> Yes	New decision <i>(if not confirmed)</i>	
	<input type="checkbox"/> No		
Fees (Sec 22). Confirmed?	<input type="checkbox"/> Yes	New decision <i>(if not confirmed)</i>	
	<input type="checkbox"/> No		
Extension (Sec 26(1)). Confirmed?	<input type="checkbox"/> Yes	New decision <i>(if not confirmed)</i>	
	<input type="checkbox"/> No		
Access (Sec 29(3)). Confirmed?	<input type="checkbox"/> Yes	New decision <i>(if not confirmed)</i>	
	<input type="checkbox"/> No		
Request for access granted. Confirmed?	<input type="checkbox"/> Yes	New decision <i>(if not confirmed)</i>	
	<input type="checkbox"/> No		

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Relevant Authority**

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**ANNEXURE: E**  
**COMPLAINT**  
**FORM 5 [Regulation 10]**

**NOTE:**

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: [PAIAComplaints@infoRegulator.org.za](mailto:PAIAComplaints@infoRegulator.org.za) or complete online complaint form available at <https://www.justice.gov.za/inforeg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Greater Tzaneen Municipality to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
  - a. Copy of the form to the Body requesting access to records;
  - b. The Body's response to your complaint or access request;
  - c. Any other correspondence between you and the Body regarding your request;
  - d. Copy of the appeal form, if your complaint relates to a public body;
  - e. The Body's response to your appeal;
  - f. Any other correspondence between you and the Body regarding your appeal;
  - g. Documentation authorizing you to act on behalf of another person (if applicable);
  - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

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## CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

 Complainant Personally Representative of Complainant Third Party

## PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes	No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes	No	
Have you applied to Court for appropriate relief regarding this matter?	Yes	No	

## FOR INFORMATION REGULATOR'S USE ONLY

Received by: (Full names)			
Position			
Signature			
Complaint accepted	Yes	No	
Reference Number			
Date stamp			

Postal address	Facsimile	E-mail Address (Please specify)

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**PART A**  
**PERSONAL INFORMATION OF COMPLAINANT**

Full Names			
Identity Number			
Postal Address			
Street Address			
E-Mail Address			
Contact numbers	Tel.		Facsimile
	Cellular		

**PART B**  
**REPRESENTATIVE INFORMATION**

*(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)*

Full Names of Representative			
Nature of representation			
Identity Number / Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel.		Facsimile
	Cellular		

**PART C**  
**THIRD PARTY INFORMATION**  
*(Please attach letter of authorisation)*

Type of Body	Private		Public	
Name of Public / Private Body				
Registration Number (if any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
E-mail Address				

Contact Numbers	Tel.		Facsimile	
	Cellular			

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**PART D**  
**BODY AGAINST WHICH THE COMPLAINT IS LODGED**

Type of body	Private	Public	
Name of public / private body			
Registration number (if any)			
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel.		Facsimile
	Cellular		
Reference Number given (if any)			

**PART E**  
**COMPLAINT**

*Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)*

Date on which request for access to records submitted.			
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.			
Have you attempted to resolve the matter with the organisation?	Yes	No	
If yes, when did you receive it? (Please attach the letter to this application.)			
Did you appeal against the decision of the information officer of the public body?	Yes	No	
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes	No	

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If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.	
---	--

<b>PART F</b> <b>DETAILED TYPE OF ACCESS TO RECORDS</b> <i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>
---

Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body, and the appeal is unsuccessful.</i>	
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>	
Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(i) or 77A(3)(b) of PAIA)  <i>I requested access to information held by a body and that request was refused or partially refused.</i>		

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The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	Tender or payment of the prescribed fee.  <i>The tender or payment of a deposit.</i>	
Repayment of the deposit (Section 22(4) of PAIA) in respect of a request for access which is refused.	<i>The information officer refused to repay a deposit paid 22(4) of PAIA in respect of a request for access which is refused.</i>	
for Disagree with time extension responding to my request, and I disagree with the (Sections 26 or 57 of PAIA) requested time limit extension or a time extension taken to respond to my access request.	<i>The body decided to extend the time limit for Disagree with time extension responding to my request, and I disagree with the (Sections 26 or 57 of PAIA) requested time limit extension or a time extension taken to respond to my access request.</i>	
Form of access denied (Section 29(3) or 60(a) of PAIA) and such form of access was refused.	<i>I requested access in a particular and reasonable form 29(3) or 60(a) of PAIA and such form of access was refused.</i>  <i>It is more than 30 days since I made my request and I Deemed refusal (Section 27 or 58 of PAIA) have not received a decision.</i>	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access) have inappropriately/unreasonable been access to record) disclosed.	<i>Records (that are subject to the grounds for refusal of (Mandatory grounds for refusal of access) have inappropriately/unreasonable been access to record) disclosed.</i>	
No adequate reasons for the refusal (Section 56(3)(a) of PAIA) adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.	<i>No adequate reasons for the refusal (Section 56(3)(a) of PAIA) adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record (Section 28(2) or 59(2) of PAIA) granted and I believe that more of the records should have been disclosed.	<i>Access to only a part of the requested records was 28(2) or 59(2) of PAIA) granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA) waive the fees was refused.	<i>I am exempt from paying any fee and my request to of PAIA) waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA) records do not exist and I believe that more records do exist.	<i>The Body indicated that some or all of the requested records do not exist (Section 23 or 55 of PAIA) records do not exist and I believe that more records do exist.</i>	
Failure to disclose records (Section 50(1)(a) of PAIA)	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 45 of PAIA) frivolous or vexatious and I disagree.	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA) frivolous or vexatious and I disagree.		
Other (Please explain)		

## PART G EXPECTED OUTCOME

How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.

## PART H AGREEMENTS

*The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:*

I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

The information in this Complaint Form is true to the best of my knowledge and belief.

I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.

I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**Complainant/Representative/ Authorised person of Third party**

**ANNEXURE: F**  
**REQUEST FOR ASSESSMENT**  
**FORM 13**

[Regulation 14(1)]

I,

<b>Full Name(s)</b>			
<b>Postal Address</b>			
<b>Street Address</b>			
<b>E-Mail Address</b>			
<b>Contact Numbers</b>	<b>Tel.</b>		<b>Facsimile</b>
	<b>Cellular</b>		

hereby, in terms of section 77H of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), request that the Information Regulator assess whether the under-mentioned public or private body generally complies with the provisions of the Act insofar as its policies and implementation procedures are concerned.

<b>Name of Private / Public Body</b>			
<b>Postal Address</b>			
<b>Street Address</b>			
<b>E-Mail Address</b>			
<b>Contact Number(s)</b>	<b>Tel.</b>		<b>Facsimile</b>
	<b>Cellular</b>		

<b>PARTICULARS OF INFORMATION TO BE ASSESSED</b>
<b>PERSONS AFFECTED BY THE RELEVANT INFORMATION PRACTICE/S</b>
<b>THE REASON WHY AN ASSESSMENT IS REQUESTED</b>
<b>SPECIFIC ASPECTS OF THE INFORMATION THAT THE ASSESSMENT SHOULD ADDRESS</b>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of  
\_\_\_\_\_  
20 \_\_\_\_\_

---

**Requester**