



## **PROMOTION OF ACCESS TO INFORMATION MANUAL**

**Prepared in accordance with Section  
14 of the Promotion of Access to  
Information Act 2000, (Act 2 of 2000)**

- 1.7 Updated Manual February 2018**
- 1.6 Updated Manual September 2014**
- 1.5 Updated Manual September 2013**
- 1.4 Updated Manual February 2013**
- 1.3 Updated Manual September 2009**
- 1.2 Updated Manual February 2008**
- 1.1 Updated Manual January 2006**
- 1.0 First Manual February 2003**

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# **CITY OF EKURHULENI PROMOTION OF ACCESS TO INFORMATION MANUAL**

## **1. DESCRIPTION OF THE STRUCTURE AND FUNCTIONS:**

### **1.1 Structure**

The City of Ekurhuleni was established soon after the Municipal Elections held on 5 December 2000 from the disestablished East Rand local authorities; i.e. Alberton (Thokoza), Benoni (Daveyton, Actonville, Wattville, Etwatwa), Boksburg (Vosloorus, Reiger Park), Brakpan (Geluksdal, Tsakane), Edenvale/Lethabong, Germiston (Katlehong, Palm Ridge, Zonkesizwe), Kempton Park (Tembisa), Nigel (Duduza), Springs (Kwa-Thema, Bakerton), Khayalami Metropolitan Council and the Eastern Gauteng Services Council and strives towards the vision of creating the smart, creative and developmental city.

The municipality comprises 224 Councillors, of both elected (112 ward representatives) and proportional (112 Councillors) representation. Each of the 112 Ward Councillors chairs a ward committee as part of the Ward Participatory System that brings participation down to community level. Ward Councillors play a central 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.

Ekurhuleni uses an Executive Mayor-Mayoral Committee system. The Executive Mayor is elected by Council and selects the 10 member Mayoral Committee to run the government. There is a strong separation of power between the legislative and executive branch of council with the approval in 2011 of a new governance framework. A system of good governance and effective management of the metropolitan municipality was adopted and put in place an independent oversight mechanism in accordance with international principles of good governance.

Administratively, the City of Ekurhuleni is led by the City Manager with the assistance of the Chief Operating Officer and various Heads of Departments. In order to provide better service to its residents, the Municipality has introduced the concept of Customer Care Centres. These one-stop service delivery points provide residents with integrated access to services and information. They are: Alberton Customer Care Centre, Benoni Customer Care Centre, Boksburg Customer Care Centre, Brakpan Customer Care Centre, Daveyton Customer Care Centre, Duduza Customer Care Centre, Edenvale Customer Care Centre, Etwatwa Customer Care Centre, Germiston Customer Care Centre, Katlehong 2 Customer Care Centre, Katlehong 1 Customer Care Centre, Kempton Park Customer Care Centre, Kwa Thema Customer Care Centre, Nigel Customer Care Centre, Springs Customer Care Centre, Tembisa 1 Customer Care Centre, Tembisa 2 Customer Care Centre, Thokoza Customer Care Centre, Thokhoza 2 Customer Care Centre, Tsakane Customer Care Centre and Vosloorus Customer Care Centre.

The following services are rendered inter alia at all customer care centres:

- Payment and account-related services;
- Lodging and following up of all complaints;
- Provision of information related to all services in the Metro;
- Liaison with and referral to line departments where necessary;
- Booking of facilities and services;
- Provision of a multi-purpose community care front desk;

- Provision of a “one-stop Metro-wide” customer care service to all the customers of Ekurhuleni; and
- Switchboard and call centre related services.

## 1.2. Functions

The powers and functions of City of Ekurhuleni are regulated by various statutes which include:

Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

Local Government: Transitional Act, 1993 (Act 209 of 1993);

Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Other Statutes affecting the governance of City of Ekurhuleni include (the list is not exhaustive):

- Water Services Act, 1997 (Act 108 of 1997)
- National Water Act, 1998 (Act 36 of 1998)
- Electoral Act, 1998 (Act 73 of 1998)
- Promotion of Local Government Affairs Act, 1983 (Act 91 of 1983)
- Regional Services Council Act, 1985 (Act 109 of 1985)
- Fire Brigade Services Act, 1987 (Act 99 of 1987)
- Electricity Act, 1987 (Act 41 of 1987)
- National Health Act, 2003 (Act 61 of 2003)
- Occupational Health And Safety Act, 1993 (Act 85 of 1993)
- Labour Relations Act, 1995 (Act 66 of 1995)
- Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
- Employment Equity Act, 1998 (Act 55 of 1998)
- Skills Development Act, 1998 (Act 97 of 1998)
- Unemployment Insurance Act, 2001 (Act 63 of 2001)
- Pension Funds Act, 1956 (Act 24 of 1956)
- Housing Act, 1997 (Act 107 of 1997)
- Prevention of Illegal Eviction From And Unlawful Occupation of Land Act, 1998 (Act 19 of 1998)
- Removal of Restrictions Act, 1967 (Act 84 of 1967)
- Expropriation Act, 1975 (Act 63 Of 1975)
- Limitation of Legal Proceedings (Provincial And Local Authorities) Act, 1970 (Act 94 of 1970)
- Arbitration Act, 1965 (Act 42 of 1965)
- Public Audit Act, 2004 (Act 25 of 2004)
- National Road Traffic Act, 1996 (Act 93 of 1996)

In terms of the aforesaid statutes the powers and functions of City of Ekurhuleni include, *inter alia*:

- (a) Ensuring integrated development planning;
- (b) Provision of potable water supply systems;
- (c) Bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and the generation of electricity;
- (d) Provision of bulk sewage purification works and main sewage disposal systems;
- (e) Solid waste disposal sites, insofar as it relates to:

- (i) the determination of a waste disposal strategy;
- (ii) the regulation of waste disposal;
- (iii) the establishment, operation and control of waste disposal sites, bulk waste transfer facilities and waste disposal facilities for more than one local municipality in the district;
- (f) Municipal roads which form an integral part of a road transport system;
- (g) Regulation of passenger transport services;
- (h) Development of Municipal airports;
- (i) Provision of Municipal health services;
- (j) Provision of fire fighting services, which includes:
  - (i) planning, co-ordination and regulation of fire services;
  - (ii) specialized fire fighting services such as mountain, veld and chemical fire services;
  - (iii) co-ordination of the standardization of infrastructure, vehicles, equipment and procedures;
  - (iv) training of the fire officers.
- (k) The establishment, conduct and control of fresh produce markets and abattoirs;
- (l) The establishment, conduct and control of cemeteries and crematoria;
- (m) Promotion of local tourism;
- (n) Provision of Municipal public works relating to any of the above functions or any other functions assigned to the municipality;
- (o) The receipt, allocation and distribution of grants made to the municipality;
- (p) The imposition and collection of taxes, levies and duties as related to the above functions or as may be assigned in terms of national legislation;

## **2. POSTAL ADDRESS, TELEPHONE, FAX NUMBER AND WEBSITE ADDRESS:**

### **2.1 Physical Address of City of Ekurhuleni, Head Office**

Corner Cross & Roses Streets  
GERMISTON  
1401

### **2.2 Postal Address**

Private Bag X1069  
Germiston  
1400

**2.3 Telephone Number:** +2711 999-0760 / 999-0761

**2.4 Fax Number:** 086 624 7307

**2.5 Website address:** [www.ekurhuleni.gov.za](http://www.ekurhuleni.gov.za)

### **2.6 Contact details of PAIA Office**

Tel. 011 999-0832 / 011 999-0773  
e-mail: [PAIA@ekurhuleni.gov.za](mailto:PAIA@ekurhuleni.gov.za)

## **3. DESCRIPTION OF THE SECTION 10 GUIDE**

A Guide has been compiled in terms of Section 10 of the Promotion of Access to Information Act by the South African Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by the Promotion of Access to Information Act. It is available in all of the official languages.

Enquiries regarding the guide can be addressed to the SAHRC, the contact details are as follow:

**Postal Address:**

South African Human Rights Commission  
Promotion of Access to Information Unit  
Research and Documentation Department  
Private Bag 2700 Houghton  
2041

**Telephone:** (011) 484-8300

**Fax:** (011) 484-0582

**Website:** www.sahrc.org.za

**E-mail:** PAIA@sahrc.org.za.

**4. SUBJECTS AND CATEGORIES OF RECORDS HELD****4.1 GENERAL INFORMATION ON CITY OF EKURHULENI**

General progress on the development of City of Ekurhuleni.

By-laws and tariffs promulgated by City of Ekurhuleni and its predecessors.

Policies.

Customer related records.

Social responsibility projects reports.

Integrated Development Planning,

Service Delivery & Budget Implementation Plan.

**4.2 INFORMATION TO BE FORMALLY REQUESTED IN TERMS OF THE ACT****INCLUDES:**

- Statutory Documents ;
- Financial Records ;
- Annual financial reports ;
- Management reports ;
- Cheque returns ;
- Human Resources :
- Salary Advices ;
- Employees' Leave Records ;
- UIF Returns ;
- Documentations on Policies and Conditions of employment ;
- Documentation on disciplinary matters ;
- Data base of service recipients including but not limited to residents, customers etc;
- Various agreements entered into between City of Ekurhuleni and third parties ;
- Documents pertaining to Tenders and other procurement related
- Minutes of the City of Ekurhuleni Council and its various committees and sub-committees;
- Internal correspondence;
- Internal Policies and Procedures;
- Records obtained from third parties held by the City of Ekurhuleni.; etc.

**5. THE LATEST NOTICE IN TERMS OF SECTION 15**

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS
<b>1. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)</b>	
<ul style="list-style-type: none"> <li>• Application for township establishment</li> <li>• Application for rezoning or consent use, in terms of the Town Planning and Township Ordinance, 1986.</li> <li>• New tariffs and rates determined by the Council in terms of section 75A of the Local Government: Municipal Systems Act, 2000 and the Local Government: Municipal Property Rates Act.</li> <li>• New By-laws adopted by the Council in terms of the Local Government: Municipal Systems Act, 2000.</li> <li>• Promotion of Access to Information Manual</li> </ul>	<p>City Planning Department</p> <p>City Planning</p> <p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department, Municipal Libraries and <a href="http://www.ekurhuleni.gov.za">www.ekurhuleni.gov.za</a></p> <p>Corporate Legal Services Department</p>
<b>2. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR PURCHASE IN TERMS OF SECTION 15(1)(a)(ii)</b>	
<ul style="list-style-type: none"> <li>• Existing By-laws</li> <li>• Acts of Parliament</li> <li>• Provincial Acts</li> <li>• Regulations</li> <li>• Town Planning Scheme</li> <li>• Spatial Development Plan</li> <li>• Integrated Development Plan</li> </ul>	<p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department</p> <p>City Planning Department</p> <p>City Planning Department</p> <p>Strategy and Corporate Planning Department</p>
<b>3. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)</b>	
<ul style="list-style-type: none"> <li>• Existing By-laws &amp; Tariffs</li> <li>• Acts of Parliament</li> <li>• Provincial Acts</li> <li>• Regulations</li> <li>• Town Planning Schemes</li> <li>• Existing Valuation Roll</li> <li>• Integrated Development Plan</li> <li>• Spatial Development Plan</li> <li>• State of the Environment Report</li> </ul>	<p><a href="http://www.ekurhuleni.gov.za">www.ekurhuleni.gov.za</a></p> <p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department</p> <p>Corporate Legal Services Department</p> <p>City Planning Department</p> <p>Secretary of the Valuation Board</p> <p>Strategy and Corporate Planning Department</p> <p>City Planning Department</p> <p>Environmental Resource Management Department</p>

<p>2004</p> <ul style="list-style-type: none"> <li>• State of Energy report 2005</li> <li>• Air Quality Management Plan 2005</li> <li>• Energy and Climate Change Strategy 2007</li> <li>• Biodiversity report 2008</li> </ul> <ul style="list-style-type: none"> <li>• Environmental Management Framework 2008</li> <li>• Biodiversity and Open Space Strategy 2009</li> <li>• Draft Bioregional plan 2013</li> <li>• Revised Environmental policy 2013</li> <li>• Grand Open Space Plan 2013</li> <li>• EMF &amp; EBOSS GIS Data (Electronic Format)</li> </ul>	<p>Environmental Resource Management Department</p>
<p><b>4. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)</b></p>	
<ul style="list-style-type: none"> <li>• Zoning information</li> <li>• Existing By-laws &amp; Tariffs</li> <li>• Existing Rates</li> <li>• Schedules of meetings of Council</li> </ul>	<p>City Planning Department &amp; <a href="http://www.ekurhuleni.gov.za">www.ekurhuleni.gov.za</a></p> <p><a href="http://www.ekurhuleni.gov.za">www.ekurhuleni.gov.za</a></p> <p><a href="http://www.ekurhuleni.gov.za">www.ekurhuleni.gov.za</a></p> <p>Corporate Legal Services Department</p>

The categories of records which are automatically available are on the City of Ekurhuleni website and obtainable by contacting the Information Officer / Deputy Information Officers.

**6. SERVICES AVAILABLE**

City of Ekurhuleni has the following services available to the members of the public and inquiries can be made at all the Customer Care Centres on how these services could be accessed:-

**Infrastructure Services:**

- Electricity
- Water and Sanitation
- Solid Waste

**Roads, Transport and Civil Works:**

- Storm-Water
- Public Transport
- Fleet Management
- Civil Works

**Community Services:**



- Health and Social Development
- Public Safety
- Housing
- Sport, Recreation, Arts and Culture
- Real Estate and Facilities

**Corporate Services:**

- Finance
- Human Resources
- Information Technology
- Legal Services
- Communications and Marketing
- Internal Audit
- Risk & Compliance Management

**City Development Services:**

- Economic Development
- City Planning
- Environmental Development
- Integrated Development Planning

**7. REQUEST PROCEDURE**

7.1 Access to information that is not automatically available shall be requested by:

- Completing the prescribed Form A (“request form”) in Schedule 1
- Payment of the prescribed fee as stated in Schedule 2 hereto.
- The prescribed form must be completed with enough particulars to at least enable the Deputy Information Officer to identify the following particulars:-
  - The records required by the requester;
  - The Identity of the Requester or the requester’s agent (if any);
  - What form of access is required, if the request is granted;
  - The telephone number, postal address, e-mail address or fax number of the requester;
  - The manner in which the requester wish to be informed of the decision of the Deputy Information Officer;
  - The capacity in which the request is made in the event the information is requested on behalf of somebody else.

7.2 After the Deputy Information Officer has made a decision on the request, the requester must be notified of such a decision in such manner, which the requester wanted to be notified in.

7.3 The requester must indicate if the request is for a copy of the record or if the requester wants to inspect the records at the offices of City of Ekurhuleni.

7.4 Access to the aforesaid information will only be granted to the requester in a manner requested, unless such manner would unreasonably interfere with the running and operation of City of Ekurhuleni or damage its record or infringe its copyright.

- 7.5 If for practical reasons access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester had requested.
- 7.6 If the requester is unable to read or write, or has a disability, then they can make the request for the record orally, in which event the Deputy Information Officer will complete the form on behalf of such requester and furnish the requester with such completed form.
- 7.7 City of Ekurhuleni will process the request within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is necessitated.
- 7.8 Where an extension of the 30-day time limit is required, the requester shall be notified, and the reasons for extensions provided to the requester.

#### 7.9 WHERE TO SUBMIT REQUESTS TO:

All PAIA requests must be addressed to the Information Officer or Deputy Information Officer and submitted to one of the following:

- By hand – to the Manager Customer Care Office at any of the Customer Care Offices in Ekurhuleni from where it will be forwarded to the PAIA Office; or
- By hand at the PAIA Office, Head Office Building, Ekurhuleni Metropolitan Municipality, corner Cross & Rose Streets, GERMISTON; or
- By e-mail to: [PAIA@ekurhuleni.gov.za](mailto:PAIA@ekurhuleni.gov.za); or
- By post to: The PAIA Office, Private Bag X1069, GERMISTON, 1400.

### 8. INTERNAL APPEAL

An internal appeal lodged in terms of the Promotion of Access to Information Act against decisions of the Information Officer or Deputy Information Officer/s, must be considered by a “*relevant authority*” as defined in the Act. The City of Ekurhuleni Council has resolved to designate the Speaker, or person acting in his/her stead, as the relevant authority to consider internal appeals.

FORM B “NOTICE OF INTERNAL APPEAL” must be lodged in the same manner as in 7.9 above.

### 9. CONTACT DETAILS OF INFORMATION / DEPUTY INFORMATION OFFICERS

#### INFORMATION OFFICER

Head Office Building  
Corner Cross & Rose Streets  
GERMISTON

Private Bag X1069  
GERMISTON  
1400

Name	Dr I Mashazi
Position	City Manager
E-mail address	<a href="mailto:PAIA@ekurhuleni.gov.za">PAIA@ekurhuleni.gov.za</a>
Telephone Number	(011) 999-0760 or 61
Fax Number	086 624 7307

#### DEPUTY INFORMATION OFFICERS

Head Office Building  
Corner Cross & Rose Streets

Private Bag X1069  
GERMISTON

GERMISTON	1400
Name	Queen Makhanye
Position	Senior Manager & PAIA Co-ordinator
E-mail address	<a href="mailto:PAIA@ekurhuleni.gov.za">PAIA@ekurhuleni.gov.za</a> or <a href="mailto:queen.makhanye@ekurhuleni.gov.za">queen.makhanye@ekurhuleni.gov.za</a> or
Telephone Number	011 999-0832
Fax Number	
Name	Erick Sikhitha
Position	Senior Administration Officer
E-mail address	<a href="mailto:PAIA@ekurhuleni.gov.za">PAIA@ekurhuleni.gov.za</a> <a href="mailto:erick.sikhitha@ekurhuleni.gov.za">erick.sikhitha@ekurhuleni.gov.za</a>
Telephone Number	011 999-0773
Name	Davey Frank
Position	Executive Manager
E-mail address	<a href="mailto:PAIA@ekurhuleni.gov.za">PAIA@ekurhuleni.gov.za</a>
Telephone Number	011 999-6701
Fax Number	
Name	Busisiwe Hlohlongoane
Position	Manager
E-mail address	<a href="mailto:PAIA@ekurhuleni.gov.za">PAIA@ekurhuleni.gov.za</a>
Telephone Number	011 999-0851
Fax Number	086 6356065

:

*Form A*

**SCHEDULE 1**

*Request for access to record of public body*

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))

[Regulation 6]

<b>FOR DEPARTMENTAL USE</b> 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 fess: R .....
_____ SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

<b>A. Particulars of public body</b>
The Information Officer/Deputy Information Officer: _____ _____ _____ _____

<b>B. Particulars of person requesting access to the record</b>
(a) <i>The particulars of the person who requests access to the record must be given below.</i> (b) <i>The address and/or fax number in the Republic to which the information is to be sent, must be given.</i> (c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i>
Full names and surnames: _____ _____ Identity number: _____ Postal address: _____ _____ _____ Fax number: _____ Telephone number: _____ E-mail address: _____ Capacity in which request is made, when made on behalf of another person: _____ _____

<b>C. Particulars of person on whose behalf request is made</b>
<i>This section must be completed ONLY if a request for information is made on behalf of another person.</i>
Full names and surname: _____ _____ Identity number: _____

<b>D. Particulars of record</b>
(a) <i>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.</i> (b) <i>If the provided space is inadequate, please continue on a separate folio and attach it to this form. <b>The</b></i>

**requester must sign all the additional folios.**

1 Description of record or relevant part of the record: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2 Reference number, if available: \_\_\_\_\_

3 Any further particulars of record: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: \_\_\_\_\_

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: _____ _____	Form in which record is required: _____ _____
----------------------------	--

mark the appropriate box with an X.

**NOTES:**

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**1 If the record is in written or printed form:**

<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record
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**2 If record consists of virtual images-**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy the images*	<input type="checkbox"/>	Transcription of the images*
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**3 If record consists of recorded words or information which can be reproduced in sound:**

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

<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*	<input type="checkbox"/>	Copy in computer readable form* (stiffy or compact disc)
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\* If you requested a copy of transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES NO

**Postage is payable**

*Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.*

In which language would you prefer the record? \_\_\_\_\_

**G. Notice of decision of regarding request for access**

*You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record?

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON  
ON WHOSE BEHALF REQUEST IS MADE

**PRESCRIBED FEES SCALES**

**SCHEDULE 2**

**PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 FEES IN RESPECT OF PUBLIC BODIES**

**R**

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

(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 -	
	stiffy disc	5,00
	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:

(1)(a)	For every photocopy of an A4-size page or	
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,60
(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	0,40
	(ii) compact disc	5,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	40,00
	(iii) For a copy of visual images	22,00
		60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	
	(ii) For a copy of an audio record	12,00
		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.	

**Database** Government Gazettes  
**Gazette No** 28107  
**Notice No** 991  
**Regulation** 8325  
**Gazette No**  
**Gazette** GOV  
**Date** 20051014

### Government Notice

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 991

14 October 2005

### PROMOTION OF ACCESS TO INFORMATION ACT, 2000 EXEMPTIONS AND DETERMINATIONS FOR PURPOSES OF SECTION 22(8)

I, Brigitte Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 22(8) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) hereby -

- (a) exempt the following persons from paying the access fee contemplated section 22(6) of the Act:
  - (i) A single person whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R 14 712, 00 per annum; and
  - (ii) married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R27 192, 00 per annum, and
- (b) determine that -
  - (i) where the cost of collecting any fee contemplated in section 22 of the Act, exceeds the amount charged, such fee does not apply;
  - (ii) the access fee contemplated in section 22(6) of the Act does not apply to the personal record of a requester; and
  - (iii) the request fee contemplated in section 22(1) of the Act and the access fee contemplated in section 22(6) of the Act do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

### SCHEDULE

1. For purposes of paragraph (a)(i) and (ii) of the notice the following deductions are permissible:
  - (a) Employees' tax in terms of paragraph 2 of Part II of the Fourth Schedule of the Income Tax Act, 1962 (Act No. 58 of 1962);
  - (b) contributions in terms of section 5 of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002);
  - (c) compulsory contributions to a Group Insurance Fund in terms of a court order or in terms of a contract between an employer and his or her employee;
  - (d) contributions to any medical scheme registered under the provisions of the Medical Schemes Act, 1998 (Act No. 131 of 1998), and allowed to be deducted in terms of section 18(1)(a) of the Income Tax Act, 1962 (Act No. 58 of 1962);
  - (e) contributions to pension funds in terms of section 13A of the Pension Funds Act, 1956 (Act No. 24 of 1956);
  - (f) rent or mortgage installments to the maximum of R12 000,00 per annum;
  - (g) maintenance paid in terms of a court order; and
  - (h) school fees, except school fees paid to a private school.

**B.S. MABANDLA, MP**  
**Minister for Justice and Constitutional Development**



**Form B**  
NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 8]

<b>STATE YOUR REFERENCE NUMBER:</b>
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**A. Particulars of public body**

The Information Officer/Deputy Information Officer:

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

- |   |
|---|
| <p>(a) <i>The particulars of the person who lodge the internal appeal must be given below;</i></p> <p>(b) <i>Proof of the capacity in which appeal is lodged, if applicable, must be attached;</i></p> <p>(c) <i>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.</i></p> |
|---|

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

**C. Particulars of requester**

*This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.*

Full names and surname:

Identity number:

**D. The decision against which the internal appeal is lodged**

*Mark the decision against which the internal appeal is lodged with an X in the appropriate box:*

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

**E. Grounds for appeal**

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

State the grounds on which the internal appeal is based:

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

**F. Notice of decision on appeal**

*You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

State the manner:

Particulars of manner:

Signed at                      this                      day of                      20

SIGNATURE OF APPELLANT

**FOR DEPARTMENTAL USE:**

**OFFICIAL RECORD OF INTERNAL APPEAL:**

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

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

**OUTCOME OF APPEAL:**

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

NEW DECISION:

DATE

RELEVANT AUTHORITY

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