

Vol. 574

Pretoria, 24 April 2013

No. 36397

M A N U A L

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**

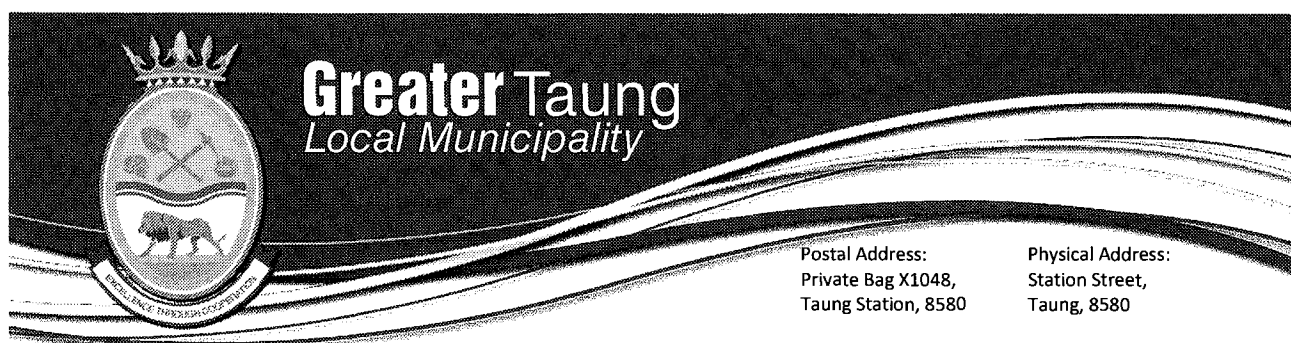
IMPORTANT NOTICE

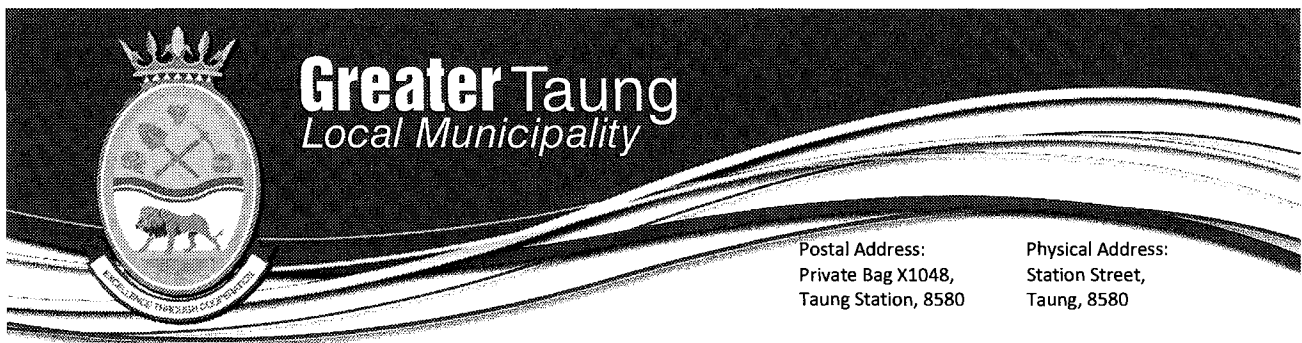
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**OFFICE OF THE MUNICIPAL MANAGER****FORM A****REQUEST FOR ACCESS TO PUBLIC BODY****Section 18(1) of the Promotion or Access to information Act, 2000****(Act No 2 of 2000)****[Regulation 6]****FOR MUNICIPAL COUNCIL's use****Reference number** _____**Request received by** _____ **(state rank, name and****Surname of information officer) on** _____ **at** _____ **(place)****Request fee (if any): R** _____**Deposit fee (if any): R** _____**Access Fee: R** _____



SIGNATURE OF INFORMATION
OFFICER

A. Particulars of public body

The information Officer

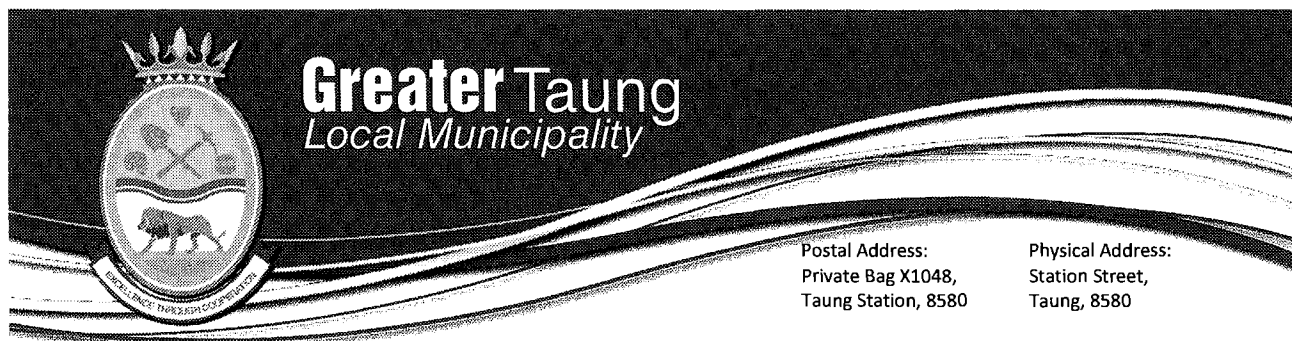
B. Particulars of person requesting access to the records

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and or fax number in the Republic or area to which the information is to be sent, must be given
- (c) Proof of capacity in which the request is made, if applicable, must be attached.

Full names and surname _____

Identity number _____

Postal Address _____



Telephone number _____ Email address _____

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

C. Particulars of person on whose behalf request is made

This information must be completed only if a request for information is made on behalf of another person.

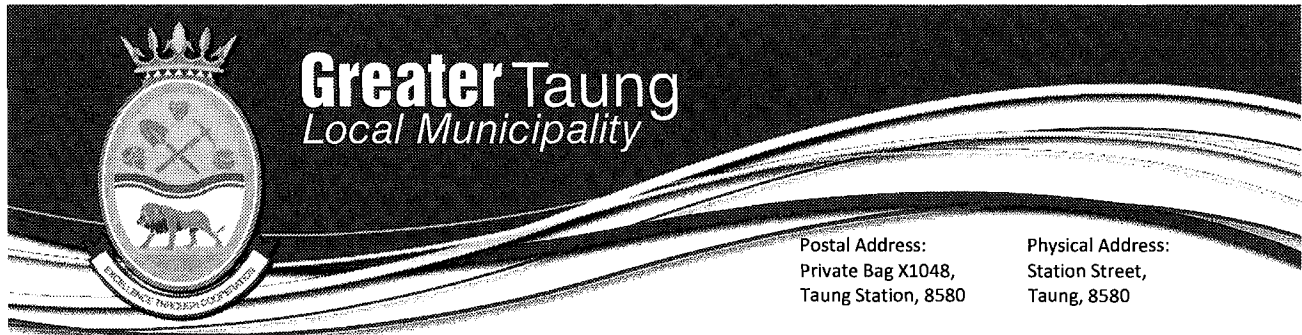
Full names and surnames _____

Identity number _____

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record _____



2. Reference number, if applicable _____

3. Any further particulars of record _____

E. Fees

- (a) A request for access to a record, other than 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 record depends on the form in which access is required and reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: _____

F. Folio 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

Copy of record	Inspection of record
----------------	----------------------

2. If record consists of visual images

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

view the images	copy the images	Transcription of the images
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3. If record consists of recorded words or information which can be reproduced in sound

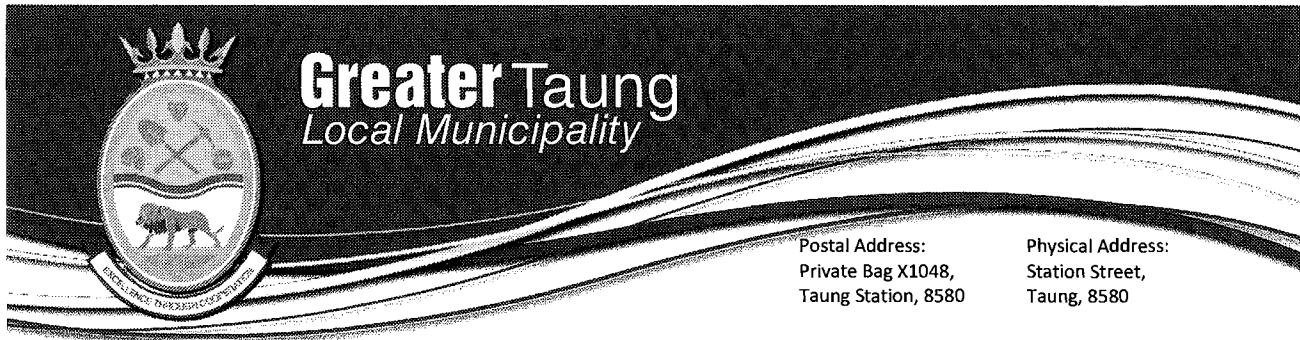
Listen to the soundtrack (audio cassette)	transcription of soundtrack (written or printed document)
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4.If record is held on computer or in an electronic or machine-readable form:

Printed copy of record	Printed copy of Information derived From the record	Copy in computer readable form or compact (CD)
------------------------	---	--

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable	Yes/No
--	--------

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 regarding request for access

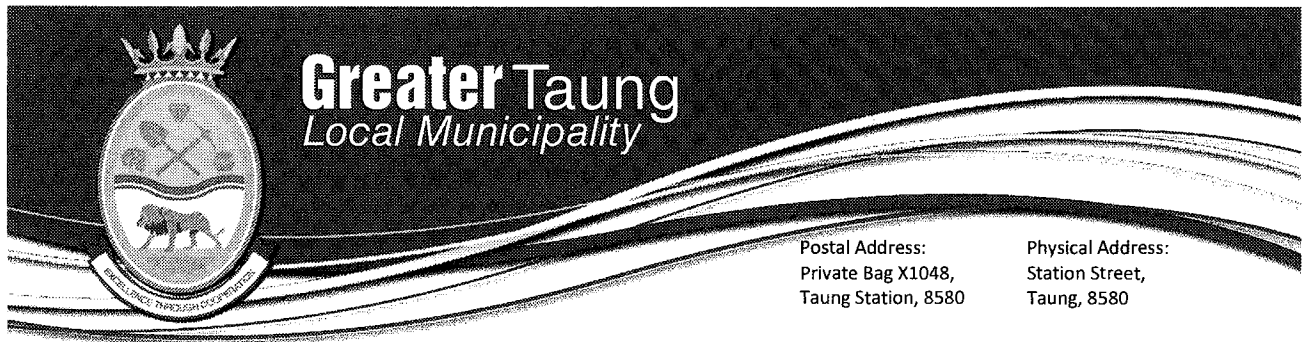
You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner please specify the manner and provide the necessary particulars to enable compliance with your request.

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

IN WHO'S BEHALF REQUEST IS MADE



OFFICE OF THE MUNICIPAL MANAGER

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

Version Control		
Version	Approval Date	Responsibility
01	11-12-2012	Corporate Services Department



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FORM A



Contact Details

1. **Postal Address**
Private Bag X1048

Taung Station

8580

2. **Physical Address**
Station Street

Taung Station

8580

Telephone 053-9949400

Fax 053- 9943917/ 2248

3. **Website: www.greatertaung.local.gov.za**
Email address: mokhasik@taunglm.co.za



1. INTRODUCTION

Section 32(1) (a) of the constitution of the Republic of South Africa, 1996 (act 108 of 1996) determines that everyone has a right of access to information held by the state. Section 32(1) (b) of the Constitution provides for the horizontal application of the right of access to information held by another person to everyone when that information is required for the exercise or protection of any rights;

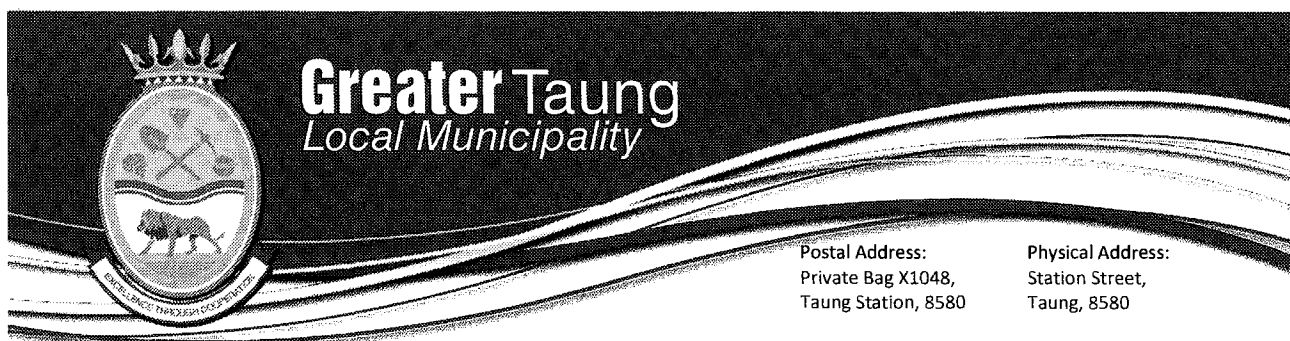
Furthermore, Section 32(2) of the Constitution provides for the enactment of national legislation to give effect to this fundamental right. As a result, the promotion of access to Information Act, 2000 (Act no 2 of 2000) (PAIA) was promulgated in February 2001 to give effect to section 32 (2) of the constitution.

The purpose of this act is to give effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights, and to provide for matters connected therewith.

Section 9 of PAIA however recognizes that the right of access to information is subject to certain justifiable limitations aimed at, amongst others:

- (a) The reasonable protection of privacy
- (b) Commercial confidentiality;
- (c) Effective, efficient and good governance.

Section 14 (1) of PAIA stipulates that the information officer of Municipal Council must compile a manual in at least three official languages containing information on the Municipal Council for public consumption. Hence Greater Taung Local Municipality do hereby presents section 14 manual in terms of PAIA.



2. PURPOSE

The purpose of this manual therefore is to inform the public and the municipal stakeholders about functions and records of the Municipal Council and how to access them.

The provision of any information in addition to that specifically required in terms of Section 14 of the Act does not create any contractual right or entitlement to receive such information, other than in terms of the Act.

3. AVAILABILITY OF THE MANUAL

A copy of this manual is available for inspection at no cost at all municipal council's service points. This manual is available in English only. The version in Setswana and Afrikaans shall be availed in the near future.

4. FUNCTIONS AND STRUCTURES OF GTLM

4.1 Mandate of the Municipality

Greater Taung Local Municipality has the legislative and executive authority in terms of section 156(1) and (2) of the Constitution, (act no 108 of 1996) and is empowered to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the Constitution.

The Municipality has the function to carry out its constitutional mandate by striving within its financial and administrative capacity to achieve the objects of local government as set out in section 152 of the Constitution, namely:



- To provide democratic and accountable government for local communities;
- To ensure the provision of services to communities in a sustainable manner;
- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage the involvement of communities and community organizations in the affairs of local government.

Furthermore, our specific mandate is derived from the following legislative frameworks:

- White Paper on Local Government, 1998
- Municipal Systems Act, 2000 (act 32 of 2000)
- Municipal Structures Act, 1998 (act no 117 of 1998)
- Municipal Finance Management Act, 2003 (act no 56 of 2003)
- Municipal Property Rates Act, 2004 (act no 6 of 2004)
- National Archives Act, 1996 (act no 43 of 1996)
- Municipal Demarcation Act, 1998 (act no 27 of 1998)
- Intergovernmental Fiscal Act, 1997 (act no 97 of 1997)
- Intergovernmental Relations Framework Act, 2005 (act no 13 of 2005)
- Division of Revenue Act, (act no 1 of 2010).

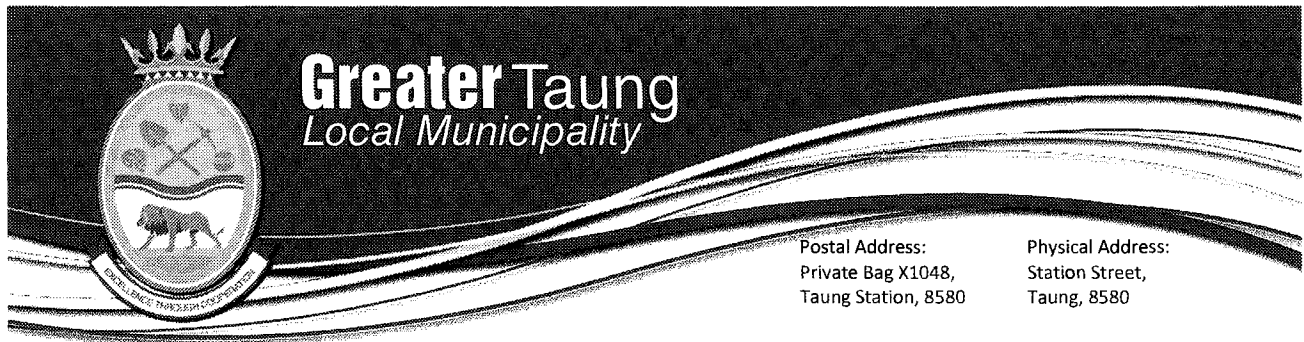
4.2 VISION, MISSION AND VALUES

Vision

A healthy and Wealthy Greater Taung to ensure a happy community that has overcome the battle against poverty

Mission

To promote sustainable socio-economic growth and development through mining, agriculture and tourism



Values

Ubuntu

Professionalism

Accountability

Batho Pele Principles

4.3 Municipal Council's wide objectives

- **Municipal Transformation & Institutional Development**
To ensure that institutional structures and plans are properly resourced to respond to transformation objectives.
- **Basic Services and infrastructure development**
To improve provision and development of reliable & affordable municipal services
- **Local Economic Development**
To unlock economic potential by creating a suitable environment for investment to facilitate economic growth
- **Financial Viability**
To ensure sound financial management and sustainable organization
- **Good Governance and Public Participation**
To ensure that institutional arrangements are transparent, efficient and effective to ensure that good governance & public participation is sustained and enhances transparency and accountability.
- **Spatial Rationale**
To promote orderly development by implementing integrated development planning and spatial rationale principles

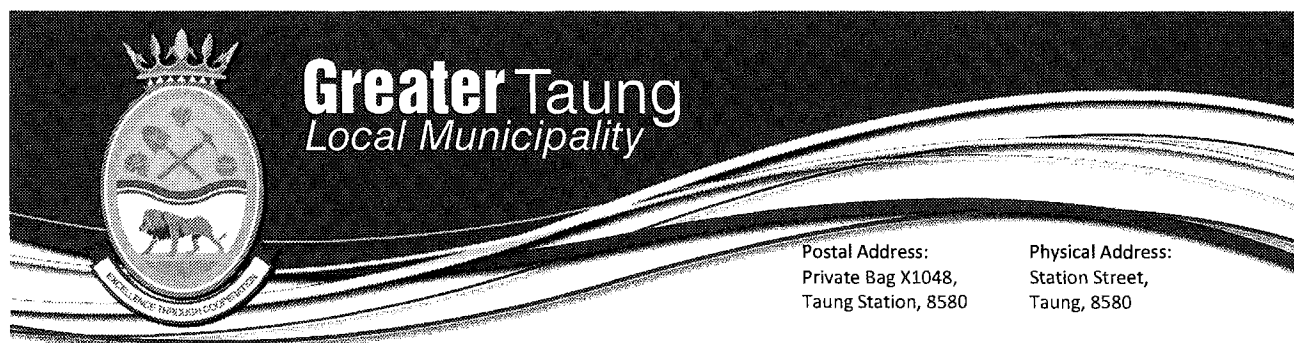


4.4 Composition of the municipality

The Greater Taung Local Municipality is a juristic person with perpetual succession as established in terms of the demarcation notice as NW 394 in the Provincial Gazette 28 November 2000. The municipality is a category B municipality in terms of the Municipal Demarcation act, 27 of 1998

The municipality consists of three core branches, namely; the community, council and administration. The council consists of 51 councillors which are allocated as follow:

Ward Councillors	PR Councillors	Representatives to District Council	Total Councillors
26	25	(7)	51



The party representation for council is as follows

Name of Political Party	No of Representation
African National Congress	43
Democratic Alliance	3
Congress of the People	2
African Christian Democratic Party	1
Independent	1
APC	1

The total population of the municipality is 214 765 with 26 wards. Each ward consists of 10 members and the total of ward committee members is 260.

The Municipality has the Mayor who is the Chairperson of Executive Committee which is the executive wing of the Municipality and the speaker who is the chairperson of Council, the highest decision-making body of the Municipality. The EXCO is made up of ten members; being the Mayor, and chairpersons of the following portfolio committees that look at the daily activities of the Municipality and report directly to the EXCO:

- Financial Services
- Human Resources
- Corporate Governance
- Community & Social Services

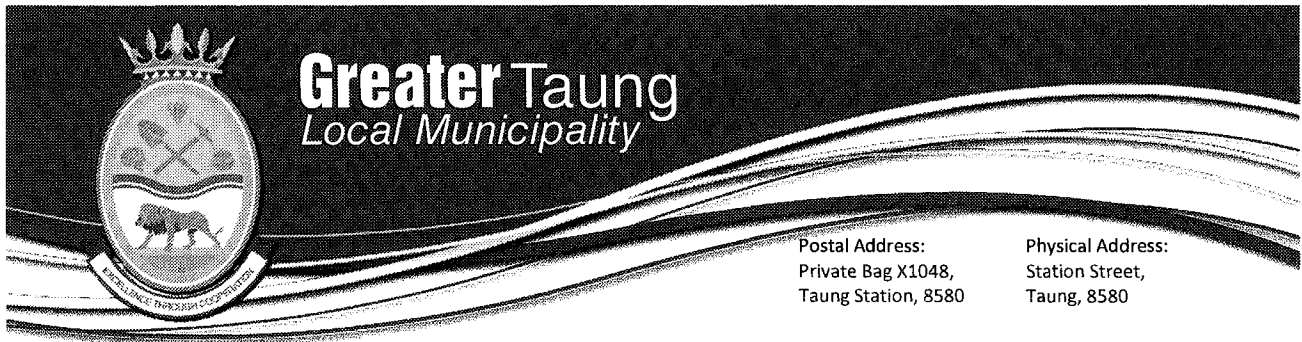


- Infrastructure & Engineering Services
- Information & Communication Technology
- LED & Tourism
- Public Safety
- Land Use, Human Settlement & Rural Development

All members of Executive Committee are fulltime including the speaker, Chief Whip and Chairperson of the MPAC (Municipal Public Accounts Committee)

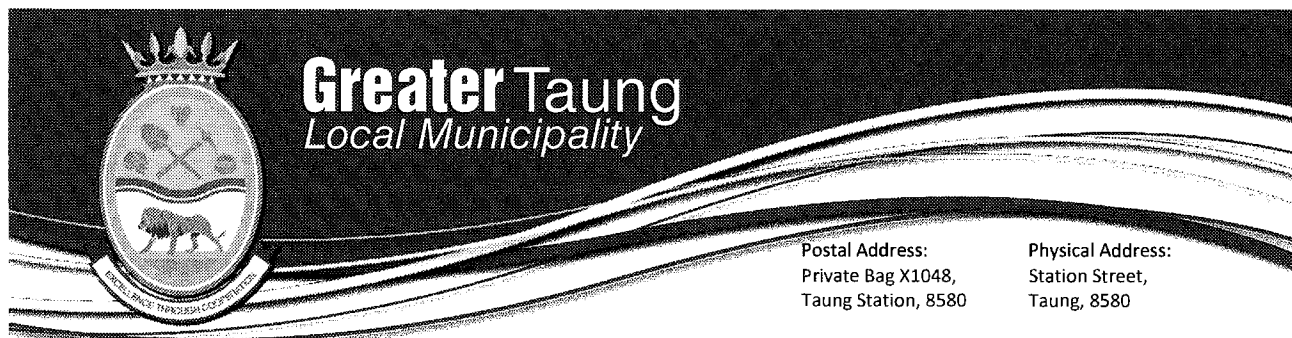
Administration consists of the following departments

Department	Main functions of the Department
Municipal Manager	Overall management of all activities of the municipal council. Ensure that resources of the municipality are utilized properly and value for money is taken care of. Reporting to council on the functionality of the Municipality
Finance Department	Revenue, Supply Chain, Expenditure, Budgeting, Reporting and Asset Management.
Corporate Service	Administration, Human Resources management, Skills facilitation, Council Support and Legal Services.
Infrastructure & Technical services.	Roads & Storm-water, Water, Sanitation and Electricity.
Community & Social Services	Recreation Facilities, Parks, Cemeteries, Refuse Removal
Land Use , Human Settlement & Rural Development	Town Planning, Building inspections, Spatial development, Housing



4.5 Organizational Structure of Greater Taung Local Municipality

The organizational structure of the Municipality described herein below reflects the various functions performed by GTLM.



Mayor and Council

Municipal Manager

**Chief
financial
officer**

**Corporate
Services
Director**

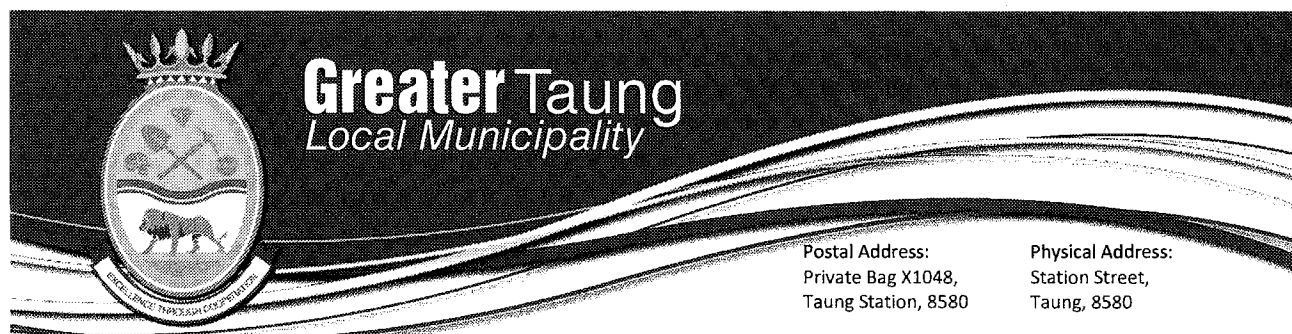
**Inf. &
Technical
Services
Director**

**Community
& Social
Services
Director**

**DLUP
Director**

4.6 Contact Details of information officer and deputy information officers
In terms of section 14 (1)(b), the manual should provide the contact of the information officer and deputy information officers if any, postal address, physical address, telephone number and email address.

4.6.1 Information Officer (Municipal Manager)
The Accounting Officer is the information officer in terms of the act.



Name	Postal Address	Physical Address	Telephone Number	Email Address
Mr Mpho Mofokeng	Private Bag X1048 Taung Station 8580	Main Street Taung Station 8580	053-9949400	mphom@taunglm.co.za

4.6.2 Deputy information Officer (Director Corp Services)

Name	Postal Address	Physical Address	Telephone Number	Email Address
Mr. K.T. Forane	Private Bag X1048 Taung Station 8580	Main Street Taung Station 8580	053-9949400	foranek@taunglm.co.za

4.6.3 Deputy information officer (Communication Manager)

Name	Postal Address	Physical Address	Telephone Number	Email Address
Ms Charity Molikoe	Private Bag X1048 Taung Station 8580	Main Street Taung Station 8580	053-9949400	Molikoec@taunglm.co.za



5. THE HUMAN RIGHTS COMMISSION GUIDE

As per section 10 of the act, the Human Rights Commission has a duty to compile in each official language a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this Act.

Enquiries on the guide should be directed to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700

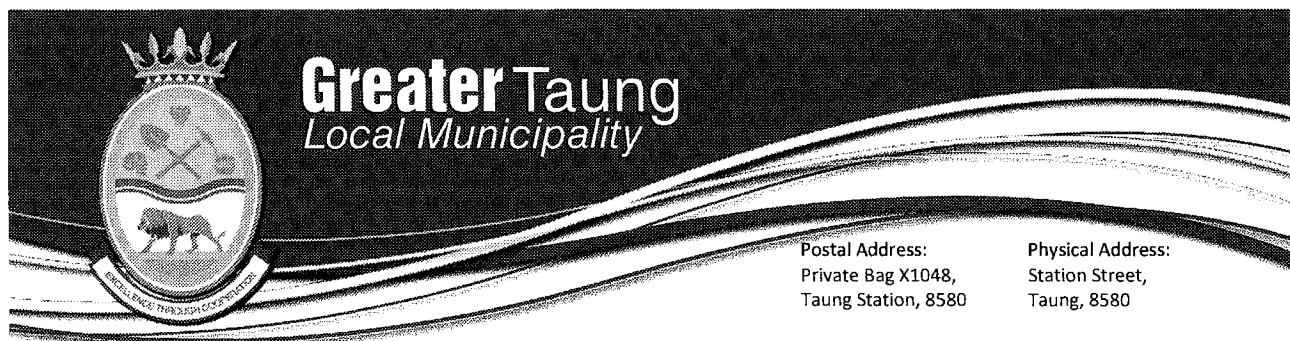
Houghton

2041

Telephone +27 11 484 8300

Fax + 27 11 484 1360

Website www.sahrc.org.za



UPDATING THE MANUAL

The municipality may if necessary, update and publish its manual referred to in subsection (1) of section 14, at intervals of not more than once a year.

6. SUBJECT AND CATEGORIES OF RECORDS HELD BY GTLM

6.1 Nature of Services

The municipality, in fulfilling its developmental role renders services in terms of its vision and mission statement.

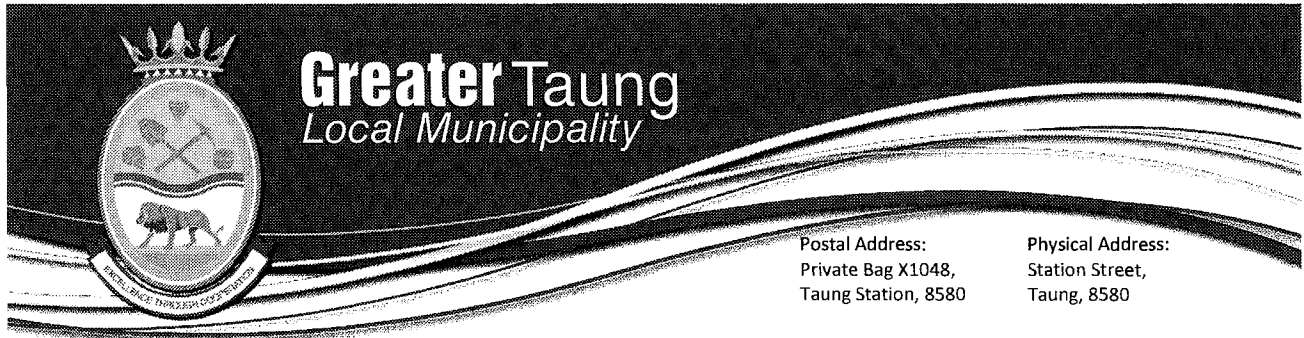
6.2 How to gain access to the municipal services

The services rendered by Municipal Council can be accessed from any of the Municipal service points as follows:

- Taung Administration Offices
- Reivilo Administration unit Offices
- Pudimoe Administration unit office
- Political Office Taung
- Library Taung
- Library Reivilo
- Library Boipelo

6.3 Records

Records of the Municipality refer to those records created or received in the course of official business and which are kept as evidence of the Municipality's functions, activities and transactions.

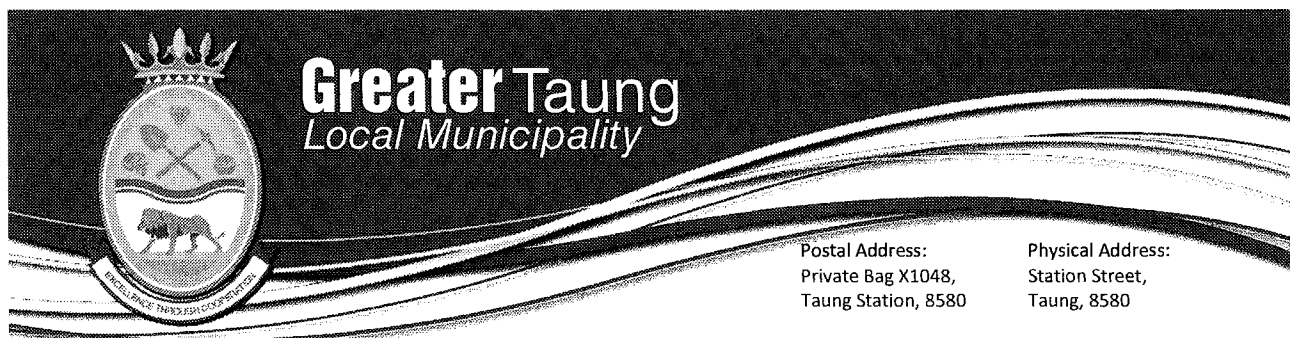


6.4 RECORDS AUTOMATICALLY AVAILABLE (SECTION 14(1)(e))

The following records are available without a person having to request access in terms of the act:-

- Organizational Structure
- Municipal Council Contact Numbers
- Departmental policies and by-laws
- Acts and Regulations governing the department's mandate
- Procedure / process manuals
- Community reports
- Integrated Development Planning (IDP)
- Newsletters
- Batho Pele Principles
- Annual Report
- Budget speech
- Budget statements
- Vacancies and Bursaries
- Suppliers database forms
- Schedules of meetings of council and its committees
- Council Minutes and Agendas
- Committees agendas and minutes
- Personal Building Plans
- Budget and expenditure review
- Performance Reports
- Service Delivery and Budget implementation Plans
- Skills Development reports
- Adjustments estimate of payment and Receipts
- Departmental Events Calendar

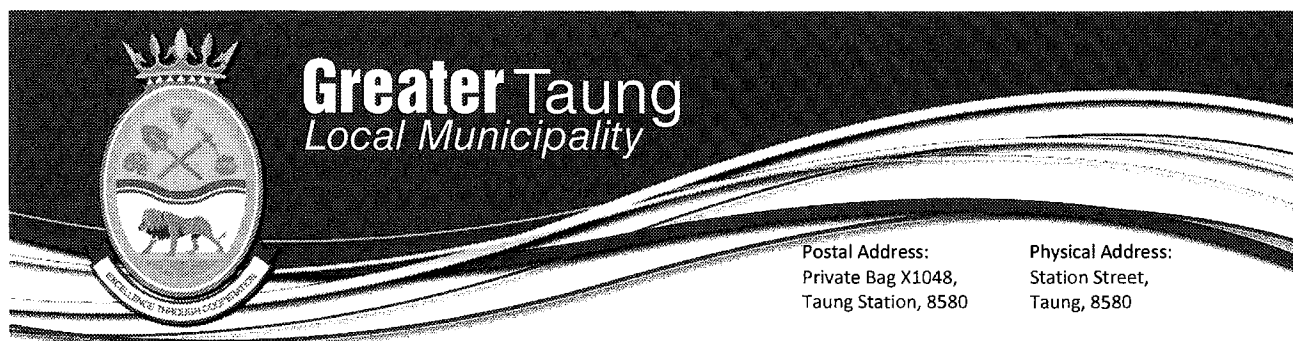
The above records available at Municipal Council's records office




6.5 Categories of Records held by the Municipal Council

The following records are available to a person after a request for access in terms of the act and subject to such information not being excluded from disclosure in terms of the Act.

Category	Records
Human Resources Records	<p>Human Resources policies and procedures</p> <p>Leave Records</p> <p>Salaries and remuneration packages</p> <p>UIF Records</p> <p>Councillors Allowances Details</p> <p>Medical records of employees</p> <p>Skills Development Records</p>
Financial Information	<p>Bank Statements and records of investments held</p> <p>Details of payments made to creditors</p> <p>Invoices and supporting documents</p> <p>VAT records.</p> <p>Debtors statements and financial history</p> <p>Database forms</p>
Operational Statistics and Records	Statistical Information



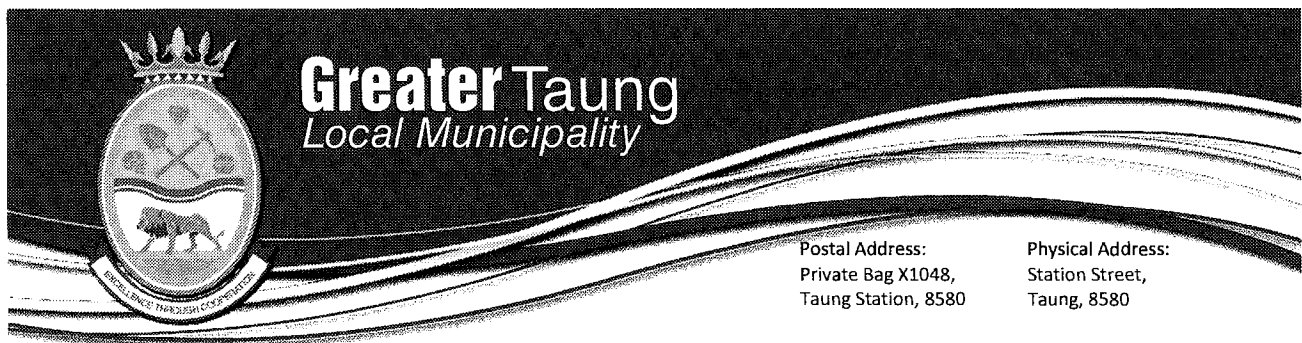
	Town Planning statistical information Services disconnection / reconnection
Municipal Services and Customer Records	Customers application, registrations and consumption details Libraries membership details.
Property Matters	Title deeds of municipal properties Building plans Town Planning enforcement records Lease agreements for properties rented by the Municipality Lease agreements for properties rented to the Municipality.
General Statistics, Surveys and Audits	Internal and External audit reports Environmental Impact Assessments Demographic data for employees Records of investigations conducted and their outcomes Accidents statistics and reports
Municipal Plans and Policy Decisions	All legislations affecting Local Government
Procurement Records	Details of quotations obtained Copies of Tenders advertised and awarded Database of suppliers registration for tendering purposes Details of tenders / contracts awarded
Infrastructure	Landfill sites

 Greater Taung <i>Local Municipality</i>	
Postal Address:	Physical Address:
Private Bag X1048, Taung Station, 8580	Station Street, Taung, 8580
	Recreational facilities
	Electricity distribution layouts
	Road & storm water maps and plans for future road development

6.6 Procedure for requesting records

Section 18 of the Act provides procedural requirements for access to a record of a public body. The following procedure should be followed when requesting information from the municipality.

- 6.6.1 A request for access must be made in the prescribed form (see form A) to the information officer concerned at his or her address or fax number or electronic email address.
- 6.6.2 The form for a request of access must at least require the requester concerned to provide sufficient particulars to enable the municipal council to identify:
 - 6.6.2.1 The record or records requested
 - 6.6.2.2 Which applicable form of access referred to in section 29 (2) is required
 - 6.6.2.3 Whether the record concerned is preferred in a particular language
 - 6.6.2.4 The requester must also indicate if he or she would like to copy the record or would like to inspect the record at the offices.
 - 6.6.2.5 A postal address or fax number of the requester in the Republic
 - 6.6.2.6 If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that the manner and the necessary particulars to be so informed;
 - 6.6.2.7 If the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the information officer.
- 6.6.3 The completed request form may be submitted in anyone of following ways;

**By Hand****The Information Officer****Greater Taung L.M.****Station Street****Taung Station 8580****Post****The information officer****Greater Taung L.M.****Private Bag X1048****Taung Station 8580****Fax****The Information Officer****Greater Taung LM****053-9943 2248 / 9943917****6.6.4 Fees Payable**

6.6.4.1 There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee (sec 22). A requester who seeks access to a record containing personal information about him or her is not required to pay the request fee. Any other requester, who is not a personal requester, must pay the required request fee.

6.6.4.2 The Act provides for two type of fees:

- A request fee of R35.00 which will be a standard fee and must accompany the request for information
- An access fee which must be calculated by taking into account reproduction costs, search and preparation time and cost as well as postal costs.

6.6.4.3 When request is received by the information officer such officer shall by notice require the requester, other than a personal



requester to pay the prescribed request fee (if any) before further processing of the request.

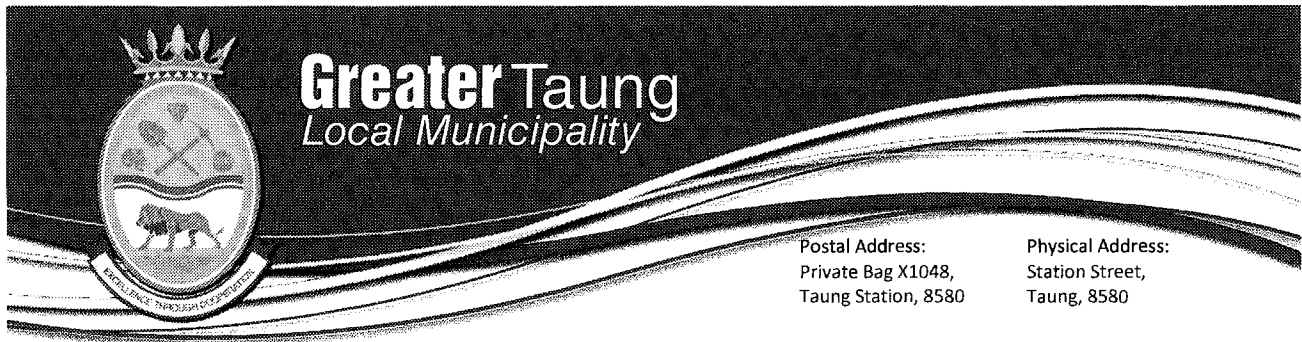
6.6.4.4 If a research for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

6.6.4.5 The access fees payable are as follows:

Description	Cost ®
For every photocopy of an A4-size page or part thereof	0.60
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
To copy on stiffer or memory stick	5.00
To copy onto a Compact Disc	40.00
For a transcription of visual images, for an A4-size page or part thereof	22.00
Copy of visual image	60.00
Transcription of audio record	12.00
Copy of Audio record	17.00
Search and prepare the record for the disclosure / hour	15.00

6.6.4.6 The actual postage is payable when a copy of a record must be posted to a requester.

6.6.4.7 Once all prescribed fees are received the information is released to the requester.

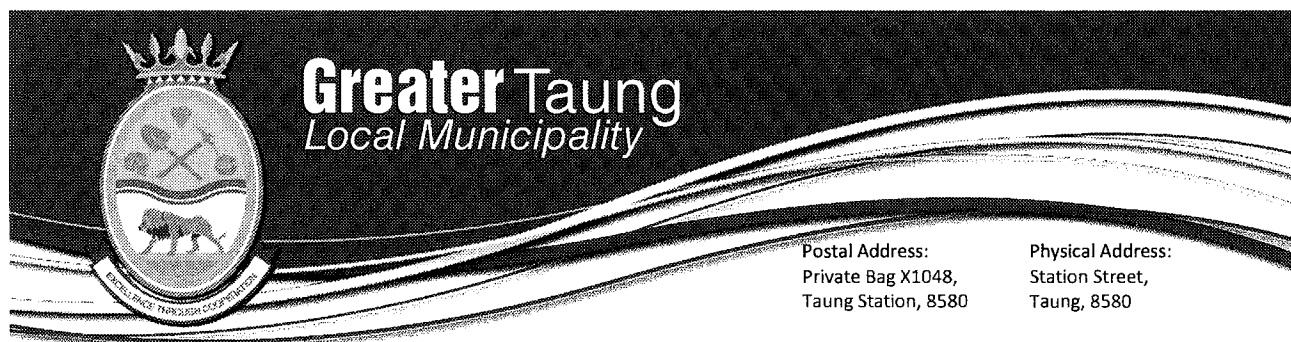


6.7 Transfer, Deferral or Records that do not exist

- 6.7.1 If a request is made for information which is not in the possession of the Municipality, or if the information is more closely connected to another body, the request will be transferred within 14 (fourteen) days after the request has been received, to the other body / institution / organization who could provide the information/
- 6.7.2 Requests may be deferred until information becomes available. The requester will be notified accordingly and requested to make presentation within 30 (thirty) days as to why the information is required prior to it becoming public.
- 6.7.3 In cases where records cannot be found or do not exist and all reasonable steps have been taken to find the requested record, the Information Officer will by means of an affidavit / affirmation inform the requester accordingly, giving full reasons.

6.8 REMEDIES WHERE REQUESTS FOR ACCESS TO INFORMATION ARE REFUSED

- 6.8.1 The main grounds for refusal are:
 - (a) Mandatory protection of a third party who is natural person, which would involve the unreasonable disclosure of personal information of that natural person.
 - (b) Mandatory protection of confidential information of a third party, if the record contains:
 - (i) Trade secrets of that third party;
 - (ii) Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the third party;
 - (iii) Information disclosed in confidence by a third party to the GTLM, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition
 - (c) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
 - (d) Mandatory protection of the safety of individuals and protection of property.
 - (e) Mandatory protection of records which would be regarded as privileged in legal proceedings.
 - (f) The commercial activities of GTLM, which may include;



- Trade secrets of GTLM
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the GTLM
- Information which, if disclosed could put GTLM at a disadvantage in negotiations or commercial competition
- A computer programme which is owned by GTLM, and which is protected by copyright;

(g) The research information of GTLM or a third party, if its disclosure would disclose the identity of GTLM, the researched or the subject matter of the research and would place the research at a serious disadvantage.

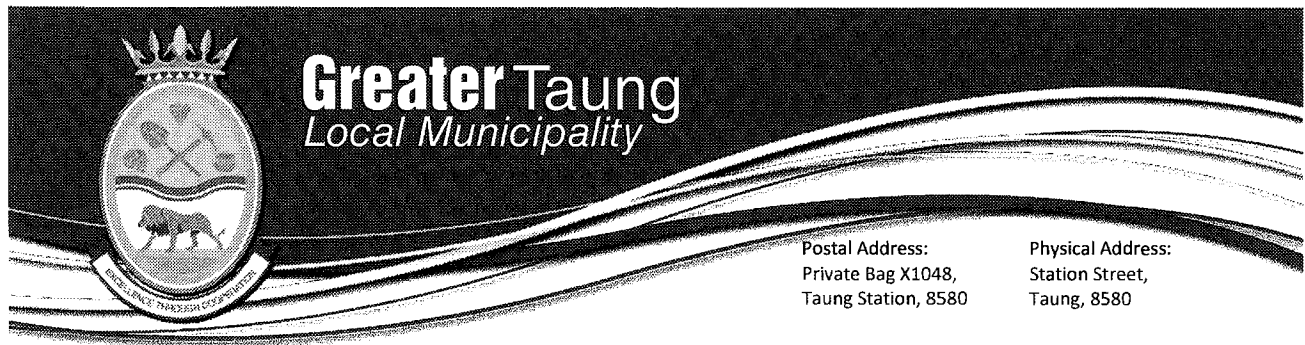
(h) Request for information that are clearly frivolous, or which involve an unreasonable diversion of resources.

6.9 APPEALS

Greater Taung Local Municipality does not have internal appeal procedures. Anyone whose request has been declined will have to approach the courts if he / she feel the municipal council did not comply with provisions of the act.

This would apply to any situation in which the requester wishes to appeal a decision made by the information officer. Although mention is made of internal appeal procedures, this is subject to such a mechanism actually being in the municipality to facilitate such an internal appeal.

6.10 This Manual will be updated and published annually in terms of section 14 (2) of access to information act, 2 of 2000



**6.11 ARRANGEMENT FOR PUBLIC PARTICIPATION IN MUNICIPAL COUNCIL'S
POLICY FORMULATION.**

Municipal Council will ensure that all its stakeholders are encouraged to participate in policy development. This participation will be encouraged through Ward Committees meetings and other meetings arranged with communities.
