



UMZIMKHULU LOCAL MUNICIPALITY ACCESS TO INFORMATION MANUAL

(This manual has been compiled in terms of the Provision of the Promotion of Access to Information Act, 2000, Act 2, 2000.) The manual is compiled to:

- Foster a culture of transparency and accountability giving effect to every person's right of access to information.
- Actively promote a society in which the people of the Umzimkhulu have effective access to information to enable them to fully exercise and protect all of their rights.

UMZIMKHULU LOCAL MUNICIPALITY: DESCRIPTION OF ITS STRUCTURE AND FUNCTIONS

The Umzimkhulu local Municipality was established on 5 December 2000 vide section 12 Notice No. 353 dated 19 September 2000 and comprises Transitional Local Councils.

FUNCTIONS:

The Municipality at present fulfills the following functions:

OFFICE OF THE MUNICIPAL MANAGER

- Internal Audit and Risk management.
- Intergovernmental relations
- Organizational performance
- Contracts Management
- Public participation
- Communication services

COMMUNITY & SOCIAL SERVICES

- Municipal Health Services
- Traffic & By laws Regulation & Enforcement
- Undertake Special Programmes Services
- Coordinate Disaster & Fire fighting services
- Sports, Recreation, Arts & Culture
- Public Participation
- Enforcement of Municipal bylaws

INFRASTRUCTURE AND ENGINEERING

- Municipal infrastructure maintenance
- Storm water & sanitation management
- Coordinate electricity
- Facilitate community involvement, refuse removal, dumps & solid waste

BUDGET & TREASURY OFFICE

- Coordination of budget
- Expenditure, financial control& reporting
- Credit management & revenue collection
- Provide Supply chain management services
- Provide support & capacity to line functions on Budgeting & Treasury

STRATEGIC PLANNING, HOUSING & LED

- Coordinate development of IDP
- Conduct town & spatial development planning
- Coordinate Municipal By laws
- Facilitate Local Economic Development
- Coordinate housing development building regulations & enforcement

CORPORATE SERVICES

- Provide HR management & Human Resource Development services
- Ensure Employee Wellness
- Provide Auxiliary Services
- Provide IT services
- Provide Council Support Services
- Provide Support & Capacity to line functions on HR functions
- Communications Legal Advisory Services

1. **CONTACT DETAILS** :(As updated from time to time)

The contact details of the Information Officer and Deputy Information Officers are listed below:

Information Officer: Mr. Z.S Sikhosana, **Municipal Manager**

Tel: 039 2595300
Fax: 039 2590223
Cell: 0825610198
Email: zsikhosana@umzimkhululm.gov.za

Deputy Information Officer, **Chief Financial Officer**

Tel: 0392595010
Fax: 0392595003
Cell: 0823468317
Email: cezuz@umzimkhululm.gov.za

Deputy Information Officer: Miss N.N Nduku, **Corporate Services**

Tel: 039 2595019
Fax: 0392590836
Cell: 0835206205
Email: ndukun@umzimkhululm.gov.za

Deputy Information Officer: Mrs. K Mbhalo, **Community and Social Services**

Tel: 0392595300
Fax: 0392590223
Cell: 0845978899
Email: mbhalok@umzimkhululm.gov.za

Deputy Information Officer: Mrs. N. Tyekela **Strategic Planning, Housing LED**

Tel: 0392595005
Fax: 0392590427
Cell: 0795092898
Email: tyekelan@umzimkhululm.gov.za

Deputy Information Officer: Miss K.Dweba **Infrastructure& Engineering**

Tel: 0392595001
Fax: 0392590839
Cell: 0821399853
Email: dwebak@umzimkhululm.gov.za

Senior Registry Officer: Mr B.G Nomvalo

TEL: 03925950427
Fax: 0392590427
Cell: 0731452728
Email: nomvalob@umzimkhululm.gov.za

4. GUIDE ON HOW TO USE THE ACT (ACT 2/2000)

The Human Rights Commission in terms of section of PAIA compiled a section 10 guide. The guide is available on the Commission's website: www.sahrc.org.za.

5. REQUEST FOR ACCESS TO A RECORD OF THE UMZIMKHULU LOCAL MUNICIPALITY (SECTION 14(1) (D) OF ACT 2 OF 2002)

The UMzikhulu Local Municipality keeps a record of all correspondence, Agenda resolutions, building plans, town planning maps and other additional information relating to all services listed above, under part

The following records are available without having to rely on PAIA to gain access:

- **IDP**
- **BUDGET**
- **POLICIES**
- **ORGANISATIONAL STRUCTURE**

1. Records are kept under the following categories:

• **LEGISLATION**

Policy
Routine Enquiries
Parliamentary legislation and regulations
Drafting and amendments
Legal Opinions
Provincial legislation and regulations
Council bylaws
Council regulations

• **PLANNING ,MANAGEMENT AND CONTROLS**

Policy
Delegation of authority
Preparation of individual plans
Management meetings
Reports
Records Control

• **OWN COUNCIL AND COUNCIL MATTERS**

Policy
Minutes of meetings
Council meetings
Committee meetings
Matters concerning councils
Individual councils
Public Participation
Outreach Programmes
Intergovernmental Relations
Communications

- **STAFF**

- Determination of conditions of service
- Recruitment
- Training and development
- Training committee
- Individual training and development courses
- Report back
- Administration of benefits and allowances
- Administration of deductions
- Termination of service
- Staff evaluation and grading
- Labour Relations
- Individuals labour forums
- Occupational healthy and safety
- Workplace HIV/AIDS
- Staff Control
- Disciplinary Procedure

- **FINANCE**

- Policy
- Compilation of estimates
- Valuations
- Valuation court
- Land and property taxes/leases
- Rates and service charges
- Investments
- Audits
- Voucher Files
- Billing and Quotations for Services
- Grants
- Information Technologies

- **SUPPLY CHAIN MANAGEMENT**

- Domestic Supplies
- Asset Management
- Disposal of Goods

- **BUILDINGS AND GROUNDS**

- Administration of Buildings
- Acquisition and disposal
- Land

- **TENDERS, QUOTATIONS AND CONTRACTS**

- Policy
- Tenders and quotations
- Individual tenders and quotations
- Contacts

- **DEPARTMENTAL REPORTS AND RETURNS**

- Policy
- Compilation of Reports
- Compilation of Returns
- Individual returns

- **PUBLICITY AND INFORMATION**

Own publicity, information and marketing
Individual categories of publicity, information and marketing
Emblems of the council
Publicity

- **SOCIAL FUNCTIONS**

Official functions
Drafting of speeches
Social functions

- **EXTERNAL MEETINGS AND GATHERINGS**

External meetings
National
Provincial
Regional
Local
Minutes of Gatherings
Minutes

- **ISSUING OF LICENSES AND PERMITS**

Policy
Licenses
Applications and issuing
Permits
Issuing individual permits

- **TOWN PLANNING AND CONTROL**

Policy
Demarcation of municipal Boundaries
Guidelines, structures and development plans
Survey information
Control of township

- **ESSENTIAL SERVICES**

Electricity
Roads and streets
Planning and commentary
Construction and maintenance
Road surface
Storm water drainage
Bridges and subways
Allocation of street names
Cemetery

- **COMMUNITY SERVICES**

Health
Traffic Controls
Library services
Public open space
Application provision and maintenance
Sport and recreation
Disaster Management
Community based and nongovernmental organization.
Cultural heritage events
Special Programmes

- **MUNICIPAL DEVELOPMENT**

Development strategy

Development

Minutes, submission and agendas

Representative forums

Development communication

Projects

Social development and services

Economic

Land reform, environment and land use management

Institutional development

PAIA MANUAL

6. METHOD TO GAIN ACCESS TO INFORMATION

In the event of a member of the public requiring information from the UMzimkhulu Local Municipality in terms of the provision of the Promotion of Access to Information Act 2 of 2000 the following procedure should be followed:

- 6.1.** The request must be made in writing on the prescribed form (**Form A**) addressed to:-

The Municipal Manager
PO Box 53
UMzimkhulu
3297

Or

Faxed to
The Municipal Manager
Fax 039 2590223

Or by

Electronic mail to
The Municipal Manager
e-mail:zsikhosana@umzimkhululm.gov.za

The Corporate Services Manager

PO Box 53
UMzimkhulu
3297

Or

Faxed to
The Corporate Services Manager
Fax: 0392590427

Or by

Electronic mail to
The Corporate Services Manager
e-mail:ndukun@umzimkhululm.gov.za

6.2. The application should provide details about the requester and state clearly what information is required. This will assist the official handling the request to identify:

- The requester and
- The records requested

6.3. The application form (Attached) must be accompanied by the prescribed search fee - see fee schedule, Request for information will be responded to within 30 days of the receipt of the request.

6.4. A requester will be provided with information with if the requested information is available and not subject to the exemption provisions of PAIA.

6.5. If a request for access is made for information which the UMzimkhulu local municipality is not in possession of, or the information is more closely connected to another public body, the request will be transferred as soon as reasonably possible, but in any event within 14 days after the request is received to the other body / institution / organization who could provide the information.

6.6. If information is no longer available and all reasonable steps have been taken to find a record requested, the information officer will, vide an affidavit of affirmation inform the requester accordingly giving full reasons.

6.7. Requests may be deferred until information becomes available. The requester will be notified accordingly and requested to make written representation 30 days why the information is required prior to it becoming public.

7. REFUSAL OF ACCESS TO RECORDS

The information Officer or Deputy Information officers may refuse access of records under certain circumstances as provided for in chapter 4 of the Promotion of Access to Information Act, 2000. e.g.

- Mandatory protection of commercial information of third party
- Mandatory protection of certain confidential information, and protection of certain other confidential information of third party and or
- Mandatory protection of safety of individuals, and protection of property.

8. REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE UMZIMKHULU LOCAL MUNICIPALITY

8.5. A requester may lodge an internal appeal with the UMzimkhulu local Municipal Council against the Information officer if:-

- A request for access is refused;
- The fees charged are unacceptable.
- If the period within which, information has to be disclosed is extended by the Information officer
- Information is given in another form that has been requested.

8.6. A third party may lodge an internal appeal with the UMzimkhulu local Municipal Council against a decision by the Information officer to disclose information.

9. MANNER OF AN INTERNAL APPEAL AND APPEAL FEES.

- 9.5. An internal appeal must be lodged on the prescribed form (Attached)
- 9.6. Within a period of 60 days
- 9.7. Must be posted, faxed or sent by electronic mail to the Information officer.
- 9.8. Identify the subject matter and state reasons for appeal
- 9.9. State manner in terms of how the reply is required, in addition to a written reply.
- 9.10. Prescribed fee to accompany the appeal form.
- 9.11. Late appeals, upon good cause shown, can be allowed.
- 9.12. The information officer must within 10 working days submit the appeal to the Municipal Council for consideration.
- 9.13. The decision regarding the appeal will be communicated to the requester within 30 Days

10. OTHER FORMS OF RECOURSE

After receiving the decision on the appeal if a requester is not satisfied with the outcome of the appeal he/she must lodge an application to the court within 180 days of receipt of the decision of the appeal.

11. DESCRIPTION OF SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE UMZIMKHULU LOCAL MUNICIPALITY AND HOW TO GAIN ACCESS

A comprehensive list depicting departmental offices, office hours and contact details are attached vide annexure A.

Contact may be made at any of the above offices but to ensure immediate attention it is recommended that Heads of Departments, who have all been appointed Deputy Information Officers be contacted directly.

See paragraph 3 above for names and contact details.

12. ARRANGEMENTS/PROVISION'S FOR PERSONS TO MAKE REPRESENTATIONS, CONSULT OR OTHERWISE TO PARTICIPATE OR INFLUENCE THE FORMULATION OF POLICY OR THE EXERCISING OF POWERS OR PERFORMANCE OF DUTIES BY THE UMZIMKHULU LOCAL MUNICIPALITY.

The participation / involvement of the community in the administration of the Municipality is incorporated, in the main, in the Local Government System Act 2000 (chapter 4) and the Municipal Structure Act 1998 (chapter 3).

Community participation in the affairs of the municipality is a prerequisite for good governance and to facilitate this, the following avenues are made available to the community to participate

- Ward Committees
- Ward Councillors and PR Councilors
- Public Affairs office in UMzimkhulu
- Recognition of NGO's, which bodies will be incorporated in planning processes such as the IOP etc.
- Budget process designed to encourage community participation.
- Community input to be obtained when setting performance targets (through the media)
- Public meeting when required
- Newsletters
- Radio and Local Newspapers

GENERAL INFORMATION

The Information Officer or any Deputy Information Officers may be contacted for further information not contained in this manual.

APPLICABLE FEES

(1). The fee for reproduction, referred to in section 15(3) of the Act, is 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 machine-readable form	0,40
(c) For a copy in a computer-readable form on Stiffy disc	5, 00
Compact disc	40, 00
(d) For a transcription of visual images, For an A4-size page or part thereof	22, 00
For a copy of visual images	60, 00
(e) For a transcription of an audio record, For an A4-size page or part thereof	12, 00
For a copy of an audio record	17, 00

(2). The request fee payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is R35

(f) To search for the record for disclosure 15,00 for each hour or part of an hour excluding the first hour, reasonably required for such search.

(3) The actual postal fee is payable when a copy of a record must be posted to a requester.

UMZIMKHULU LOCAL MUNICIPALITY

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 Of 2000)

[Regulation 6]

FOR DEPARTMENTAL/OFFICIAL USE ONLY

Reference number: _____

Request received by--- ----- (state rank, name and surname of information officer/deputy information officer) on

_____ (Date) at----- (place).

Request fee: R.....

Deposit: R.....

Access fee: R.....

SIGNATURE OF INFORMATION
OFFICER/DEPUTY
INFORMATIONOFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

UMzimkhulu Local Municipality

PO Box 53
UMzimkhulu
3297

B. Particulars of person requesting access to the record

(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 surname: -----

Identity number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Postal address: -----

-----Fax number: -----

Telephone number: _____ E-Mail address: _____

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

C. Particulars of person on whose behalf request is made

*This section must be completed ONLY if a request for information is made on behalf
Of another person.*

Full names and surname: -----

Identity number:

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D. Particulars of record

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.

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

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

2. Reference number, if available: -----

—

3. Any further particulars of record: -----

—

E. Fees

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

Reason for exemption from payment of fees: — — — — —

F. Form of access to record

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

Disability:	Form in which record is required:
_____	_____

Mark the appropriate box with an X NOTES:

(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassettes)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable			
<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer readable form* (stiffy or compact

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO
Postage is		
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 REQUEST/PERSON
ON WHO'S BEHALF REQUEST IS MADE

PAIA MANUAL

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

PAIA MANUAL

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 reason for the information officers/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

UMZIMKHULU LOCAL MUNICIPALITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM UMZIMKHULU LOCAL MUNICIPALITY ON (date):

.....
.....

UMZIMKHULU LOCAL MUNICIPALITY

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 Of 2000)

[Regulation 10]

FOR DEPARTMENTAL/OFFICIAL USE ONLY

Reference number: _____

Request received by--- ----- (state rank, name and surname of information officer/deputy information officer) on

_____ (Date) at----- -- ----- (place).

Request fee: R.....

Deposit: R.....

Access fee: R.....

SIGNATURE OF INFORMATION
OFFICER/DEPUTY
INFORMATIONOFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

UMzimkhulu Local Municipality

PO Box 53
UMzimkhulu
3297

D. Particulars of record

(a)	Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
-----	--

(b)	If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios
-----	---

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

2. Reference number, if available: — — — — —

—

3. Any further particulars of record: — — — — —

—

E. Fees

(a)	A request for access to a record, other than a record containing personal information about yourself will be processed only after a request fee has been paid.
(b)	You will be notified of the amount required to be paid as the request fee.
(c)	The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for or prepare a copy.
(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:
-------------	-----------------------------------

--	--

<p>Mark the appropriate box with an X NOTES:</p> <p>(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
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 of the images* transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack (audio cassettes)		transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable			
	Printed copy of record*		Printed copy of information derived from the record* Copy in computer readable form* (stiffy or compact

<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>Postage is</p>	YES	NO
<p>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.</p> <p>In which language would you prefer the record?</p>		

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?.....

.....

PALIA MANUAL

Signed at, _____ this _____ day of _____ 20

SIGNATURE OF
REQUESTER/PERSON ON WHOSE
BEHALF REQUEST IS MADE

PAIA MANUAL

PAIA MANUAL