PAIA MANUAL

Prepared in terms of section 14 of the Promotion of Access to Information Act 2 of 2000 (as amended)

Document Control	
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DISCLAIMER

*This Guide does not relieve the user from the responsibility to exercise their own skill and care in relation to the requirement or obligations imposed by any legislation. Furthermore, this Guide does not provide legal advice and is not intended to replace **PAIA** or Regulations issued under **PAIA**. The Regulator accepts no liability for any loss that may be suffered as a result of reliance on this Guide.*

1. LIST OF ACRONYMS, ABBREVIATIONS AND USEFUL TERMS

1.1	**"SBM"**	Saldanha Bay Municipality
1.2	**"DIO"**	Deputy Information Officer
1.3	**"IDP"**	Integrated Development Plan
1.4	**"IO"**	Information Officer
1.5	**"MFMA"**	Municipal Financial Management Act 56 of 2003
1.6	**"Minister"**	Minister of Justice and Correctional Services
1.7	**"MPRA"**	Municipal Property Rates Act 6 of 2000
1.8	**"PAIA"**	Promotion of Access to Information Act No. 2 of 2000
1.9	**"POPIA"**	Protection of Personal Information Act No. 4 of 2013
1.10	**"Regulator"**	Information Regulator
1.11	**"Structures Act"**	Municipal Structures Act 117 of 1998
1.12	**"Systems Act"**	Municipal Systems Act 32 of 2000

Useful terms:

Access Fee — This access fee is paid by the requester to the body from which you are requesting the information, to cover the costs of finding and copying the records you require.

Administrator — Is an organ of state or any natural or juristic person taking administrative action**.**

Administrative Action — Is any decision taken, or any failure to take a decision, by

(a) an organ of state, when:
  (i) exercising a power in terms of the Constitution or a provincial constitution; or
  (ii) exercising a public power or performing a public function in terms of an empowering provision.

which adversely affects the rights of any person and which has a direct, external legal affect.

Authorised Person — The authorised person is the person who is making a request

	on behalf of someone else, and who has been properly authorised in writing to do so.
Automatically available Records	These are records that a public or private body will provide to a requester without them needing to file a request. These records are listed in a 'voluntary disclosure notice'.
Data subject	Is the person to whom personal information relates.
Days	Unless specified as a 'working day' in a section in PAIA, a day is considered to be a calendar day. To calculate time period, the day on which the request is received is excluded, and every day thereafter is included including weekends and public holidays until the final day is counted. If the final day for responding to a request falls on a Sunday or public holiday, the next day is counted as the final day.
Deemed Refusal	If no response is received to a request within the prescribed time, this is defined as 'deemed refusal'.
Guide	This Guide, drafted in pursuance of Section 10 of PAIA, as amended which seeks to assist a person who wishes to exercise any right contemplated in PAIA and the Protection of Personal Information Act, 2013.
Information Officer	The Information Officer is the person authorised to deal with PAIA applications. The Municipal Manager or the person who is acting as such is the Information Officer at a municipality.
Deputy Information	The Deputy Information Officer is the person designed or delegated by the Information Officer of a public body to assist the requester with their information request, and to whom the Information Officer can delegate other PAIA powers to.
Information Regulator	The Office of the Information Regulator has been established, in terms of section 39 of POPIA, to monitor and enforce compliance with POPIA and PAIA.
Internal Appeal	An internal appeal is the process for challenging a decision made in terms of a PAIA request to a public body, which must be completed before a challenge can be made to the Regulator or a court having jurisdiction.
Record	A record any recorded information regardless of the form, including, for example, written documents, audio, digital and video materials. A record requested from a public body refers to a record that is in that organisation's possession regardless of whether that organisation created the record.
Regulations	PAIA allows the Minister to issue regulations that supplement the Act, which must be published in the Government Gazette, and covers issues like the forms to be used.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

2.1 check the nature of the records which may already be available at Saldanha Bay Municipality (SBM) without the need for submitting a formal PAIA request;

2.2 understand how to make a request for access to a record of SBM;

2.3 obtain all the relevant contact details of the person(s) who will assist the public with the records they intend to access;

2.4 know all the remedies available from SBM regarding request for access to the records, before approaching the Regulator or the Courts;

2.5 know the description of the services available to members of the public from SBM and how to gain access to those services;

2.6 know a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

2.7 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

2.8 know if SBM 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; and

2.9 know whether SBM has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF SALDANHA BAY MUNICIPALITY

Saldanha Bay Municipality was established on 22 September 2000 (Provincial Notice 484, Gazette number 5589), by the merging of the previous local councils namely, Langebaan Municipality, Hopefield Municipality, the West Coast Peninsula Transitional Council and the Malmesbury Transitional Representative Council (to the extent that its area is included within the boundaries of the local municipality).

3.1 Objectives/Mandate

As part of the local sphere of government, SBM is empowered by a series of legislation to fulfil its constitutional objectives, namely the Local Government: Municipal Financial Management Act 56 of 2003 (The MFMA), Local Government: Municipal Systems Act 32 of 2000 (The Systems Act), Local Government: Municipal Structures Act 117 of 1998 (The Structures Act), and the Local Government: Municipal Property Rates Act 6 of 2000 (The MPRA). Together, these pieces of legislation (together with the various regulations promulgated thereunder) provide a framework for a democratic, accountable and developmental local government system, as envisaged by section 152 of the Constitution.

SBM's executive authority is vested in its Municipal Council and it is therefore responsible for making top-level decisions about how the municipal area is governed. The Council is also the legislative body of SBM and develops and implement policies and by-laws, which are local laws specifically created and implemented within it jurisdictional boundaries. Council sets the tariffs for rates and services in SBM (available on SBM's website), decides what the budget is and how it will be spent, and enters into service level agreements with private agencies that do business with SBM.

When the SBM Council makes its decisions, it is guided by the Integrated Development Plan (IDP), a framework that outlines how SBM plans to reach its goals, together with other long-term plans that inform SBM's budgeting and resourcing strategies. The policies and by-laws that Council approves for implementation are monitored by the Portfolio Committees or 'Section 79' committees, which are established in terms of the Structures Act.

SBM has the right 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. In this regard, section 152 of the Constitution stipulates the following:

*"**Objects of local government***

1. The objects of local government are-

a. to provide democratic and accountable government for local communities;

b. to ensure the provision of services to communities in a sustainable manner;

c. to promote social and economic development;

d. to promote a safe and healthy environment; and

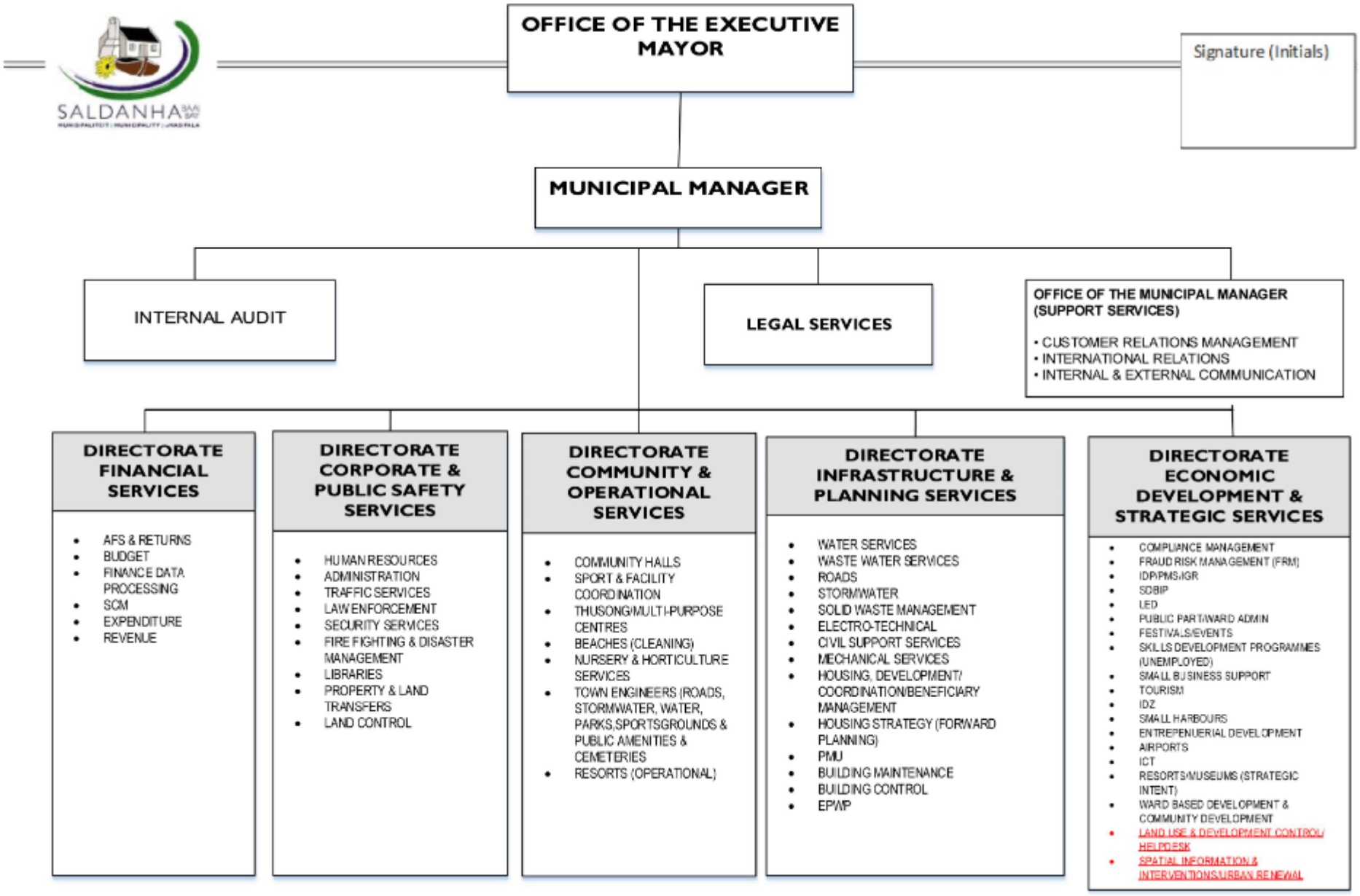
e. to encourage the involvement of communities and community organisations in the matters of local government.

2. A municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection (1)."

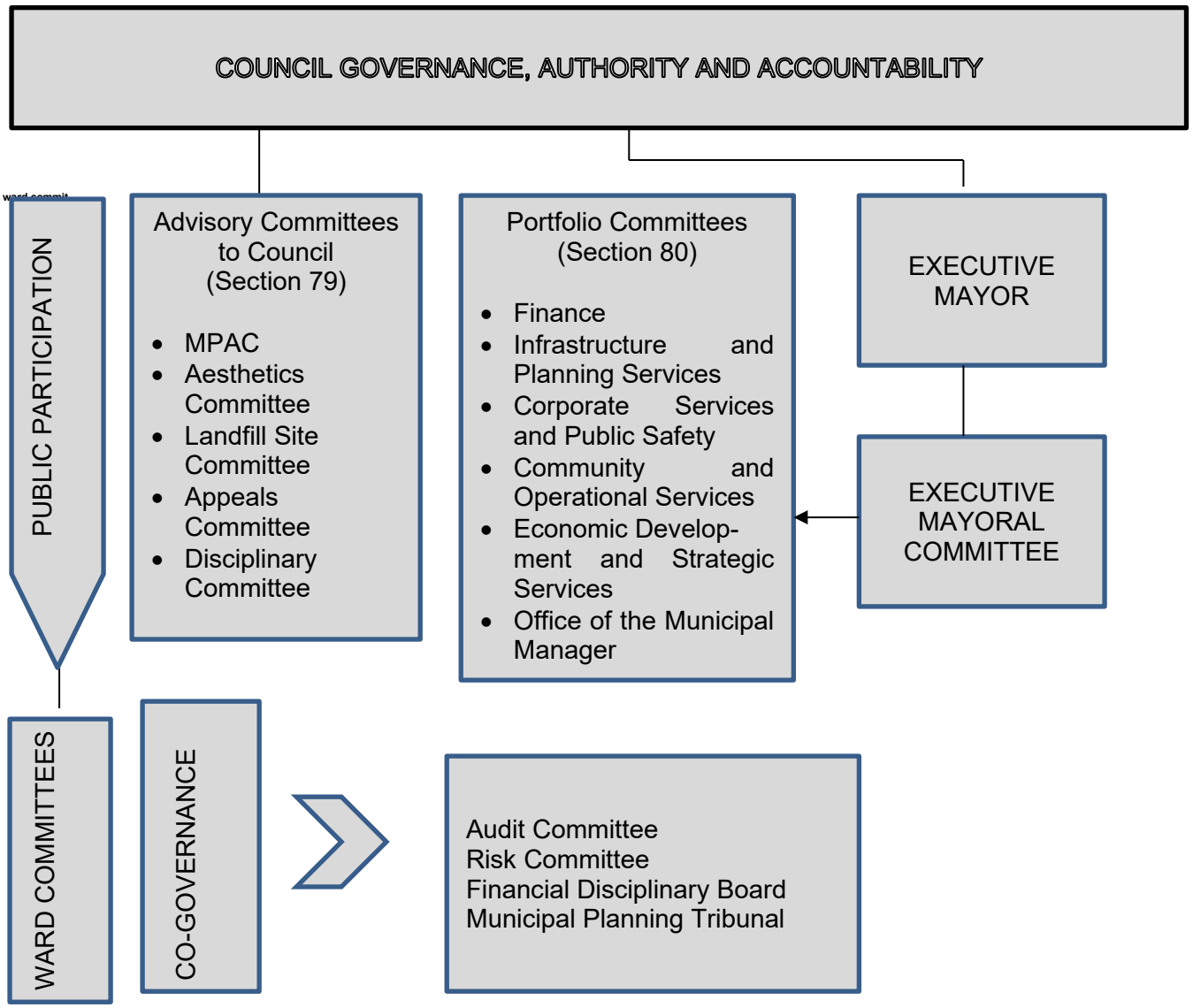
4. STRUCTURE OF SALDANHA BAY MUNICIPALITY

4.1 ORGANISATIONAL STRUCTURE

Local government is functioning in a consistently changing environment and therefore its structures and services may change. Council's vision, goals and strategic priorities are continuously reviewed and the relevant current structures are aligned according to its new strategic direction. The current organisational structure is illustrated in the organogram below, while Council governance structure is illustrated in the following chart.


OFFICE OF THE EXECUTIVE MAYOR
Signature (Initials)
MUNICIPAL MANAGER
INTERNAL AUDIT
LEGAL SERVICES
OFFICE OF THE MUNICIPAL MANAGER (SUPPORT SERVICES)
• CUSTOMER RELATIONS MANAGEMENT
• INTERNATIONAL RELATIONS
• INTERNAL & EXTERNAL COMMUNICATION
DIRECTORATE FINANCIAL SERVICES
AFS & RETURNS
BUDGET
FINANCE DATA PROCESSING
SCM
EXPENDITURE
REVENUE
DIRECTORATE CORPORATE & PUBLIC SAFETY SERVICES
HUMAN RESOURCES
ADMINISTRATION
TRAFFIC SERVICES
LAW ENFORCEMENT
SECURITY SERVICES
FIRE FIGHTING & DISASTER MANAGEMENT
LIBRARIES
PROPERTY & LAND TRANSFERS
LAND CONTROL
DIRECTORATE COMMUNITY & OPERATIONAL SERVICES
COMMUNITY HALLS
SPORT & FACILITY COORDINATION
THUSONG/MULTI-PURPOSE CENTRES
BEACHES (CLEANING)
NURSERY & HORTICULTURE SERVICES
TOWN ENGINEERS (ROADS, STORMWATER, WATER, PARKS,SPORTSGROUNDS & PUBLIC AMENITIES & CEMETERIES
RESORTS (OPERATIONAL)
DIRECTORATE INFRASTRUCTURE & PLANNING SERVICES
WATER SERVICES
WASTE WATER SERVICES
ROADS
STORMWATER
SOLID WASTE MANAGEMENT
ELECTRO-TECHNICAL
CIVIL SUPPORT SERVICES
MECHANICAL SERVICES
HOUSING, DEVELOPMENT/ COORDINATION/BENEFICIARY MANAGEMENT
HOUSING STRATEGY (FORWARD PLANNING)
PMU
BUILDING MAINTENANCE
BUILDING CONTROL
EPWP
DIRECTORATE ECONOMIC DEVELOPMENT & STRATEGIC SERVICES
COMPLIANCE MANAGEMENT
FRAUD RISK MANAGEMENT (FRM)
IDP/PMS/IGR
SDBIP
LED
PUBLIC PART/WARD ADMIN
FESTIVALS/EVENTS
SKILLS DEVELOPMENT PROGRAMMES (UNEMPLOYED)
SMALL BUSINESS SUPPORT
TOURISM
IDZ
SMALL HARBOURS
ENTREPENUERIAL DEVELOPMENT
AIRPORTS
ICT
RESORTS/MUSEUMS (STRATEGIC INTENT)
WARD BASED DEVELOPMENT & COMMUNITY DEVELOPMENT
LAND USE & DEVELOPMENT CONTROL/ HELPDESK
SPATIAL INFORMATION & INTERVENTIONS/URBAN RENEWAL

SALDANHAHA BAY MUNICIPALITY: GOVERNANCE STRUCTURES



4.2 Functions

Section 152(1) of the Constitution sets the constitutional foundation for the objects of local government, thus creating a set of obligations that SBM, as a local government, should achieve. In particular, section 152(2) provides that, a municipality must strive, within its financial and administrative capacity, to achieve the objects set out in subsection 1. In order to achieve this, SBM has systems and programs which forms the basis of its municipal administrative functions.

The Office of the Municipal Manager is responsible for all aspects of governance, such as ensuring compliance with statutory requirements and the execution of SBM's policies, processes and procedures. The Municipal Manager is also the Information Officer of SBM.

The Municipal Manager is supported by an Executive Management Team (EMT),

appointed in terms of section 57 of the Municipal Systems Act. Each member heads a directorate and is responsible for key functions of the organisation. These include implementing Council decisions and leading the SBM drive to achieve its strategic objectives as outlined each year in the Integrated Development Plan (IDP).

To this end, under the direct responsibility of the Municipal Managers, Directors and their the departments reporting to them, performs the functions listed below:

Office of the Municipal Manager

- Customer relations management
- International relations
- Internal & external communication
- Internal Audit
- Legal Services

Municipal Manager - Mr. H Mettler
Tel: 022-701 7097
Email: Heinrich.Mettler@sbm.gov.za

Infrastructure and Planning Services Directorate

- Water services
- Wastewater services
- Roads
- Storm water
- Solid waste management
- Electrotechnical services
- Civil support services
- Mechanical services
- Housing: Development/Coordination/Beneficiary management
- Housing Strategy: Forward planning
- Project management unit

Director: Infrastructure and Planning Services - Mr. G Smith
Tel: 022-701 7112
Email: Gerrit.Smith@sbm.gov.za

Community and Operational Services Directorate

- Community halls
- Sport and facility coordination
- Thusong: Multi-purpose centres
- Beaches (cleaning)
- Nursery & horticulture services
- Town Engineers (roads, stormwater, water, parks, sport facilities, public amenities and cemeteries)
- Resorts
- Street, public places and facility cleaning
- Extended Public Works Program (EPWP)

Director: Community and Operational Services - Mr. L Volschenk
Tel: 022-701 7177
Email: Louis.Volschenk@sbm.gov.za

Finance Directorate

- Annual financial statements and returns
- Budget and accounting
- Finance data processing
- Revenue management
- Expenditure management
- Supply chain management

Director: Finance – Mr. S Vorster
Tel: 022-701 6977
Email: Stefan.Vorster@sbm.gov.za

Corporate Services and Public Safety Directorate

- Human resources management (HR)
- Administration
- Traffic services
- Law enforcement
- Security services

- Firefighting & disaster management
- Libraries
- Property and land transfers
- Land control

Director: Corporate Services and Public Safety – Mr. P Mbaliswana

Tel: 022-701 7161

Email: Phumzile.Mbaliswana@sbm.gov.za

Economic Development and Strategic Services

- Compliance management
- Fraud risk management (FRM)
- IDP (Integrated Development Plan)/PMS (Performance management system)/IGR (Intergovernmental relations)
- SDBIP (Service delivery budget implementation planning)
- LED (Local economic development)
- Public participation/Ward administration
- Festivals/events
- Skills development programs (unemployed)
- Small business support
- Tourism
- IDZ (Industrial Development Zone)
- Small harbours
- Entrepreneurial development
- Airports
- ICT (Information Communication Technology)
- Resorts/museums (strategic intent)
- Ward based development & community development
- Land use & development control/helpdesk
- Spatial information & interventions/urban renewal
- Building maintenance
- Building Control

Director: Economic Development and Strategic Services – Ms. C de Kock

Tel: 022-701 7159

Email: Cornell.deKock@sbm.gov.za

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF SBM

The contact details for the municipality are as follows: -
Saldanha Bay Municipality

Street Address:	Postal Address:
12 Main Road	Private Bag X12
Vredenburg, 7380	Vredenburg, 7380

Telephone No.: 022 701 7000
Facsimile No.: 022 715 1518
Electronic Mail: mun@sbm.gov.za
Website: www.sbm.gov.za

Contact details of information officer and deputy information officers:
Information Officer:Municipal Manager, Mr H Mettler
Telephone No.: 022 701 7098
Facsimile No.: 022 715 1518

Deputy Information Officer: Mr P Mbaliswana
Director Corporate Services and Public Safety
Telephone No.: 022 701 7161
Facsimile No.: 022 701 1518

Deputy Information Officer: Mr S Vorster
Director Finance
Telephone No.: 022 701 6977
Facsimile No.: 022 701 1518
Mobile No.: 079 1792 882

Deputy Information Officer: Mr G Smith
Director Engineering and Planning Services
Telephone No.: 022 701 7112
Facsimile No.: 022 715 1518

Deputy Information Officer: Mr L Volschenk
Director Community and Operational Services
Telephone No.: 022 701 7177
Facsimile No.: 022 715 1518

Deputy Information Officer: Ms C de Kock
Director Economic Development and Strategic Services
Telephone No.: 022 701 7159
Facsimile No.: 022 701 1518

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE SALDANHA BAY MUNICIPALITY

General enquiries

Contact details: available from Monday - Friday (except public holidays) from 08:00 - 16:00.

Telephone: 022-701 7000

Fax: 022-701 1518

Email: mun@sbm.gov.za

Counter queries and postal address:

Street Address:	Postal Address:
12 Main Road	Private Bag X12
Vredenburg, 7380	Vredenburg, 7380
Telephone No.: 022 701 7000	
Facsimile No.: 022 715 1518	

a) ***Submit an internal appeal***

If your rights have been infringed by a decision taken by SBM, then you can lodge an appeal by following the process below.

Step 1: Compose your appeal notice.

Your notice must:

- be in writing;
- state the reasons for appeal;
- detail how your rights were affected by the decision;
- contain the remedy or solution you are seeking; and
- have the original notification of the decision attached.

Step 2: Once you have completed your notice, you can submit it *via* email to mun@sbm.gov.za or fax it to 022.-715 1518. Written notices can also be hand-delivered to the municipal offices at the following address:

Office of the MunicipalManager

Saldanha Bay

Municipality

Street Address:	Postal Address:
12 Main Road	Private Bag X12
Vredenburg, 7380	Vredenburg, 7380

b) ***Process for complaining to the Information Regulator***

POPIA:

Any person may submit a complaint to the Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject. Should you feel that your personal information has been violated, a complaint to the Regulator must be made in writing.

Should for any reason and circumstance the person wishing to lodge a complaint not able to do so in writing, the Regulator must give reasonable assistance to the person. Complete the prescribed form (attached as **Annexure A**) and send it to: **POPIAComplaints@inforegulator.org.za**.

The Regulator must as soon as reasonably practically advise the complainant and the responsible party to whom the complaint relates of the course of action that the Regulator will take. The Regulator may on its own initiative commence an investigation into the interference with the protection of the personal information.

Should you feel that your personal information has been violated, complete the prescribed form and send it to:
POPIAComplaints@inforegulator.org.za.

PAIA:

A requester or third party may only submit a complaint to the Regulator after that requester or third party has exhausted the internal appeal procedure against a decision of the Information Officer of a public body or head of private body.

Should your PAIA request be denied or there is no response from a public body for access to records, a complaint to the Regulator must be made in writing.

Should for any reason and circumstance the person wishing to lodge a complaint is not

able to do so in writing, the Regulator must give reasonable assistance to the person. You may use and complete the prescribed PAIA form (attached as **Annexure B**) and send it to **PAIAComplaints@inforegulator.org.za.**

The Regulator after receipt of a complaint may either investigate the complaint in the prescribed manner or refer the complaint to the Enforcement Committee. It may also decide to take no action on complaint if the case requires no further action. The Regulator must also as soon as reasonably possible after receipt of a complaint, advise the complainant and Information Officer or head of a private body to whom the complaint relates on the course of action that the Regulator proposes.

c) ***Process for approaching the Court with jurisdiction for appropriate relief (PAIA requests).***

Application to Court

Application to court can be filed by a **requester** or **third party**

- after that requester or third party has exhausted the internal appeal process, or
- after that requester or third party has exhausted the complaints procedure to the Information Regulator.

An **application to court** by a requester or third party must be filed **within 180 days** from the date of the applicable event. The Information Officer or appeal authority aggrieved by a decision of the Regulator may apply to court for appropriate relief **within 180 days** from the date of the applicable event.

Cases for access to information can be heard before the Cape Town Magistrate's Courts, as a court of first instance, and the Western Cape High Court.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of-

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[2] and section 56 of POPIA[3];

7.3.3. the manner and form of a request for-

7.3.3.1. access to a record of a public body contemplated in section 11[4];

7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

7.3.6. 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-

7.3.6.1. an internal appeal;

7.3.6.2. a complaint to the Regulator; and

7.3.6.3. 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;

7.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

7.4.1. upon request to the Information Officer; or

7.4.2. from the website of the Regulator (https://www.justice.gov.za/inforeg/).

8. DESCRIPTION OF THE SUBJECTS ON WHICH SBM HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY SBM

'Records' of SBM refer to those records created or received in the course of official business and that are kept as evidence of SBM's functions, activities and transactions. There are different forms of records, for example correspondence files, maps, plans, registers, agendas and minutes, which could be available in different media, e.g. paper, electronic, or on microfilm. **Annexure C** gives a description of the subjects on which SBM holds records as well as the categories of records held on each subject.

9. CATEGORIES OF RECORDS OF SBM OF CAPE TOWN WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Access to records held by SBM

9.1 **Annexure D** describes the categories of SBM records that are automatically available without a person having to request access in terms of the Act/ Automatic/Voluntary Disclosure.

10. PROCEDURE FOR ACCESS TO RECORDS HELD BY SBM

When a record/information is requested in terms of the Act, the requester must be given access thereto, if the requester complies with all the procedural requirements in the Act relating to the request for access to a record. Access to the record must be refused if any ground(s) of refusal mentioned in the Act applies. Access may be granted if it is in the public interest, despite there being a ground of refusal applicable to such a request.

10.1 Form of request

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

The Information Officer or the Deputy Information Officer

Saldanha Bay Municipality
Private Bag X12
Vredenburg,
7380

E-mail: Mun@sbm.gov.za

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

A requester or data subject must use the prescribed **Annexure C**, when requesting access to a record or personal information.

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

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, SBM will provide the requested information, or give access to any record with regard 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 SBM.

A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, SBM is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.

The prescribed form (completed **Annexure C**) must be addressed and submitted to the Information Officer by hand, post, or e-mail, which details are set out in above.

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:

a) the identity of the requester;
b) particulars of record requested;
c) type of record;
d) form of access; and
e) manner of access.

10.2 Some additional important points to remember when completing the request form:

a) The application should clearly state what information is required and if the request is for a copy of a record or whether the requester would like to view the

record at the office of SBM.

b) The application form must be accompanied by the prescribed request fee (for fees, see 'fees payable').

c) If a person requests access in a particular form, the requester should be given access in the required manner, unless doing so would interfere unreasonably with the running of the office, would damage the record, or would infringe a copyright or proprietary information not owned by SBM, for example, mandatory protected commercial information of a service provider or vendor.

d) If the requester wishes to be informed of the decision regarding the request in any other manner, e.g. by telephone or email, in addition to a written reply, it must be indicated as such.

e) In a case where the requester is asking for information on behalf of somebody else, the capacity in which the request is being made should be indicated.

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

10.3 Prescribed fees payable

a) Section 22(1) of PAIA states that fees payable for access to records of SBM are to be prescribed. The prescribed fees are included in **Annexure D**.

b) A requester who seeks access to any record may be required to pay a fee, unless exempted, as referred to below.

10.4 Exemption on Fees

The requester does not need to pay an access fee to a public body if –

a) He or she is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than R14 712 a year, or

b) He or she is married and the joint income with his or her partner, after permissible deductions, such as PAYE and UIF, is less than R27 192 per year.

10.5 Decision and Notice

a) The requester will be notified within 30 (thirty) days of receipt of the request of the information officer's/deputy information officer's decision in this respect, unless the

period for dealing 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. Also see **Annexure D** for fees payable.

b) The requester will be given the required information if available, within a reasonable time upon receipt of the application form and prescribed fee.

10.6 Transfer of requests

If a request for access is made in respect of information that is not in the possession of the SBM, or if the information is more closely connected to another public body, the request will be transferred within 14 (fourteen) days of receipt of the request to the other body/institution/organisation who could provide the information. Once the request is transferred, the requester will be provided with all the relevant and necessary information regarding the transfer, which will include, the details of the person to whom the request was transferred.

10.7 Records not found or do not exist

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

10.8 Disposal of records

a) SBM reserves the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service of South Africa.

b) Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

c) In accordance with section 24(1) of POPIA, the Regulator may, upon receipt of the request from a data subject –
   - correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive out of date, incomplete, misleading or obtained unlawfully; or
   - destroy or delete a record of personal information about the data subject that the Regulator is no longer authorised to retain in terms of section 14 of POPIA.

10.9 Deferral of access

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

10.10 Refusal of access to records

The Information Officer/Deputy Information Officers may refuse access to records under the circumstances as provided for in Chapter 4 of the Act (grounds for refusal of access to records) such as mandatory protection of safety of individuals, and protection of property. Section 45 of PAIA entitles SBM to refuse a request for access to a record if:

(a) the request is manifestly frivolous or vexatious; or

(b) the work involved in processing the request would substantially and unreasonably divert the resources of SBM.

10.11 Remedies

Remedies are available if the requester/third party is not satisfied that the decision of SBM's Information Officer/Deputy Information Officer complies with the provisions of the Act. A requester/third party may lodge an internal appeal with SBM against a decision taken by the information officer or deputy information officer if:

a) a request for access is refused.

b) the fees charged are unacceptable.

c) the period within which a decision about access to a record must be made, is extended.

- access to a record is not provided in the form requested, e.g. electronic copy instead of a printed copy.
- a third party may lodge an internal appeal with SBM against a decision by the information officer or deputy information officer to disclose information relating to the third party.

10.12 Appeal procedure

An internal appeal must be lodged on the prescribed form, attached as **Annexure E**.

a) within a period of 60 (sixty) days;

b) if notice to a third party is required by section 49(1)(b), within 30 (thirty) days after notice was given to the appellant of the decision appealed against or if notice to the appellant is not required, after the decision was taken.

c) The internal appeal:

- must be delivered, posted or sent by electronic mail to the Information Officer or corporate deputy information officer.
- must identify the subject of the internal appeal and give reasons for the appeal.

- must state the manner in which the applicant wishes to be informed of the decision on the internal appeal, in addition to a written reply.
- must be accompanied by the prescribed appeal fee, if applicable.
- must specify a postal address or e-mail address.
- the Information Officer or Deputy Information Officer must within 10 (ten) working days after receipt of an internal appeal submit it to the Appeal Authority, namely the Speaker, for consideration.
- late appeals may be allowed if good cause can be shown.

10.13 Applications to Court

A requester or third party may only apply to a court if the internal appeal procedure against a decision of the information officer or deputy information officer has been exhausted.

11. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM SBM AND HOW TO GAIN ACCESS TO THOSE SERVICES

11.1 Powers, duties and functions

SBM aims to ensure fast, effective service and communication with our public. If you need to speak to someone on the phone, or do not know who you should contact, please see the list of SBM contacts below.

General enquiries
Switchboard: 022 701 7000

Accounts and general queries	022-701 7129 or 022-701 7040 or 022-701 7138 or 022-701 7057 or 022-701 7070 or 022-701 7160
Water queries	Report water-related matters 24/7 to our call centre at 022-701 7061 or 022-701 6974
Electricity queries	Report electricity-related matters 24/7 to our call centre at 022-701 7061 or 022-701 6974
Motor vehicle queries	022-701 7029 or 022-701 6919

Traffic fines	022-701 6902 or 022-701 6918
Law Enforcement	022-701 6912
Solid waste	022-701 7079
Fraud Hotline	0800 444 990

Emergency	**Contact details**
Fires	0860 073 473

General email:
mun@sbm.gov.za

12. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY SBM

One of the main objects of local government is to encourage the involvement of communities and community organisations in the matters of local government (section 152(1) (e) of the Constitution[13]). Chapter 4 of the Local Government: Municipal Systems Act 32 of 2000, requires municipalities to involve communities in decision-making processes and to consult and work together with the community in relation to local government affairs that impact them. In this regard, SBM engages with communities on important and relevant issues via ward committee meetings, sessions with organisations and other special platforms. Communities are encouraged to communicate with us through items open for public comment. SBM publishes items for public comment on a regular basis. The public can submit feedback on documents, initiatives and projects that affect them as residents of Cape Town.

Arrangements allowing for public participation/involvement

Public participation in a local government context is governed by the Systems Act and the Structures Act. The purpose of the public participation process is to ensure that SBM, as well as the broader community co-own the public participation process and the end product.

Segments of the public which are engaged in public participation are, for example, individuals, sporting/social groups, religious organisations, small, medium and micro- enterprises (SMMEs), community-based organisations (CBOs), non-governmental organisations (NGOs), sector-based forums, area-based forums, businesses, and civic/ratepayer associations.

SBM may use the following methods to engage in public participation:

- Distribution of documents in public places for comment
- Surveys

- Newspaper advertisements
- Formal public hearings
- Public meetings

13. PROCESSING OF PERSONAL INFORMATION

13.1 Purpose of processing personal information in the SBM

Subject	Category
Purpose of the processing	• Sale and supply of SBM products and services • To improve our products and services • To market products and services to constituents • To comply with statutory obligations • Internal record keeping • Customer relations purposes • To conduct research • Security, administrative and legal purposes • To fulfil our contractual obligations • To periodically send you news updates or other information that we think you may find interesting
Security measures to protect Personal Information	• Physical security measures • Access control measures • Internal security measures • Cyber security measures • Anti-spam measures • Anti-virus measures • Installing security firewalls • Password control • Vulnerability management • Backups • IT Service Continuity • Least privilege • Cyber Security Awareness program • Training programs on information security, • Information security audits, • IT-related company policies.

13.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be Processed
Employees:	• record of employee life cycle, name and job title, contact information, demographic information (post code, preferences, and interests) • Service providers: record of service provider life cycle
General public:	general enquiries and viewing the company website, name and job title, contact information, demographic information (post code, preferences, and interests), other information relevant to consumer surveys and/or offers.
Industry bodies:	membership records
Media:	records of media interactions

13.3 The recipients or categories of recipients to whom the personal information may be supplied

Data Subjects	Category of personal information	Recipients or Categories of Recipients
Prospective employees, current employees, contract employees, consultants, interns and volunteers:	• Name, identification number, biographical information; • Contact details • Educational, employment and criminal history • Biometric and health information; • Psychometric assessments and • Reference checks, background checks.	• Data subjects • Employee pension funds • Financial institutions • Industry bodies • Law enforcement • Medical aid schemes • Operators (service providers) • Statutory authorities • Customers of SBM's services • Employees of SBM • Government departments.
Current employees, consultants, contract employees and interns:	• Account information; • Performance reports; and • Skills/ training reports.	• Relevant SBM departments, Provincial and National Government Departments and their agents.
Prospective and current suppliers, service providers, contractors, sub-contractors and business partners:	• Name, identification number/company registration number; • Relevant registration number; • Contact details; • Financial history; • References, background checks and • Performance reports.	• Relevant SBM departments; • Provincial and National Government • Public Entities • Business Enterprises and their agents

13.3 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.

13.3.1 SBM takes reasonable technical and organisational measures to secure the integrity of personal information and special personal information and using accepted technological standards to prevent unauthorised access to or disclosure of personal information and special personal information and protect your personal information and special personal information from misuse, loss, alteration and destruction.

13.3.2 These measures include, amongst others, the following:

a) the use of firewalls, backups, anti-malware on all Windows devices, IT Service Continuity, authentication procedures and the Cyber Security Awareness program.

b) internal data protection policies and guidelines that help protect and secure the integrity of personal information and special personal information.

c) review information collection, storage and processing practices, including physical security measures periodically, to ensure that we keep abreast of good practice.

d) back-up of information for operational and safety purposes.

e) SBM has implemented procedures to address actual and suspected data breaches and will notify data subjects and the relevant regulatory authorities of breaches in instances in which SBM is legally required to do so.

f)

13.4 Security measures to protect Personal Information

Security measures to protect Personal Information:	• Physical security measures • Access control measures • Internal security measures • Cyber security measures • Anti-spam measures • Anti-virus measures • Installing security firewalls • Password control • Vulnerability management • Backups • IT Service Continuity • Least privilege • Cyber Security Awareness program • Training programs on information security, • Information security audits, • IT-related policies. • Standard Operating Procedures.

14. AVAILABILITY OF THE MANUAL

14.1 This Manual is made available in the following three official languages-

14.1.1 English.

14.1.2 Afrikaans. *(currently in translation)*

14.1.3 isiXhosa. *(currently in translation)*

14.2 A copy of this Manual or the updated version thereof, is also available as follows-

14.2.1 on SBM's website: http://www.sbm.gov.za/;

14.2.2 at SBM's head office for public inspection during normal business hours: Access to SBM Records Office, 12 Main Road, Vredenburg;

14.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

14.2.4 to the Information Regulator upon request.

15. UPDATING OF THE MANUAL

SBM will, if necessary, review, update and publish this Manual annually, but at least once during an electoral term.

POPIA Form 5

FORM 5

COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF PERSONAL INFORMATION/COMPLAINT REGARDING DETERMINATION OF AN ADJUDICATOR IN TERMS OF SECTION 74 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013(ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017 [Regulation 7]

Note:

- Affidavits or other documentary evidence in support of the request must be attached.
- If the space provided for in this Form is inadequate, submit information as an annexure to this form and sign each page.

Reference Number

Mark the appropriate box with an "x"
Complaint regarding

☐ Alleged interference with the protection of personal information ☐ Determination of an adjudicator.

PART I	ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION *(SECTION 74(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)*
A	PARTICULARS OF COMPLAINANT
Surname of complainant	
Full names of complainant	
Identity number of complainant	

INFORMATION REGULATOR (SOUTH AFRICA)
Ensuring protection of your personal information and effective access to information

Contact number(s)

Fax number:

E-mail address:

B	**PARTICULARS OF BODY/RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION**
Full names and surname of person interfering with personal information ***(if the person is a natural person)***	
Name of public or private body ***(if not a natural person)***	
Residential address ***(if applicable postal address or business address***	
Contact number(s)	
Fax number:	
E-mail address	
C	**REASONS FOR COMPLAINT** ***(PLEASE PROVIDE DETAILED REASONS FOR THE COMPLAINT)***
Please write reasons for complaint	

PART II — GRIEVANCE REGARDING DETERMINATION OF ADJUDICATOR
(SECTION 74(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

A	**PARTICULARS OF COMPLAINANT**
Surname of complainant	
Full names of complainant	
Identity number of complainant	

business address

Contact number(s)

Fax number

E-mail address

B **PARTICULARS OF ADJUDICATOR**

Full names and surname of adjudicator

Name and surname of responsible party ***(if it is a public or private body)***

Residential, postal or business address

Contact number(s)

Fax number

E-mail address

C **REASONS FOR COMPLAINT** ***(PLEASE PROVIDE DETAILED REASONS FOR THE GRIEVANCE)***

Please write reasons for complaint

INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information and effective access to information

Address: JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001
P.O. Box 31533
Braamfontein, Johannesburg, 2017
Tel: 010 023 5200
Email:PAIAComplaints@infoRegulator.org.za

COMPLAINT FORM

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** 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 Information Regulator 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 compliant relate 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.

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	Other electronic communication *(Please specify)*

PART A **PERSONAL INFORMATION OF COMPLAINANT**				
Full Names				
Identity Number				
Postal Address				
Street Address				
E-Mail Address				
Contact numbers	Tel. (B)		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. (B)		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. (B):		Facsimile	
	Cellular			

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. (B):		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 compliant 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 a 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	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				

PART F
DETAILED TYPE OF ACCESS TO RECORDS

(Please select one or more of the following to describe your complaint to the Information Regulator)

Unsuccessful appeal (Section 77A(2)*(a)* or section 77A(3)*(a)* of PAIA)	*I have appealed against the decision of the public body and the appeal is unsuccessful.*	
Unsuccessful application for condonation (Sections 77A(2)*(b)* and 75(2) of PAIA)	*I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.*	

Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	*I requested access to information held by a body and that request was refused or partially refused.*	☐
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.*	☐
	The tender or payment of a deposit.	☐
Repayment of the deposit (Section 22(4) of PAIA)	*The information officer refused to repay a deposit paid in respect of a request for access which is refused.*	☐
Disagree with time extension (Sections 26 or 57 of PAIA)	*The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.*	☐
Form of access denied (Section 29(3) or 60(a) of PAIA)	*I requested access in a particular and reasonable form and such form of access was refused.*	☐
Deemed refusal (Section 27 or 58 of PAIA)	*It is more than 30 days since I made my request and I have not received a decision.*	☐
	Extension period has expired and no response was received.	☐
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)	*Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.*	☐
No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)	*My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.*	☐
Partial access to record (Section 28(2) or 59(2) of PAIA)	*Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.*	☐
Fee waiver (Section 22(8) or 54(8) of PAIA)	*I am exempt from paying any fee and my request to waive the fees was refused.*	☐
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	*The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.*	☐
Failure to disclose records	*The Body decided to grant me access to the requested records, but I have not received them.*	☐
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	*The Body indicated that the requested records are excluded from PAIA and I disagree.*	☐
Frivolous or vexatious request (Section 45 of PAIA)	*The Body indicated that my request is manifestly 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

SALDANHA BAAI BAY
MUNISIPALITEIT | MUNICIPALITY | uMASIPALA

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. (B):		Facsimile:	
	Cellular:			

Full names of person on whose behalf request is made *(if applicable):*				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		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	

TYPE OF RECORD

*(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	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS *(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	

MANNER OF ACCESS *(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)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language *(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)*	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED *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.*	
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:	

FEES	
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	

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	Electronic communication *(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

ANNEXURE D

CATEGORIES OF RECORDS THAT ARE AUTOMATICALLY AVAILABLE

(Section 15 of the Promotion of Access to Information Act, Act 2 of 2000)

Description of category of records automatically available in terms of section 15 (1)(a) of the Promotion of Access to Information Act, Act 2 of 2000	Manner of access to records (e.g. website) (Section 15 (1) (b))
1. Section 14 manual is made available in terms of the Promotion of Access to Information Act.	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Branch: Administration
2. Agendas and minutes of council (including agendas and minutes of all meetings of Council structures and those of its predecessors, excluding minutes and agendas that has been marked 'confidential').	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Branch: Administration
3. Business details Name, locality, address, telephone numbers, contact persons, hours of business of all council offices and depots.	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Department: Administration
4. Councillors' official contact details (including the Executive Mayor, the Deputy Executive Mayor, the Speaker and office bearers)	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Department: Administration
5. Structures of Council/Committees	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Department: Administration
6. Organisational structure	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Department: Human Resources
7. By-laws and policies	Website: www.sbm.gov.za Directorate: Corporate Services and Public Safety Department: Administration
8. Integrated Development Plan (IDP)	Website: www.sbm.gov.za Directorate: Economic Development and Strategic Services Department: IDP

9.	Financial Matters (including budget information, financial performance and mid-year report, quarterly reports, monthly statements and audited annual financial statements)	Website: www.sbm.gov.za Directorate: Finance
10.	Schedules Refuse collection schedules	Website: www.sbm.gov.za Directorate: Infrastructure and Planning services Department: Solid Waste Management
11.	Tariffs, fees and surcharges	Website: www.sbm.gov.za Directorate: Finance
12.	Performance Management Service delivery and budget implementation (SDBIP) Annual report Annual performance report Mid-year budget and performance report Quarterly performance report	Website: www.sbm.gov.za Directorate: Economic Development and Strategic Services Department: PMS/SDBIP

ACCESS TO INFORMATION	
VAT = Included in the tariffs below	
Percentage Increase	**5%**
Description **R (Rand)**	**2024/2025**
(a) For reproduction, referred to in Sec 15(3) of the Act:	
For every photocopy of an A4-size page or part thereof	5.30
For a copy in a computer legible form : Compact disk	75.60
For a transcription of visual images for an A4 size page	43.10
For a copy of visual images	112.40
For a transcription of an audio record for an A4 size page	24.20
For a copy of an audio record	35.70
(b) That the request fee payable by every requester, other than a personal requester referred to in Sec 22(1) of the Act be	68.00
(c) That the access fees payable by a requester referred to in Sec 22 (7) of the Act unless exempted under Sec 22(8) of the Act be as follows:	
For every photocopy of an A4-size page or part thereof	5.30
For a copy in a computer legible form : Compact disk	75.60
For a transcription of visual images, for an A4 size page or part thereof	43.10
For a copy of visual images	112.40
For a transcription of an audio record, for an A4 size page or part thereof	24.20
For a copy of an audio record	35.70
To search for the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search	31.50
(d) That the actual postal fee when a copy of a record must be posted to a requester be payable;	
(e) That for purpose of Sec 22 (2) of the Act the following applies: Six hours as the hours to be exceeded before a deposit is payable; and one third of the access fee is payable as a deposit by the requester	
(x) That the appeal fees payable in respect of the lodging of an internal appeal by the requester against the refusal of his or her request for access, as contemplated in Sec 75(3)(a) of the Act, be	90.30

SALDANHA BAAI BAY
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INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number: ……..

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		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: *(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)*				
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. (B)		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	

GROUNDS 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)*	
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	Electronic communication *(Please specify)*

Signed at _____ this _____ day of _____ 20 _____

_____

Signature of Appellant/Third party

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: *(state rank, name and surname of Information Officer)*				
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:		Yes ☐ No ☐		
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes No	☐ ☐	New decision *(if not confirmed)*	
Fees (Sec 22). Confirmed?	Yes No	☐ ☐	New decision *(if not confirmed)*	
Extension (Sec 26(1)). Confirmed?	Yes No	☐ ☐	New decision *(if not confirmed)*	
Access (Sec 29(3)). Confirmed?	Yes No	☐ ☐	New decision *(if not confirmed)*	
Request for access granted. Confirmed?	Yes No	☐ ☐	New decision *(if not confirmed)*	

Signed at _____ this _____ day of _____ 20 _____

_____

Relevant Authority

Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	**Personal Information that may be Processed**
Employees:	• record of employee life cycle, name and job title, contact information, demographic information (post code, preferences, and interests) • Service providers: record of service provider life cycle
General public:	general enquiries and viewing the company website, name and job title, contact information, demographic information (post code, preferences, and interests), other information relevant to consumer surveys and/or offers.
Industry bodies:	membership records
Media:	records of media interactions