

**SECTION 14 MANUAL OF THE LEPELLE-NKUMPI LOCAL MUNICIPALITY
(PREPARED IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT
(PAIA) OF 2000)**

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1. INTRODUCTION

Lepelle-Nkumpi Local Municipality is committed to the observance of and compliance with the provisions of the constitution, national legislation like Promotion of Access to Information Act¹ (PAIA), ordinance and government circulars and programmes. Section 14 of PAIA request the municipality (public body) to compile in at least three official languages a manual containing the prescribed information of the municipality

It is the values of the municipality to share information with the requesters and members of the public as optimally as possible. Access to information can strengthen the principle of the constitution (cornerstone of the democracy) and the ideals of the municipality, particularly batho-pele principle.

The information contained in this manual is a democratic navigation to the municipality which clearly identify the services the municipality provides together with the information necessary to ensure that the processes of information sharing are expeditious and affirming.

1.1 ESTABLISHMENT OF THE MUNICIPALITY

Lepelle-Nkumpi is the municipality established in terms of section 12 of the Municipal Structures Act² and chapter 7 of the constitution of the Republic of South Africa³. The legislative powers of the municipality are given compliment by the municipal laws, including, Municipal structures Act, Municipal Systems Act, Municipal Finance Management Act and its by laws.

1.2 OBJECTIVES OF THE MUNICIPALITY

The municipality's primary objective is to provide support to a constitutional democracy. Section 152 of the constitution provides the broad primary functions of the municipality in the executing of this mandate. The key functions are:

- To provide democratic and accountable government for local communities;
- To ensure the provisions of services to communities in a sustainable manner;

¹ No 2 of 2000

² No 117 of 1998

³ No 108 of 1996



- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage the involvement of communities and community organizations in the matter of local government.

2. STRUCTURES OF THE MUNICIPALITY

2.1 The municipality's administration consists of the following internal department:

- Corporate services;
- Community services;
- Planning and LED;
- Technical service; and
- Budget and treasury

The municipality's administration is head by the municipal manager appointed by the municipal council.

2.2 The municipal council consists of the following departments and committees:

- Portfolio committees
- Executives committee (EXCO)
- MPAC (Municipal Public Accounting Committee)
- ETHICS committee
- PMT (Political Management Team)

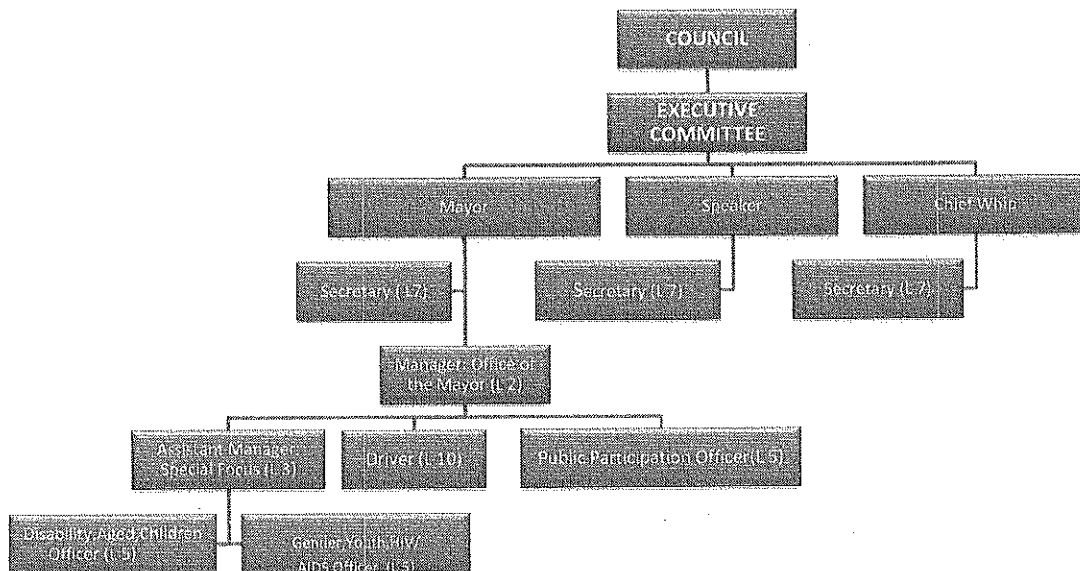
The municipal council is head by the chairperson (speaker) in terms of section 36 of Municipal Structures Act and therefore the Executive committee of the council is head by the mayor.

3. ORGANOGRAM OF THE LEPELLE-NKUMPI LOCAL MUNICIPALITY

MUNICIPAL MANAGER

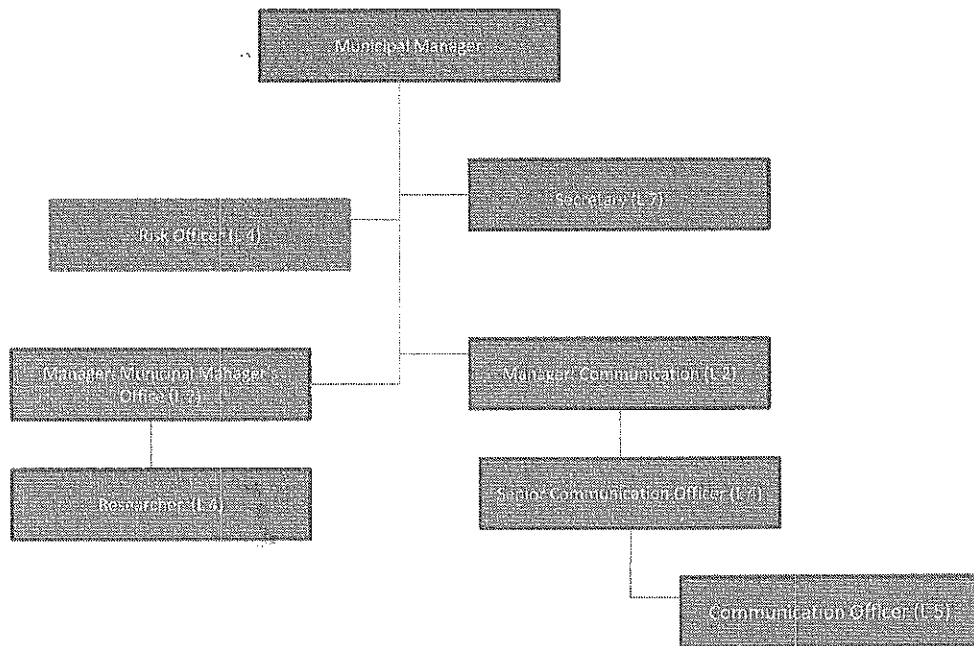


POLITICAL OFFICE



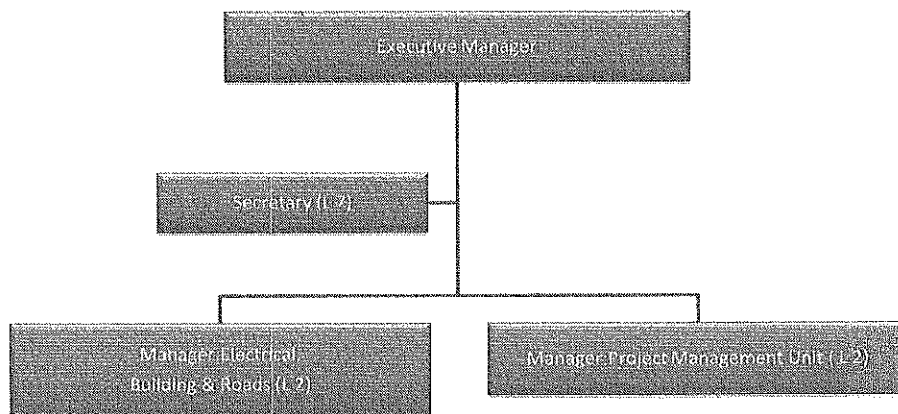
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MUNICIPAL MANAGER (22)

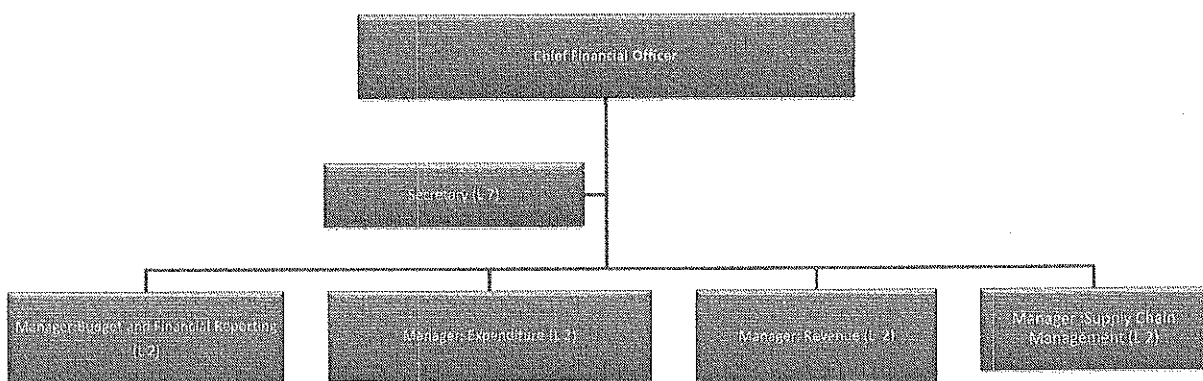


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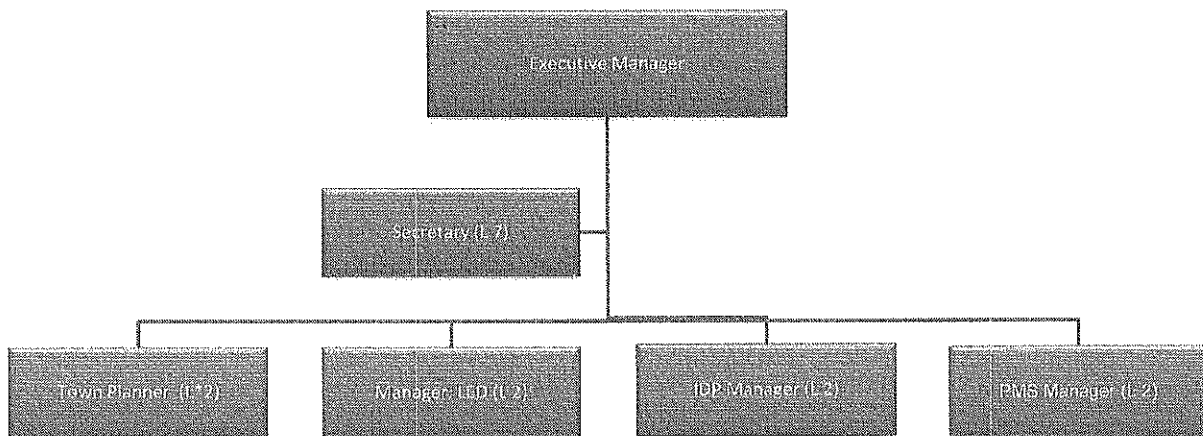
INFRASTRUCTURE AND DEVELOPMENT(56)



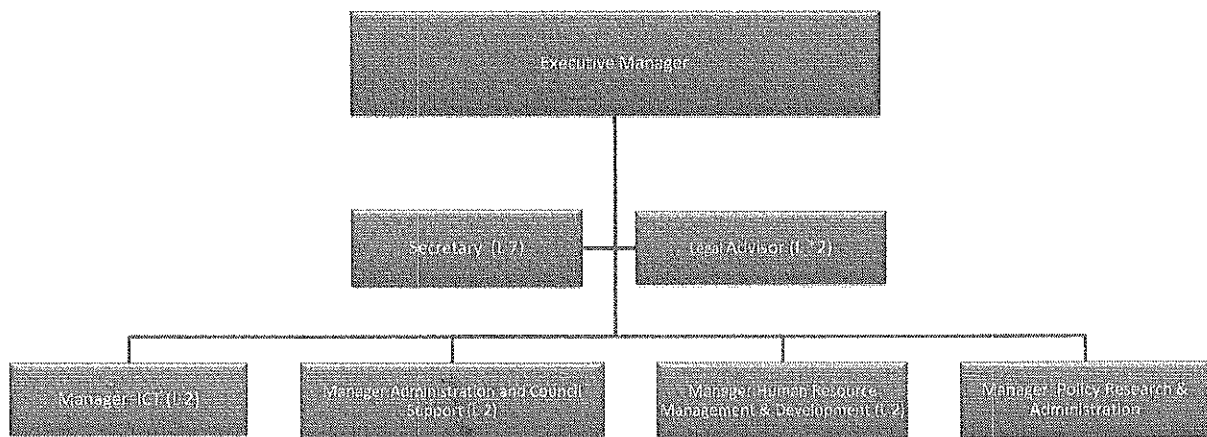
BUDGET & TREASURY(39)



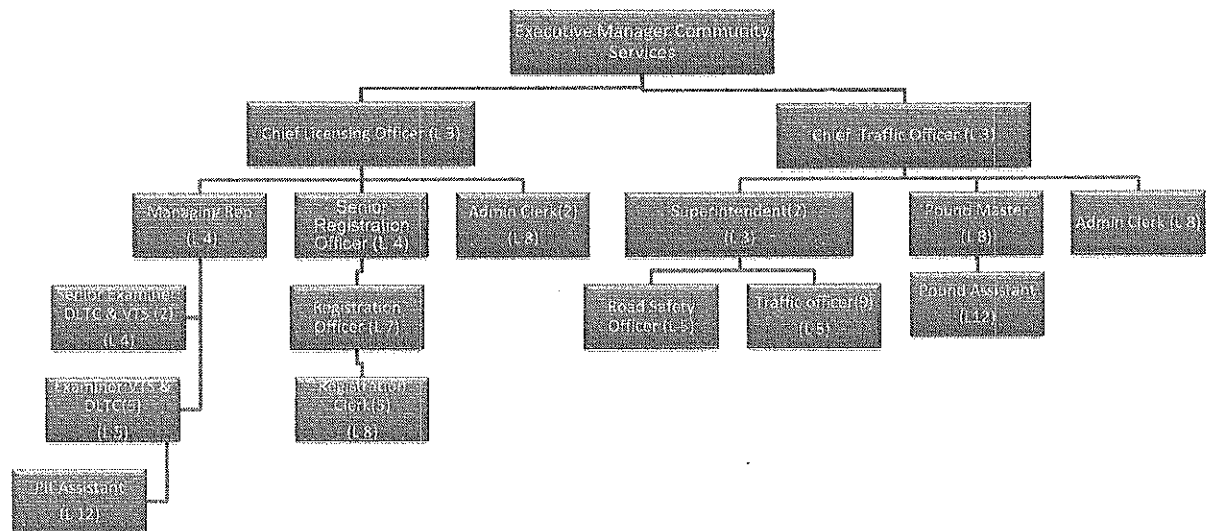
LOCAL ECONOMIC DEVELOPMENT AND PLANNING(13)



CORPORATE SERVICES



SOCIAL DEVELOPMENT AND COMMUNITY SERVICES



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4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION QUERIES:

Information officer:

LA MODIBA (ACTING MUNICIPAL MANAGER)

TEL: 015 633 4500

FAX: 015 633 6896

E-MAIL: lovey.modiba@lepelle-nkumpi.gov.za

Postal Address: Lepelle-Nkumpi Local Municipality
Private Bag X07
Chueniespoort
0745

Physical Address: 170 BA
LEBOWAKGOMO
0737

WEBSITE: www.lepelle-nkumpi@go.za

5. CATEGORIES OF RECORDS

Records held by the municipality are generated through each of its programs, through the core operations processes and through the municipality. Each program of the municipality generates substantive records which relate specifically to the operational records in the course of organizational operations.

The categories of records generated in the municipality are classified in the manner listed below:



According to the file plan for correspondence files on strategic support, core functions, and operational processes of the municipality, other records including publications and audio-visual records and the electronic information systems of the municipality.

The municipality reserves the right to transfer request for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where the municipality no longer has possession of such record and to create new categories of records where this is necessary. This manual will be updated to reflect changes in categories of records accordingly.

6. AUTOMATICALLY AVAILABLE RECORDS

The access to information legislation provides for records which are automatically available from the municipality. Such automatically available records usually do not have information which can reasonably be said to be of a sensitive nature. Most of record which fall into this category of information are available from the documentation centre of the commission at its municipality's website: www.lepelle-nkumpi.gov.za

Records Automatically Available

- IDP document;
- Operational policies;
- By laws;
- Minutes of council resolutions;
- Manuals;
- Municipal budget

Records available on website

- Policies
- By laws
- Press release



- Events,
- Speeches,
- Annual reports

7. CATEGORIES OF RECORDS NOT AUTOMATICALLY AVAILABLE

NB: These records must be formally requested by lodging a request form.

Categories of records to be made available on request only

- Internal memo or communiqués;
- Security related information;
- Records held by legal services department;
- Research conducted by service providers for the organizational or programs subject to contractual exemptions on disclosure;
- Confidential client communications to programs;
- Privilege information held in the course of closed hearing, attorney client information,
- Human resource personnel information, including files relating to discipline, medical information etc
- Service level agreements,
- Tender document,
- Agenda and minutes of meetings and correspondence;
- Draft reports, policies and discussions documents.
- Bid committee minutes.

The records listed in the categories above may be formally requested, but access to parts of these records or the whole record may be refused on legal and or reasonable grounds.

The municipality further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources. Access will be refused where request are clearly frivolous and or vexatious.

8. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER.

The inputs and submissions of members of the public are considered intensively during the formulation of IDP processes, by laws and policies.

9. REQUEST PROCEDURE

9.1 Telephonic Requests

Telephonic request are permitted to the municipality. Such requests may be directed to the information officer mentioned in the manual. Requesters may be directed to lodge formal requests where this is established from the nature of the verbal request.

9.2 Voluntary Access

Information that is automatically available can be obtained from the website of the municipality, or through its documentation centre. The manner of access to these documents is not limited to inspection and perusal.

9.3 Formal Request

The requester must complete the form attached to this manual. Requester will be assisted in completing the form if required.

- Fee impositions are required in terms of PAIA. A fee schedule is attached to this manual.
- Fees are paid at the inception of a requester and thereafter fees are incurred for search processes and reproduction costs.

Persons who are requesting personal information, about themselves or their minor children do not have to pay a request fee. All other persons have to pay the request fee of R35.00.

If a requester is granted then a further access or search fee, is required. This fee is calculated in terms of the rates fixed in the regulation attached. Fees are charged for time spent searching for the record preparing and or reproducing the record/s.

10 PAYMENT METHOD

All payments can be made at the revenue section of the municipality or through the banking details of the municipality which shall be provided on request.

11 REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH.

The aggrieved party has the right to approach the court of law in the Republic for relief where they are dissatisfied with the imposition of fees; the time frame within which they received a response from the municipality or with a decision to refuse access in part or fully.

12 UPDATING OF THE MANUAL

This manual will be updated whenever amendments to current information need to be reflected or within 12 months

13 AVAILABILITY OF THE MANUAL

The manual is available in English at the municipality. The translated version of the manual will be made available in Sepedi and Ndebele.

14 MISSING DOCUMENTS

Requesters have the right to receive a response on affidavit for records which cannot reasonably be located, but to which a requestor would have access had the record been available.



SCHEDULE OF FEES

Fees in respect of Public Bodies

1. The fee for a copy of the manual as contemplated in the 2014-2015 municipal tariffs and regulation is R1, 00 (black and white) and R3. 00 (colour) for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 7(1) are as follows:

		R
(a)	For every photocopy of an A4-size page or part thereof	3, 00 (colour) 1, 00 (black+white)
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	3, 00 (colour) 1, 00 (black+white)
(c)	For a copy in a computer-readable form on -	
	(i) Compact disc	175
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	22, 00
	(ii) For a copy of visual images	60, 00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	12, 00
	(ii) For a copy of an audio record	17, 00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

		R
(1) (a)	For every photocopy of an A4-size page or part thereof	0,60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c)	For a copy in a computer-readable form on -	
	(i) Compact disc	40, 00
(d)	(i) For a transcription of visual images, For an A4-size page or part thereof	22, 00
	(ii) For a copy of visual images	60, 00
(e)	(i) For a transcription of an audio record, For an A4-size page or part thereof	12, 00
	(ii) For a copy of an audio record	17, 00

- (f) To search for and prepare the record for disclosure R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
- (2) For purposes of section 22(2) of the Act, the following applies:
- (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

Formal Request Form for Documents not automatically available

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 USE

Reference number:

Request received by

name and surname of information officer/deputy information officer on
(date) at (place)

Request fee (if any): R.....

Deposit (if any): R

Access fee: R.....

..... Signature of information officer/deputy Information Officer

A Particulars of public body

The Information Officer/Deputy Information Officer:

B Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Handwritten signature

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.

Names and Surname:

Identity number:

D. Particulars of record

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

- 1 Description of record or relevant part of the record:
- 2 Reference number, if 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"/>	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 cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<input type="checkbox"/> YES <input type="checkbox"/> NO
Note that <i>if</i> the record is not available in the language you prefer, access may <i>be granted</i> in the language in <i>which</i> the record is available.			
In which language would you prefer the record?			

G. Notice of decision regarding request for access

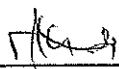
Requesters will be notified whether their request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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

Signed at this day of 20..

SIGNATURE OF REQUESTER/
PERSON ON WHOSE BEHALF REQUEST IS MADE

Thus PAIA manual has been signed by the speaker of the Lepelle-Nkumpi Local Municipality on this the 28 May 2015.


CLLR NAKEDI SIBANDA (SPEAKER)
28 MAY 2015

