



PROMOTION OF ACCESS TO INFORMATION MANUAL

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

1.0 First Manual November 2016

OKHAHLAMBA LOCAL MUNICIPALITY PROMOTION OF ACCESS TO INFORMATION MANUAL

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1. DESCRIPTION OF THE STRUCTURE AND FUNCTIONS:

1.1 Structure

Okhahlamba Local Municipality is located on the Western edge of uThukela District. Emnambithi borders it to the northeast, Umtshezi to the east, Imbabazane Local Municipality to the southeast and Lesotho to the west. The municipality covers an area of approximately 3 543.63 km² and houses 14 wards.

The priority development key issues for Okhahlamba Local Municipality are: physical infrastructure and services; social development and services; economic development; land reform, environment and land use management; institutional development; financial development, and democracy and governance. Urban areas have far more services than rural ones but a much lower population, indicating a clear imbalance in provision.

The Municipality applies a Ward Participatory System that brings participation down to community level. Ward Councilors play a central role in the communication process between the communities they represent and the Council, reporting back regularly through ward meetings and assisting the community in identifying needs and priority areas of development which feed into the municipality's planning processes.

Administratively, the Okhahlamba Local Municipality is led by the Municipal Manager with the assistance of the various Heads of Department.

1.2. Functions

The powers and functions of Okhahlamba Local Municipality are regulated by various statutes which include:

Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);
Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
Local Government: Transitional Act, 1993 (Act 209 of 1993);
Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Other Statutes affecting the governance of Okhahlamba Local Municipality include (the list is not exhaustive):

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

In terms of the aforesaid statutes the powers and functions of Okhahlamba Local Municipality include, inter alia:

- (a) Ensuring integrated development planning;
- (b) Bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and the generation of electricity;
- (c) Municipal roads which form an integral part of a road transport system;
- (d) Regulation of passenger transport services;
- (e) Development of Municipal airports;
- (f) Provision of fire fighting services, which includes:

- (i) planning, co-ordination and regulation of fire services;
 - (ii) specialized fire fighting services such as mountain, veld and chemical fire services;
 - (iii) co-ordination of the standardization of infrastructure, vehicles, equipment and procedures;
 - (iv) training of the fire officers.
- (g) Promotion of local tourism;
 - (h) Provision of Municipal public works relating to any of the above functions or any other functions assigned to the municipality;
 - (i) The receipt, allocation and distribution of grants made to the municipality;
 - (j) The imposition and collection of taxes, levies and duties as related to the above functions or as may be assigned in terms of national legislation;

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

2.1 Physical Address of Okhahlamba Local Municipality

Office of the Municipal Manager
 Okhahlamba Local Municipality
 259 Kingsway Road
 Bergville
 3350

2.2 Postal Address

PO Box 71
 Bergville
 3350

2.3 Telephone Number: +27 36 448 8000

2.4 Fax Number: +27 63 448 1986

2.5 Website address: <http://www.okhahlamba.org.za/>

3. DESCRIPTION OF THE SECTION 10 GUIDE

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

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

Postal Address:

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

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

4. SUBJECTS AND CATEGORIES OF RECORDS HELD

4.1 GENERAL INFORMATION ON OKHAHLAMABA LOCAL MUNICIPALITY

General progress on the development of Okhahlamba Local Municipality. By-Laws and tariffs promulgated by Okhahlamba Local Municipality and its predecessors.

Policies.

Customer related records.

Social responsibility projects reports. Integrated Development Planning, Service Delivery & Budget Implementation Plan.

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

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

5. THE LATEST NOTICE IN TERMS OF SECTION 15

CATEGORIES OF RECORDS AVAILABLE IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS
1. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)	
Application for township establishment	Town Planning Department
Application for rezoning or consent use, in terms of the Town Planning and Township Ordinance, 1986.	Corporate Services Legal Services & Finance Departments
New tariffs and rates determined by the Council in terms of section 75A of the Local Government: Municipal Systems Act, 2000 and the Local Government: Municipal Property Rates Act.	Corporate Services Legal Services Department
New By-laws adopted by the Council in terms of the Local Government: Municipal Systems Act, 2000.	Corporate Services Legal Services Department
Promotion of Access *to Information Manual	Corporate Services Legal Services Department

2. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR PURCHASE IN TERMS OF SECTION 15(1)(a)(ii)

Existing By-laws Acts of Parliament	Corporate Services Legal Services Department
Provincial Acts Regulations	Corporate Services Legal Services Department
Town Planning Scheme	Town Planning Department
Spatial Development Plan	Town Planning Department
Integrated Development Plan	Town Planning Department

3. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)

Existing By-laws & Tariffs	Corporate Services Legal Services Department
Acts of Parliament	Corporate Services Legal Services Department
Provincial Acts Regulations	Corporate Services Legal Services Department
Town Planning Schemes	Town Planning Department
Existing Valuation Roll	Department of Finance
Integrated Development Plan	Town Planning Department
Spatial Development Plan	Town Planning Department

4. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)

Zoning information	www.okhahlamba.org
Schedules of meetings of Council	
Integrated Development plan	

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

6. SERVICES AVAILABLE

Okhahlamba Local Municipality has the following services available to the members of the public and inquiries can be made at Municipality Head office as to how these services could be accessed:-

Technical Services

Roads, Transport and Civil Works:
Storm-Water Waste Management Fleet Management Civil Works

Community & Social Services:

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

Corporate Services:

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

Municipal Development Services:

Economic Development
City Planning
Environmental Development
Integrated Development Planning

Finance:

Budget and reporting
Grant Administration
Supply Chain Management

7. REQUEST PROCEDURE

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

Completing the prescribed Form A (“request form”) in Schedule 1

Payment of the prescribed fee as stated in Schedule 2 hereto.

The prescribed form must be completed with enough particulars to at least enable the Information Officer to identify the following particulars:-

- The records required by the requester;
- The Identity of the Requester or the requester’s agent (if any);
- What form of access is required, if the request is granted;
- The telephone number, postal address, e-mail address or fax number of the requester;
- The manner in which the requester wish to be informed of the decision of the Information Officer;
- The capacity in which the request is made in the event the information is requested on behalf of somebody else.

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

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

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

7.5 If for practical reasons access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester had requested.

7.6 If the requester is unable to read or write, or has a disability, then they can make the request for the record orally, in which event the Information Officer will complete the form on behalf of such requester and furnish the requester with such completed form.

7.7 Okhahlamba Local Municipality will process the request within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is necessitated.

7.8 Where an extension of the 30-day time limit is required, the requester shall be notified, together with explaining why such extension is necessitated.

7.9 WHERE TO SUBMIT REQUESTS:

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

By hand : to the office of the Municipal Manager

By e-mail to: mm@okhahlamba.org ; or

By post to: The Information Officer, Po Box 71, Bergville, 3350.

8. INTERNAL APPEAL

An internal appeal lodged in terms of the Promotion of Access to Information Act against decisions of the Information Officer or Deputy Information Officer/s, must be considered by a “relevant authority” as defined in the Act.

The Okhahlamba Local Municipality has resolved to designate the Speaker, or person acting in his/her stead, as the relevant authority to consider internal appeals .

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

9. CONTACT DETAILS OF INFORMATION / DEPUTY INFORMATION OFFICERS

INFORMATION OFFICER

The Municipal Manager

259 Kingsway Road
Bergville
3350

Po Box 71
Bergville
3350

mm@okhahlamba.org

DEPUTY INFORMATION OFFICER

The Senior Legal Advisor

259 Kingsway Road
Bergville
3350

Po Box 71
Bergville
3350

zaid.motala@okhahlamba.org

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