

C 3651/10/2025
MC A/6710/10/2025

9.A.17 [CS]: PROTECTION OF PERSONAL INFORMATION

1/1/1/22

COMPETENCY: COUNCIL

PURPOSE

To seek approval for the Midvaal Local Municipality's policy compiled in accordance with the Protection of Personal Information Act No. 4 of 2013.

RECOMMENDATIONS

1. That the contents of the Protection of Personal Information manual for the Midvaal Local Municipality, compiled in accordance with the provisions of section 14 of the South African Constitution, 1996, attached to the report as Annexure "A", be approved.
2. That the Municipal Manager be delegated to finalise the appointments of the Information Officer and the Deputy Information Officers.
3. That the contents of the report submitted by Enderstein Malumbete Inc., attached to the report as Annexure "B", be noted.
4. That the contents of the amended Regulations relating to the Protection of Personal Information Act: Regulations as per: GG 42110, RG 10897, GoN1383, dated 14 December 2018, that came into effect on 01 June 2025, be noted.

REPORT

The Midvaal Local Municipality has an approved PAIA manual, which was updated in 2012 and is currently due for review. The Protection of Personal Information Act, No.4 of 2013, was implemented and became fully effective on 1 July 2021. This Act falls within a basket of legislations in South Africa, whose sole mandate is the protection of privacy and advancing access to information. The policy manual is developed for Midvaal Local Municipality to ensure compliance with the provisions of the Act.

LEGISLATIVE REQUIREMENTS

The Protection of Personal Information Act (POPIA) is derived from the provisions of Section 14 of the South African Constitution, Act of 1996, i.e everyone has the right to privacy. This right must be considered together with section 32 of the Constitution, i.e the right of access to information and provisions of the Promotion of Access to Information Act No. 2 of 2000. Sections 14 and 32 of the constitution, however, are subject to the general limitations clause 36, where rights may be limited by law of general application. POPIA must be considered together with other related legislation. It is against this background that Midvaal Municipality seeks approval for the POPIA manual.

MLM'S COMPLIANCE WITH POPIA

The services of Enderstein Malumbete Attorneys have been sought to determine the compliance of the Municipality's processes with regard to the POPI Act. (Annexure "B") The Midvaal Municipality was declared partially compliant due to the non-approval of the POPIA manual and the non-appointment of the Information Officer and Deputy Information Officers. Confirmation letter for appointment of Information Officer and Deputy Information Officers is attached (Annexure "C").

LATEST AMENDMENT OF THE REGULATIONS RELATING TO THE POPIA – 01 JUNE 2025

Therefore, the POPI Policy/Manual is aligned with the amendments mentioned above, attached herewith as Annexure "D" in the following aspects:

1. Amendment of Regulation 1 relating to pages 1,2 & 3, the following words with their definitions (complainant, complaint, day, signature, writing) is incorporated into the Policy/Manual's definitions page;
2. Substitution of Regulation 2 on page 3, "objection to the processing of personal information", the Regulation must be noted, more specifically, 2.3 Form 1 is incorporated into the Policy/Manual;
3. Substitution of Regulation 3, Form 2 on page 13 is incorporated into the Policy/Manual. The amendments list all the applicable reasons found in (a) - (g) thereof.
4. Amendment of Regulation 4. The additional duties and responsibilities of the Information Officer must be noted.
5. Amendment of Regulation 5 is aligned with Form 3 on page 16 of the Amendments. The Policy/Manual incorporates the contents contained therein.
6. The Policy/Manual is aligned with Regulation 6, more specifically Form 4, which deals with "direct marketing through unsolicited electronic communication" that is incorporated into the Policy/Manual;
7. Amendment of Regulation 7, the whole Regulation can be taken note of.
8. Amendment of Regulation 12. "Deletion of Form 17, 18, and 19" must be noted. Amendments inserted new Regulation 13.
9. Administrative fines found on page 9 can be noted.

CONCLUSION

The implementation of the recommendations provided by Enderstein Malumbete Inc., as well as the incorporation of the gazetted amendments that came into effect on 1 June 2025, will undoubtedly improve the municipality's partial compliance with full compliance within the provisions of the POPI Act.

**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 12 AUGUST 2025**

Resolved To Recommend

The item is supported and referred to the Section 80 Corporate Services Portfolio Committee.

**COMMENTS: SECTION 80 CORPORATE SERVICES PORTFOLIO COMMITTEE:
13 OCTOBER 2025**

The recommendations are supported.

MIDVAAL LOCAL MUNICIPALITY

PROTECTION OF PERSONAL INFORMATION ACT MANUAL

This Manual is compiled in accordance with the provisions of sections 14 and 51 of the Promotion of Access to Information Act 2 of 2000, read with the Protection of Personal Information Act 4 of 2013

COMPILED BY:
DEPARTMENT:
CORPORATE SERVICES:

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1. INTRODUCTION OF THE MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

- 1.1. The Manual is published by Midvaal Local Municipality (hereinafter referred to as MLM) in terms of sections 14 and 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA). The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, which provides for the right of access to information held by organs of state and to information held by another person that is required in the terms of section 14 of the Act, does not create any contractual right or entitlement to receive such information, other than in terms of the Act. The Policy is compiled in accordance with section 14 of the Act, in conjunction with the Protection of Personal Information Act 2013 (Act No.4 of 2013) (POPIA), which promotes the protection of personal information processed by both public and private bodies and includes certain conditions which establish minimum requirements for the processing of personal information. This manual contains information related to the submission of objections to the processing of personal information and requests to delete or destroy personal information or records, as required in terms of POPIA. MLM endorses key principles of good governance, transparency and accountability and seeks to regulate the use and processing of Personal Information as lawfully required.

2. PURPOSE OF THE MANUAL

- 2.1. The purpose of this is to:
- 2.1.1. Give effect to the constitutional right to privacy and the safeguarding of personal information that is processed.
 - 2.1.2. Determine the legitimate purpose for processing of personal information subject to justifiable limits.
 - 2.1.3. Establish the manner in which personal information may be processed.
 - 2.1.4. To provide remedies and procedures incidental to the flow of personal information

3. APPLICATION OF THE MANUAL

- 3.1. The Manual does not apply to the processing of personal information: Section 6 of POPIA provides exclusions to applications for the following information:
- 3.1.1. Relating to a purely personal or household activity that has been de-identified to the extent that it cannot be de-identified again.
 - 3.1.2. processed by a public body for purposes of national security and the investigation of criminal matters
 - 3.1.3. for the purposes of journalistic, literary or expression in defined circumstances (there must be a code of ethics and adequate safeguards) where the Information Regulator has granted exemptions.

4. DEFINITIONS

- 4.1. **"Act"** means Protection of Personal Information Act, 2013 (Act 4 of 2013)
- 4.2. **"complainant"** means any person who lodges a complaint with the Information Officer

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4.3. **“complaint”** means –

4.3.1. a matter reported to the Information Officer in terms of section 74(1) and (2) of the Act;

4.3.2. a complaint referred to in section 76(1)(e) and 92(1) of the Act; and

4.3.3. a matter reported or referred to the Information Officer in terms of other legislation that regulates the mandate of the Information Officer.

4.4. **“data subject”** means the person to whom the personal information (PI) relates (natural or juristic person)

4.5. **“MLM”** means Midvaal Local Municipality

4.6. **“personal information”** means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable and existing juristic person, including, but not limited to:

4.6.1. Information relating to the race, gender, sex, pregnancy, status, national, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person.

4.6.2. Information relating to the education or the medical, financial, criminal or employment history of the person.

4.6.3. Any identifying number, symbol, email address, physical address, telephone number, location, information, online identifier or other assignment to a person.

4.6.4. The biometric information of a person.

4.6.5. The personal opinions, views or preferences of the person.

4.6.6. Correspondence sent by the person that is implicitly of a private or confidential nature or further correspondence that will reveal the contents of the original correspondence;

4.6.7. The views or opinions of another individual about the person; and

4.6.8. The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

4.7. **“POPIA”** means the Protection of Personal Information Act 4 of 2013

4.8. **“de-identified”** in relation to personal information of a data subject means to delete any information that

4.8.1. identifies the data subject

4.8.2. can be used or manipulated by a reasonable method to identify the data subject

4.9. **“processing”** means any operation or activity or any set of activities, whether by automatic means, concerning personal information, including:

4.9.1. The collecting, receipting, recording, organising, collation, storing, updating, modification, retrieval, alteration, consultation or use.

4.9.2. Dissemination by means of transmission, distribution, or making available in any other form; or

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- 4.9.3. Merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 4.10. **“public body”** means any department or state administration in the national or provincial sphere of government, or any other functionary or institution when exercising a power or performing a duty in terms of the constitution or a provincial constitution, exercising a public power or performing a public function in terms of any legislation.
- 4.11. **“responsible party”** means a public or private body or any other person who determines the purpose of and means of processing Personal information.
- 4.12. **“writing”** means writing as referred to in section 12 of the Electronic Communication and Transaction Act, 2022 (Act No. 25 of 2002)

5. PURPOSE SPECIFICATION

- 5.1. MLM collects personal information for various reasons in a bid to fulfil its constitutional mandate as an organ of state, as an employer and as a party to certain agreements. These reasons include, but are not limited to:
 - 5.1.1. Employment, remuneration, processing of benefits and other Human Resources processes.
 - 5.1.2. Considering bids in terms of Supply Chain Management procedures.
 - 5.1.3. Conclusion of agreements and contracts.
 - 5.1.4. Consideration of Land Use applications.
 - 5.1.5. Maintaining a database for essential services, indigent support, housing etc.
 - 5.1.6. Respond to inquiries, complaints and requests.
 - 5.1.7. Addressing and understanding the needs and priorities of the community and other stakeholders.
 - 5.1.8. Security background checks (vetting).
 - 5.1.9. Rendering accounts.
 - 5.1.10. Debt collection.
 - 5.1.11. Reports to Council regarding outstanding debt.
 - 5.1.12. Audit reports.
- 5.2. Examples of personal information collected include, but are not limited to:
 - 5.2.1. biographical information, full name and surname, date of birth, race, gender and marital status.
 - 5.2.2. demographic information, gender, date of birth/age, nationality, culture, ethnicity, religion, salutation, title and language preferences.
 - 5.2.3. biometric information; fingerprinting.
 - 5.2.4. Employment information, remuneration details, qualifications, medical information, declaration of interest
 - 5.2.5. Identifier information, passport or national identity number.

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- 5.2.6. contact details, physical and/or postal address, telephone number, mobile number, email address
- 5.2.7. attendance records details of meetings and other events organised by or on behalf of the Municipality that you may and /or may not have attended
- 5.2.8. consent records, records of any consent you may have given, together with the date and time, means of consent and any related information.
- 5.2.9. Payment details, billing address, payment method, bank account number or credit card number, invoice records, payment records, SWIFT details, IBAN details, payment date, and records of cheques and EFT payments.

6. DATA COLLECTION COMPLIANCE

- 6.1. When collecting Personal Information from Data Subject, a responsible party and/or designated employee must-
 - 6.1.1. ensure that they obtain informed consent of the data subject to process the Personal Information of the concerned Data Subject, including but not limited to, informing the Data Subject of the potential use of their personal information, where the personal information might be processed and/or stored, as well as the notification procedures that will be used to inform the data Subject of changes to the scope of the use of their personal information or any security breaches that might relate to their personal information: and
 - 6.1.2. inform the Data Subject of the Data Subject's rights under the provisions of POPIA, including the Data Subject's rights to-
 - 6.1.2.1. object to the processing of their Personal information
 - 6.1.2.2. notification(s) if their personal information is being used for purposes other than what they consented to, or if the personal information is being collected and used.
 - 6.1.2.3. establish whether the responsible party holds their personal information.
 - 6.1.2.4. request that their personal information held by the responsible party be corrected or destroyed.
 - 6.1.2.5. refuse the processing of their personal information for direct marketing purposes, such as unsolicited electronic communications.
 - 6.1.2.6. lodge a complaint with the information regulator, as constituted in terms of POPIA and any regulations thereto, against the responsible party; and
 - 6.1.2.7. institute civil proceedings against the responsible party.

7. CATEGORIES OF RECIPIENTS FOR PROCESSING PERSONAL INFORMATION

- 7.1. The MLM may supply the personal information to service providers or officials who render the following services:
 - 7.1.1. Capturing and organising data

- 7.1.2. Sending of emails and other correspondences to staff, service providers and various departments in Provincial and National government, conducting due diligence checks, which may be the National Intelligence Agency, state security agency, South African Qualifications Authority, South African Police Service, *inter alia*:

- 7.1.2.1. administering discipline

- 7.1.2.2. conducting legal processes

8. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

- 8.1. MLM employs technology to ensure the confidentiality, integrity and availability of personal information under its care. Measures include:

- 8.1.1. Firewalls

- 8.1.2. Virus protection software and update protocols

- 8.1.3. Logical and physical access control

- 8.1.4. security setup of hardware and software, making up the Information Technology infrastructure

- 8.1.5. Outsourced service providers, who process personal information on behalf of MLM, are contracted to implement security controls

9. PROCESSING OF PERSONAL INFORMATION

- 9.1. When processing a Data subject's personal information, a responsible party and/or designated employee must ensure that they abide by the following conditions for the lawful processing of personal information, namely-

- 9.1.1. **Accountability.** The responsible party and/or designated employee must ensure that the conditions set out in POPIA are complied with at the time of the determination of the purpose and means of processing as well as during processing itself.

- 9.1.2. **Purpose Specification.** The personal information collected by the Data Subject must be collected for a specific purpose, and the Data Subject must be made aware of this purpose.

- 9.1.3. **Processing limitations.** The following processing limitations apply, namely:

- 9.1.3.1. The Data subject must consent to the processing of their personal information

- 9.1.3.2. Only the minimal amount of personal information needed to complete the processing purpose and /or its requirements should be obtained for the Data subject

- 9.1.3.3. The Data Subject must be informed of their rights as stipulated in this policy and any other right lawfully granted to the Data Subject

- 9.1.3.4. All personal information must be collected directly from the Data Subject, unless the Data Subject consents otherwise.

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9.1.3.5. All person information must be processed in accordance with the law.

- 9.1.4. **Further processing limitation.** The renewed consent of the data subject must be obtained if the personal formation of the Data subject must be further processed or if the personal information will be processed for a further purpose and /or different purpose, unless the further processing of the Data Subject's personal information is reasonably related to the purpose it was initially collected for from the Data subject
- 9.1.5. **Information quality.** Reasonable measures must be taken to ensure that the personal information collected from Data subject is complete, accurate, not misleading and up to date. Employees are obliged to ensure that they provide the business with complete, accurate and up-to-date personal information.
- 9.1.6. **Openness.** The purpose of the collection of Data Subject's personal information must be transparent. The Data Subject must be transparent. The Data Subject must be reasonably made aware of the rights (as stipulated in the above paragraphs of this policy/manual) and what measures the Data Subject can take to have their personal information adapted or deleted, if the Data Subject in question requests this of the responsible party or designated employee.
- 9.1.7. **Security Safeguards.** Personal information collected from Data Subject must be securely kept. The integrity of all personal information must be maintained through all technical and organisational measures and/or processes.
- 9.1.8. **Data Subject participation.** The Data Subject has the right to request and to determine whether the party responsible and/or business holds their personal information and a description of the personal information held by the party responsible or the Designated Employee.

10. ACCESS TO PERSONAL INFORMATION

- 10.1. 10.1 Personal Information must be dealt with in the strictest confidence. The responsible party or designated employee may not disclose personal information without the prior written authorisation of the Information Officer requesting personal information.
- 10.1.1. The requester for the information must comply with all the procedural requirements contained in the Act relating to the request for access to a record in this regard.
- 10.1.2. The requester must use the prescribed form to make a request for access to a record. For ease of reference, this prescribed form is attached (Annexure A)
- 10.1.3. The requester must provide sufficient detail on the request form to enable the information officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if an alternative method is to be used to form the request and state the necessary particulars to be informed.
- 10.1.4. The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

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- 10.1.5. If the request is made on behalf of another person, the requester must then submit proof of the capacity in which the request is made to the satisfaction of the head of the protection of that right.
- 10.2. The municipality will process the request within 30 days, unless the request states special reasons that would satisfy the Information Officer that circumstances dictate an extension of the above period, in accordance with Section 26 of the Act.
- 10.3. The requester shall be informed whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 10.4. Requests for information which are clearly frivolous or vexatious or which involve an unreasonable diversion of resources will be refused.

11. REQUEST FEES

- 11.1. A requester who seeks access to a record containing personal information about himself /herself (the requester) is not required to pay a request fee.
- 11.2. Every other requester, who is not a personal requester, must pay a request fee
- 11.3. The information officer will notify the requester (other than personal requester) to pay the prescribed fee (if any) before further processing the request.
- 11.4. The access fee that the requester is required to pay is R83,40
- 11.5. After the Information Officer has decided on the request, the requester must be notified in the prescribed form.
- 11.6. Records may be withheld until the access fee has been paid.

12. GROUNDS FOR REFUSAL OF A REQUEST FOR INFORMATION RECORDS

- 12.1. The information officer may refuse a request for information for the following reasons
 - 12.1.1. Where the disclosure would amount to an unreasonable disclosure of personal information.
 - 12.1.2. Where the disclosure would amount to disclosure of the trade secrets of a third party.
 - 12.1.3. Where such information was supplied in confidence by a third party.
 - 12.1.4. Where the disclosure will breach the duty of confidence owed to a third party.
 - 12.1.5. Where the disclosure would endanger the life or physical safety of an individual.
 - 12.1.6. If the disclosure is privileged under legal proceedings or research conducted on behalf of a third party.
 - 12.1.7. Where the disclosure would compromise the investigation where proceedings are pending, and
 - 12.1.8. Where the request is frivolous or vexatious

13. DESTRUCTION OF PERSONAL INFORMATION RECORDS

- 13.1. Personal information must be destroyed or deleted after termination of the retention period(s) outlined in this policy.
- 13.2. The responsible party or designated employee is responsible for attending to or deleting personal information or any other related documentation held by it on a regular basis. Personal information must be checked before its destruction or deletion to determine if it can be destroyed or deleted, and whether there are any important original documents that may be returned to the data subject at their own cost.
- 13.3. After completion of the process outlined in this policy, the responsible party or designated employee must authorise the destruction or deletion of the personal information in writing. This authorisation must be retained by the department for a period of not more than five years from the date of receipt.

14. NON-COMPLIANCE

- 14.1. If a designated Employee or any other member of MLM is suspected of not abiding by the requirements outlined in the policy or otherwise fails to comply with the terms and conditions of this policy on any other related process, then this person may be subject to an investigation and subsequent disciplinary, civil and /or criminal action.
- 14.2. Responsible parties, Designated Employee, and any other member of MLM are strictly liable (both directly and indirectly) for consequential loss or damage (whether pecuniary or not) to the company's reputation or business interest or any other proprietary information of property held by or owned by MLM as a result of their processing, storage, management and security of personal information collected from Data Subject (whether as a result of negligent conduct or not) may face civil and criminal action in the regard.

15. THE UPDATING OF THE POLICY

- 15.1. The policy will be updated where necessary and published on the MLM website annually.
- 15.2. The policy will be published on Midvaal's website www.midvaal.gov.za

16. REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH (SECTION 14(1)(h))

- 16.1. Where a requester is not satisfied with any decision taken by the Information Officer or Deputy Information Officer, a requester may appeal to the relevant (appeal structure) within the municipality (**Form 'B'**)

17. GENERAL

- 17.1. To ensure compliance with this policy, periodic review will be conducted. These reviews may result in modifications, additions, or deletions to the policy. Any such modification, additions, or deletions shall be deemed to have immediate effect upon their approval by MLM.

- 17.2. This policy revokes all previous Protection of Personal Information policies of this municipality and is deemed to have effect from the date of approval

18. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS OF MLM.

DESIGNATION	CONTACT DETAILS
Municipal Manager	016 360-7412
ED: Corporate Services	016 360-7408
Director: Legal	016 360-7574
DD: Auxiliary Services	016 360-7470

19. PRESCRIBED FORMS

MIDVAAL LOCAL MUNICIPALITY

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FORM 'A'

**PRESCRIBED FORM FOR ACCESS OF RECORDS OF MIDVAAL LOCAL MUNICIPALITY
REQUEST FOR ACCESS TO RECORDS OF PUBLIC BODY**

(Section 18 (1) of the Act, Regulations 6)

FOR DEPARTMENTAL USE

Reference number.....

Requests received by

.....
(state rank, name and surname of information/deputy information Officer)
on (date)

At..... (place)

Request fee (if any)

R.....

Deposit (if any)

R.....

Access fee (if any)

R.....

.....
**SIGNATURE OF INFORMATION
OFFICER / DEPUTY INFORMATION OFFICER**

A. PARTICULARS OF PUBLIC BODY

The information officer/Deputy Information Officer.

B. PARTICULARS OF PERSON.

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

Full Names and Surnames:

Identity Number

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Postal Address
Telephone Number..... E-mail address.....
Capacity in which request is made, when made on behalf of another person

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

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

Full names and Surnames:

Identity names and Surname.....

Email-address

Contact numbers.....

D. PARTICULARS OF RECORD

(a) Provide full Particulars of the record to which access is required.

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

2. Reference number if available

3. Any further particulars of records.

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E. FEES

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

F. REASONS FOR EXEMPTION FROM PAYMENT OF FEES

If you believe that you qualify for exemption from payment of any fee, state your Reasons for exemption

G. FORM FOR ACCESS RECORDS.

If the disability prevents you from reading, viewing or listening to a record, the form of access provided for 1 to 4 below, state your disability and indicate in which form the record is required.

Disability		Form which is required
<i>Mark the appropriate box with an x</i>		
NOTE: (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 record is written or printed in form:

Copy of record		Inspection record	
2. If records consist of visual images- (This includes photographs, slides, video, recordings, computer-generated images, sketches, etc.)			
View images		copy	Transcription of images

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3. If records consist of recorded words or information which can be reproduced in sound:					
Listened to the soundtrack (audio)cassette			Transcription of soundtrack (written or printed document)		
4. If records are held on computer or in an electronic or machine-readable form					
Printed copy on records		Printed copy of information derived from records		Copy in computer- readable form (stiffy or compact disc)	
If you request a copy of a transcription to be posted to you, postage is payable				YES	NO
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available					
In which language would you prefer the record					

Midvaal Local Municipality values privacy in terms of the Protection of Personal Information Act (Act No. 4 of 2013 (POPIA)). Effective from 1 July 2021, personal information will not be disclosed to any third party, unless otherwise prescribed in the Act, following due processes.

The individual has the right to withdraw consent to processing personal information at any time, should they wish to do so, by providing MLM with reasonable notice to this effect.

Please take note that Midvaal Local Municipality will not be held liable for contact details that have not been updated in our system, and the request fee will not be refunded if the contact details of the property owner are no longer in use.

Signed at on.....20.....

Signature of requester.....

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS**

FORM "B"

INTERNAL APPEAL FORM (Section 75 of PAIA, Regulations 8)

Reference Number: _____

PARTICULARS IF PUBLIC BODY

Name of Public Body	
Name and Surname of Information Officer	

PARTICULARS OF COMPLAINANT WHO LODGES INTERNAL APPEAL

Full Name			
Identity Number			
Postal Address			
Contact Details	Cellular Number		
	Business Number		
E-mail address			
Is the appeal lodged		Yes	No
If the answer is 'yes', state 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.)			

PARTICULAR PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED

Full Names		
Identity Number		
Postal address		
Contact Numbers	Cellular Number	
	Business Number	
E-mail address		

DECISION AGAINST WHICH ON WHOSE BEHALF 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 extensions of the period within which the request must be dealt with in terms of section 26(1) of the Act.	

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Decision in terms of 29(3) of the Act to refuse access in the form requested by the requester	
Decisions on grant request access	

GROUNDINGS FOR APPEAL

<i>(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)</i>	
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 of your internal appeal. Please indicate your preferred manner of notification and provide the contact information below.

Postal address		Electronic communication	

Signed at..... this..... day of 20.....

Signature of Appeal /Third party

FOR OFFICIAL USE ONLY

OFFICIAL RECORDS OF INTERNAL APPEAL

Request received by: (State rank, name and surname of information Officer)				
Appeal accompanied by reasons for the information officer's decision on where applicable, the particular of any third party to whom or which record related, 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 2) 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.....thisday 20.....

Signature of Information Officer

**AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS**

FORM 'C'

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013(ACT NO.4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2021 (Regulation 2)

1. Affidavits or other documentary evidence in support of the objection must be attached.
2. If the space provided for in the form is not adequate, submit information as an annexure to this form and sign each page.

Reference Number _____

A.	DETAILS OF DATA SUBJECT	
Name and surname of data subject		
Residential, postal business address	Code	
Contact numbers/numbers		
E-mail address		

B.	DETAILS OF RESPONSIBLE PARTY	
Name and surname of the responsible party (if responsible party is a natural person)		
Residential, postal or business address	Code	
Contact numbers		
E-mail address:		
Name of public or private body (if the responsible party is not a responsible person)		
Business Address		
Contact Numbers		

C.	REASONS FOR THE OBJECTION IN TERMS OF SECTION 11(3)(a) (Please provide detailed reasons for the objection, another sheet may be annexed if the space is insufficient)
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Signed at this..... day of.....20.....

Signature of data subject (Applicant)

AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

FORM 'D'

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTIONS 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013(ACT NO.4 OF 2013)

REGULATION RELATING TO THE PROTECTION OF PERSONAL INFORMATION 2021 (Regulation 3)

NOTE:

1. Affidavits or other documentary evidence in support of the request should be attached.
2. If the space provided for in this form is inadequate, submit information as Annexure to this form and sign each page.
3. Complete as is applicable.

Reference Number: _____

Mark an appropriate box with an "x"

Request for:

Correction ☐ or deletion ☐ of personal information about the data subject which is in possession or under the control of the party responsible.

Please select applicable reasons for the selected request:

- | | | |
|-----|---------------------|--------------------------|
| (a) | Inaccurate | ☐ |
| (b) | Irrelevant | ☐ |
| (c) | Excessive | ☐ |
| (d) | Out of date | ☐ |
| (e) | Incomplete | ☐ |
| (f) | Misleading | ☐ |
| (g) | Obtained unlawfully | ☐ |

Destruction ☐ or deletion ☐ of a record of personal information about the data subject, which is in possession or under the control of the responsible party, and who is no longer authorised to retain the record of information.

A.	DETAILS OF THE DATA SUBJECT
Name(s) and Surname of data subject	
Contact numbers	

MIDVAAL LOCAL MUNICIPALITY

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E-mail address			
Residential, postal or business address			
		Code	
Name of public or private Body (if the data subject is not a natural person)			

B.	DETAILS OF RESPONSIBLE PARTY		
Name(s) and Surname			
Contact numbers			
E-mail address			
Residential, postal or business address			
		Code	
Contact numbers			
E-mail address			
Name of public or private Body (if the responsible party is not a natural person)			

C.	REASONS FOR CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY (Please provide detailed reasons for the request, another sheet may be annexed if the space is sufficient)

Signed at at this..... day of.....2025

Signature of data Subject (Applicant)

AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

FORM “E”

COMPLAINT REGARDING THE 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:

1. Affidavits or other documentary evidence in support of the request must be attached.
2. If the space provided for is not adequate, submit information as an annexure to this form and sign each page.
3. Complete as applicable.

Reference Number: _____

Mark the appropriate box with an “X.”

Complaint regarding:

☐

Alleged interference with the protection of personal information (Part I)

☐

Determination of an adjudicator (Part II)

If the space provided is not adequate, submit information as an Annexure to this form and sign each page.

PART 1	ALLEGED INTERFERENCE WITH PROTECTION OF PERSONAL INFORMATION (section 74 of the Protection of Personal Information Act, 2013 (Act 4 of 2013))
---------------	---

A.	PARTICULARS OF COMPLAINANT
Surname of complainant:	
Name of complainant:	
Identity number of complainant:	
Residential number(s) or business address:	Code
Contact number(s):	
E-mail address	
B	PARTICULARS OF BODY/RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION
Full names and Surname of person	
Interfering with the personal information (if responsible party is a natural person):	
Residential address (if applicable, postal or business address):	Code
Contact number(s):	
E-mail address:	

MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

C.	REASONS FOR COMPLAINT (Please provide detailed reasons for the complaint)

PART II	GRIEVANCE REGARDING DETERMINATION OF ADJUDICATOR (Section 74(2) of the Protection of Personal Information, Act 2013 (Act No. 4 of 2013))
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A.	PARTICULARS OF COMPLAINANT	
Surname of complainant:		
Full names of complainant		
Identity number of complainant		
Residential, postal business address		
		Code
Contact number(s):		
E-mail address		
B	PARTICULARS OF ADJUDICATOR	
Full name and surname of adjudicator		
Name and surname of responsible party (if public or private body)		
Name of responsible party (if public or private body):		
Residential, postal or business address:		
		Code
Contact number(s)		
E-mail address:		
C.	REASONS FOR COMPLAINT (Please provide detailed reasons for the complaint)	

Signed at _____ this _____ day of _____ 2025

Signature of complainant/ person (aggrieved party)

AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY,
30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

FORM "F"

**REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF
PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING THROUGH
UNSOLICITED ELECTRONIC COMMUNICATION IN TERMS OF SECTION 69 (2) OF THE ACT**

[Regulation 6]

PART A

TO:

(Name of data subject)

FROM:

Contact number(s):

Fax number:

E-mail address:

(Name, address and contact details of responsible party)

PART B - DATA SUBJECT'S CONSENT

I, _____ (full names of data subject) hereby:

Give my consent.

- (a) To receive direct marketing by means of unsolicited electronic communication in
respect of the goods or services to be marketed

SPECIFY METHOD OF PREFERRED COMMUNICATION:

FAX

☐

E - MAIL

☐

SMS

☐

OTHERS –

☐

Please specify:

Signed at this day of20.....

.....
Signature of data subject

MIDVAAL LOCAL MUNICIPALITY

AGENDA OF THE 9TH ORDINARY MEETING OF 2025 TO BE HELD ON THURSDAY, 30 OCTOBER 2025 AT 14:00 IN THE COUNCIL CHAMBERS

MIDVAAL LOCAL MUNICIPALITY STRUCTURE



EXECUTIVE MAYOR:
Ald. P.J. Teixeira



MUNICIPAL MANAGER:
Mr. A. Groenewald

MEMBERS OF THE MAYORAL COMMITTEE



Cllr. T.M. Modiba
MMC: Development
and Planning



Ald. P.D. Hutchison
MMC: Finance
Services



Cllr. C. Gomes
MMC: Public
Safety and Roads



Cllr. M.J. Motsamai
MMC: Corporate
Services



Cllr. M. Myburgh
MMC: Community
Service



Cllr. Reginald Hubbard
MMC: Engineering
Services

SECTION 80: DEVELOPMENT & PLANNING

Cllr. T.M. MODIBA
Cllr. L. VISSER
Cllr. A. MAIMANE
Cllr. M. NDEBELE

SECTION 80: FINANCE

Ald. P. HUTCHESON
Cllr. J.G. VILJOEN
Cllr. F. PETERS
Cllr. I. RAMUSHU
Cllr. S. HOYANE

SECTION 80: PUBLIC SAFETY AND ROADS

Cllr. C. GOMES
Cllr. T. DICKINSON
Cllr. T. MOKHOMO
Cllr. E. JORDAAN
Cllr. C. PYPERS

SECTION 80: CORPORATE SERVICES

Cllr. M.J. MOTSAMAI
Cllr. P. PRETORIUS
Cllr. G. NKOE
Cllr. M. MBOWENI

SECTION 80: COMMUNITY SERVICES

Cllr. M. MYBURGH
Cllr. L. KOLISANG
Cllr. S. JANSE VAN
RENSBURG
Cllr. M. MODIKENG

SECTION 80: ENGINEERING SERVICES

Cllr. R. HUBBARD
Cllr. M. KRUGER
Cllr. T. MOFOKENG
Cllr. O. BRITS
Cllr. J. MAZIBUKO

EXECUTIVE DIRECTORS



Mr K. Mokwena

Development & Planning

- Land Use Management
- Building Control
- LED and Tourism
- Spatial Planning
- Geographic Information Systems
- Integrated Development Planning
- Administration of Council Land
- Human Settlements
- Informal Trading and Markets



Mr. Z. Mhlongo

Finance

- Billing & Revenue
- Credit Control
- Rates & Tariffs
- Expenditure
- Budget Control
- Valuations
- Asset Management
- Risk Management
- Supply Chain Management



Mr E. Lensley

Public Safety and Roads

- Roads
- Stormwater
- Street signs & names
- Road markings
- Mechanical workshop
- Fire & Emergency Services
- Crime prevention
- Traffic control



Mr. S. Cave

Corporate Services

- Secretariat & Committees
- Legal Services
- Facility Rentals
- Archives
- Marketing & Communications
- Political Offices
- Complaints System
- Internal Audit
- IT
- Anti-corruption
- OHS
- Labour Relations
- LFF
- Disciplinary Action
- Training & Development
- Recruitment & Selection
- Personnel Administration
- Employee Benefits Administration
- Employment Equity
- HIV in Workplace
- Call Centre & MyMidvaal App



Ms T. Mnguni

Community Services

- HIV/AIDS
- Designated Groups: Woman, Elderly, Youth, Disabled
- Waste Management
- Environmental Health
- Libraries
- Indigency
- Sport & Recreation
- Social Development
- Parks & Cemeteries
- Grass & Tree Cutting
- Fire & Emergency Services
- Crime Prevention
- Traffic Control



Mr. P. Magodi

Engineering Services

- Water Provision
- Sanitation Services
- Electricity
- Street Lights
- Facilities Repair & Maintenance

SPEAKER



Cllr. A.R. McLoughlin

- Convene & chair Council Meetings
- Tasked with role of governance
- Code of Conduct for Councillors
- Support to Section 79 Committees
- Councillor training & Support
- Oversee public participation
- Ward Committee System
- Oversee Communication
- Receive & address petitions
- Liaison between Council & CDW's
- Junior Council

WHIPPY



Ald Phil Pretorius
Chief Whip of Council and DA Whip
Cllr. M. Modikeng - ANC Whip

SECTION 79: MUNICIPAL PUBLIC ACCOUNTS & OVERSIGHT COMMITTEE (MPAC)

- Cllr. MA Myburg (Member)
- Ald. FW Peters (Member)
- Cllr. BJ Jordaan (Member)
- Cllr. AH Dickinson (Member)
- Cllr. MM Ndebele (Member)
- Ald. CG Pypers (Member)
- Cllr. SM Hoyane (Member)

Alternates:

- Cllr. MC Kruger (Alternate)
- Cllr. MA Maimane (Alternate)
- Cllr. ML Modikeng (Alternate)

SECTION 79: PUBLIC PLACE NAME COMMITTEE

- Cllr. M. Kruger (Chairperson)
- Cllr. J.J. Hubbard
- Cllr. M.A. Maimane
- Cllr. T.S. Mofokeng
- Cllr. O. Brits

SECTION 79: PETITIONS COMMITTEE

- Cllr. MA. Myburgh (Chairperson)
- Cllr. L.T.H. Visser
- Cllr. G.M. Nkoe
- Cllr. C. Pypers
- Cllr. S.T. Molakeng
- Cllr. D.T. Mokhomona

SECTION 79: ETHICS COMMITTEE

- Cllr. A.H. Dickinson (Chairperson)
- Ald. F.W. Peters
- Cllr. S. Janse van Rensburg
- Cllr. M.L. Kolisang
- Cllr. M.M. Ndebele
- Cllr. C. Pypers

SECTION 79: GENDER COMMITTEE

- Cllr. L.T.H. Visser (Chairperson)
- Cllr. M. Kruger
- Cllr. M.A. Maimane
- Cllr. M.C. Mboweni
- Cllr. O. Brits