

C 3835/07/2026
MC A/6907/07/2026

9.A.2 [CS]: PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

2/9/2

WARDS: ALL

COMPETENCY: COUNCIL

IT WAS UNANIMOUSLY RESOLVED:

1. That the Midvaal Local Municipality PAIA Manual, be noted.
2. That the Midvaal Local Municipality PAIA Manual, be approved.
3. That the Municipal Manager, in his capacity as Information Officer, be authorised to implement and maintain the PAIA Manual in accordance with the requirements of the Promotion of Access to Information Act, 2000 and the Protection of Personal Information Act, 2013.
4. That all Councillors, officials and municipal structures be required to comply with the provisions of the PAIA Manual and support the implementation thereof.
5. That the Municipal Manager be authorised to update the Manual from time to time as may be required by legislative amendments, Information Regulator directives, organisational changes, or operational requirements, provided that any material amendments be reported to Council.

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WARDS: ALL

COMPETENCY: COUNCIL

PURPOSE

To submit the Promotion of Access to Information Act (PAIA) Manual for approval. The Manual has been prepared in terms of section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), as amended, and seeks to promote transparency, accountability, good governance and access to information held by Midvaal Local Municipality, while ensuring compliance with the Protection of Personal Information Act, 2013 (POPIA).

RECOMMENDATIONS

1. That the Midvaal Local Municipality PAIA Manual, be noted.
2. That the Midvaal Local Municipality PAIA Manual, be approved.
3. That the Municipal Manager, in his capacity as Information Officer, be authorised to implement and maintain the PAIA Manual in accordance with the requirements of the Promotion of Access to Information Act, 2000 and the Protection of Personal Information Act, 2013.
4. That all Councillors, officials and municipal structures be required to comply with the provisions of the PAIA Manual and support the implementation thereof.
5. That the Municipal Manager be authorised to update the Manual from time to time as may be required by legislative amendments, Information Regulator directives, organisational changes, or operational requirements, provided that any material amendments be reported to Council.

REPORT

Section 32 of the Constitution of the Republic of South Africa, 1996, provides that everyone has the right of access to information held by the State and information held by another person that is required for the exercise or protection of any rights.

The Promotion of Access to Information Act, 2000 (PAIA) gives effect to this constitutional right by establishing procedures through which persons may request access to records held by public and private bodies. Section 14 of PAIA requires all public bodies, including municipalities, to compile and make available a PAIA Manual containing information regarding the institution, categories of records held, procedures for requesting access to information, and details of the Information Officer.

In addition, the Protection of Personal Information Act, 2013 (POPIA) requires public bodies to ensure that personal information is processed lawfully, responsibly and securely. The Information Regulator has further issued guidance requiring public bodies to incorporate relevant POPIA provisions within their PAIA Manuals.

The Municipality currently maintains a wide range of records relating to governance, finance, infrastructure, service delivery, planning, maps, GIS datasets, human resources, legal matters, information technology and public administration. In the absence of an updated and approved PAIA Manual, there is a risk of inconsistent application of information access procedures, reduced transparency, non-compliance with legislative obligations and exposure to regulatory findings.

The development and approval of a comprehensive PAIA Manual is therefore necessary to ensure compliance with legislative requirements, strengthen accountability, improve public access to information and support sound records governance practices.

The PAIA Manual establishes a comprehensive framework for the management of access to information requests and provides guidance to members of the public regarding the records and information held by the Municipality.

The Manual has been aligned with the Information Regulator's PAIA Manual Template, the Promotion of Access to Information Act, the Protection of Personal Information Act, and local government best practice.

The Manual is built on the following key principles:

1. Promotion of Transparency and Accountability

The Manual promotes openness, accountability and good governance by providing the public with information regarding the records held by the Municipality and the procedures for obtaining access to such records.

2. Legislative Compliance

The Manual ensures compliance with:

- The Constitution of the Republic of South Africa, 1996;
- Promotion of Access to Information Act, 2000;
- Protection of Personal Information Act, 2013;
- Information Regulator requirements and guidance;
- Applicable local government legislation.
- Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003)

3. Access to Information Framework

The Manual establishes a clear framework for requesting access to municipal records, including the roles and responsibilities of the Information Officer and Deputy Information Officer, request procedures, statutory timeframes, applicable fees and grounds for refusal.

4. Records Management and Classification

The Manual identifies and categorises records held by the Municipality, including:

- Governance records;
- Financial records;
- Human resource records;
- Service delivery records;
- Planning and development records;
- Legal and compliance records;
- Information technology records.
- Geographic Information System (GIS) datasets and imagery

5. Public Access to Municipal Information

The Manual identifies categories of information that are automatically available to the public without the need for a formal PAIA request, including annual reports, approved budgets, policies, by-laws, IDP documents, public notices and service delivery reports.

6. Information Regulator and Complaints Processes

The Manual provides members of the public with information regarding: • Internal remedies:

- Complaints procedures;
- Appeals processes;
- Complaints to the Information Regulator;
- Court applications and available legal remedies.
- Protection of Personal Information

The Manual incorporates POPIA requirements relating to:

- Categories of personal information processed;
- Categories of data subjects;
- Purpose of processing personal information;
- Recipients of personal information;
- Security safeguards;
- Cross-border information transfers.

7. Public Participation and Service Accessibility

The Manual provides information regarding municipal services, public participation processes and mechanisms through which members of the community may engage with the Municipality and obtain information.

8. Continuous Review and Updating

The Manual provides for periodic review and updating to ensure ongoing compliance with legislative amendments, organisational changes and directives issued by the Information Regulator.

9. Information Regulator

The approval of the PAIA Manual will strengthen transparency, accountability, regulatory compliance and public confidence while ensuring that the Municipality fulfils its constitutional and legislative obligations regarding access to information and the protection of personal information.

**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 22 JUNE 2026**

Resolved to Recommend

The Item is supported and referred to the Section 80 Corporate Services Portfolio Committee, after amendments.

**COMMENTS: SECTION 80 CORPORATE SERVICES PORTFOLIO COMMITTEE: 10
JULY 2026**

The recommendations are supported.



MIDVAAL LOCAL MUNICIPALITY

PAIA MANUAL

PAIA manual prepared in terms of section 14 of the Promotion of Access to Information Act,
No 2 of 2000 (as amended)



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1. List of Acronyms and Abbreviations

"DIO"	Deputy Information Officer
"GIS"	Geographic Information Systems
"IDP"	Integrated Development Plan
"IO"	Information Officer
"MFMA"	Municipal Finance Management Act 56 of 2003
"MLM"	Midvaal Local Municipality
"MMC"	Member of the Mayoral Committee
"MPRDA"	Municipal Property Rates Act 6 of 2004
"PAIA"	Promotion of Access to Information Act 2 of 2000
"POPIA"	Protection of Personal Information Act 4 of 2013
"Regulator"	Information Regulator
"Structures Act"	Local Government: Municipal Structures Act 117 of 1998
"Systems Act"	Local Government: Municipal Systems Act 32 of 2000



2. Definitions and terms

2.1 “Access Fee”

A fee prescribed for the purposes of reproduction, search, preparation and, where applicable, postage in respect of records requested under PAIA.

2.2 “Act”

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), as amended.

2.3 “Data Subject”

The person to whom personal information relates.

2.4 “Information Officer”

Means the Municipal Manager of Midvaal Local Municipality, designated in terms of PAIA and POPIA.

2.5 “Personal Information”

Information relating to an identifiable, living natural person and, where applicable, an identifiable existing juristic person as defined in POPIA.

2.6 “POPIA”

The Protection of Personal Information Act, 2013 (Act No. 4 of 2013).

2.7 “Public Body”

Any department of state or administration in the national, provincial or local sphere of government.

2.8 “Record”

Any recorded information regardless of form or medium in the possession or under the control of Midvaal Local Municipality.

2.9 “Requester”

Any person requesting access to a record of Midvaal Local Municipality.



3. Introduction

The Promotion of Access to Information Act, 2000 ("PAIA") gives effect to the constitutional right of access to information held by the State and information held by another person that is required for the exercise or protection of any rights. Section 14 of PAIA requires all public bodies to compile a manual containing information regarding the types and categories of records held by the institution, the process for requesting information, and the contact details of the Information Officer.

This Manual must be read together with:

- The Constitution of the Republic of South Africa, 1996;
- Promotion of Access to Information Act, 2000;
- Protection of Personal Information Act, 2013;
- Information Regulator Guidelines;
- PAIA Regulations, 2021.
- Spatial Data Infrastructure Act, 2003 (Act No. 54 of 2003)

The Manual also promotes transparency, accountability and good governance within Midvaal Local Municipality.

4. Purpose of the Manual

This PAIA manual is useful for the public to:

- 4.1 Check the categories of records available at Midvaal Local Municipality without submitting a formal PAIA request;
- 4.2 Understand how to make a request for access to records;
- 4.3 Access all relevant contact details of persons assisting the public with records requests;
- 4.4 Understand the remedies available regarding requests for access to records;
- 4.5 Understand the services available to members of the public and how to gain access thereto;
- 4.6 Access the Guide on how to use PAIA and POPIA;
- 4.7 Understand how personal information is processed;
- 4.8 Determine whether personal information is transferred outside South Africa;
- 4.9 Understand the security measures implemented to protect personal information.

5. Objectives of PAIA

PAIA promotes:

- Transparency, accountability and effective governance;
- The constitutional right of access to information;
- Participation in decision-making processes;
- Protection of personal information and privacy;
- Access to information in a reasonable and affordable manner.



Furthermore, the Act balances the right of access to information with legitimate limitations including:

- Protection of privacy;
- Commercial confidentiality;
- Safety and security;
- Effective administration and governance.

6. Establishment of Midvaal Local Municipality

- 6.1 Midvaal Local Municipality is a Category B Municipality established in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).
- 6.2 The powers and functions of Midvaal Local Municipality are regulated by various statutes which include:
- 6.3 Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);
- 6.4 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended;
- 6.5 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), as amended;
- 6.6 Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003); as amended.

In terms of the above statutes, the powers and functions of the Midvaal Local Municipality include inter alia:

- 6.7 Ensuring integrated development planning;
- 6.8 Provision of potable water supply;
- 6.9 Bulk supply of electricity, which includes transmission, distribution and the generation of electricity;
- 6.10 Provision of bulk sewerage purification works and main sewerage disposal systems;
- 6.11 Solid waste disposal sites, insofar as it relates to:
 - 6.11.1 The determination of a waste disposal strategy;
 - 6.11.2 The regulation of waste disposal;
 - 6.11.3 The establishment, operation and control of waste disposal sites, bulk waste transfer facilities and waste disposal for more than one local municipality in the district;
- 6.12 Municipal roads which form an integral part of a road transport system;
- 6.13 Provision of firefighting services, which includes:

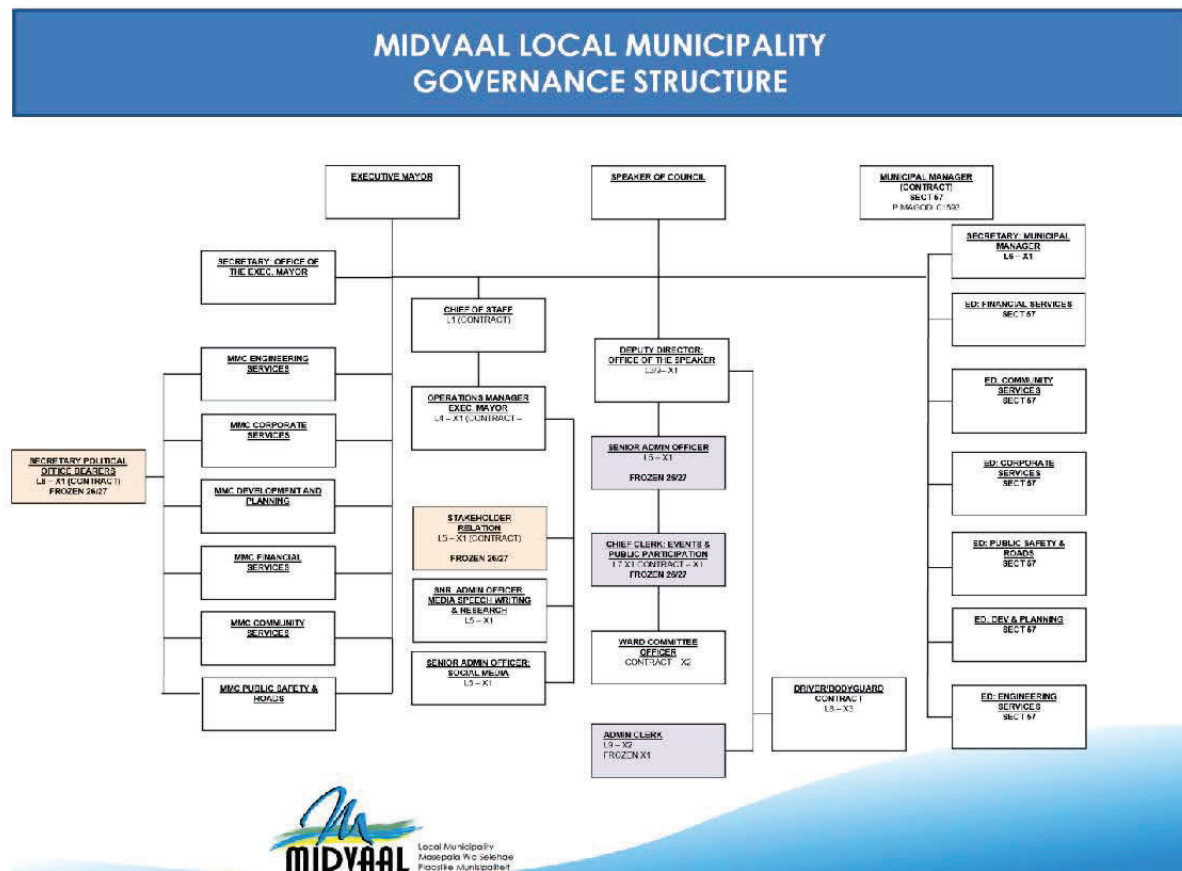


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- 6.13.1 Planning, coordination and regulation of fire services;
 - 6.13.2 Specialised firefighting services such as mountain, veld and chemical fire services through the district council;
 - 6.13.3 Coordination of the standardisation of infrastructure, vehicles, equipment and procedures;
 - 6.13.4 Training of firefighters as a district function.
 - 6.14 The establishment, conduct and control of cemeteries and crematoria;
 - 6.15 Promotion of local tourism;
 - 6.16 Provision of municipal public works relating to any of the above functions or any other function assigned to the municipality;
 - 6.17 The receipt, allocation and distribution of grants made to the municipality;
 - 6.18 The imposition and collection of taxes, levies and duties as related to the above functions or may be assigned in terms of national legislation.



7. Structure and Functions of the Midvaal Local Municipality

7.1 Macro Organisational structure



**AGENDA OF THE 7TH ORDINARY MEETING OF 2026 TO BE HELD ON THURSDAY,
30 JULY 2026 AT 14:00 IN THE COUNCIL CHAMBERS**



7.2 Functions of the Municipality

ROLE CLASSIFICATION: ALIGNMENT OF FUNCTIONS TO DCOG NORMS AND STANDARDS FOR MUNICIPALITIES

The chart below provides role classification for functions specific to Midvaal Local Municipality:



CORE FUNCTIONAL SERVICES PROVIDED BY MLM						
GOVERNANCE & ASSURANCE - Organisational Performance - Legal Services - Risk & Compliance - Probity - Monitoring & Reporting	ELECTRICAL - Electrical distribution/reticulation - Infrastructure Operations - Solar Energy distribution & Generation - new network control & optimisation - Bulk Services - Electrical Demand Management - Service Connection Planning - Electricity retail management - traffic light maint.	WATER & SANITATION - Water demand management - Bulk Services - Consumption verification - Sewer reticulation management - Water analysis and testing - Water Plan Operations - Waste Water Operations - Water Purification - Waste Water reticulation - Catchment planning	TOWN & REGIONAL PLANNING - Spatial development framework - Urban & Rural Planning & design - Land surveying services - Building plan processing - works inspection services - Land use management - Land use control - Building & Zoning control - Land invasion - Law Enforcement	WASTE & REFUSE - Waste management operations - Waste Collection management - Separation at source operations - Landfill site management - Transfer site management - Waste compaction - Public cleansing	HUMAN SETTLEMENT & HOUSING - Housing identification - Property disposal - Beneficiary Identification - Building approvals/site inspections - Property/land acquisition	LOCAL ECONOMIC DEVELOPMENT - SWME development - Informal trading enablement - Business license management - Economic modelling & planning
SPECIALISED SERVICES - Integrated Development Planning - Project Management - HR Specialist Support - Strategy & Policy Development - Capital Planning - Procurement Planning - Budgeting & Reporting - Quality Assurance - Special Projects - Research & development				TRANSPORT, ROADS & STORM WATER - Signs & street lines - Storm Water drainage - Roads network control - Transport operations - Roads design/construction/maintenance	COMMUNITY: PUBLIC SAFETY - Traffic Operations - Road safety management - Fire Services - Disaster management	COMMUNITY: SRAC - Parks & recreation - Social development & ECD - Sport & culture - Environmental/ Municipal health services
FUNCTIONAL SUPPORT			TRANSACTIONAL SUPPORT			
- Maintenance - Asset & property management - Stores management - Technical operations - Media Relations - Technical Planning - Usage validation	- Programme coordination - HR advisory - Technical support - Stakeholder management - Business improvement	- Fleet Management & maintenance - Courier & messenger services - Usage measurement - Information Management (ITC) - Building maintenance	- Finance support - Technical administration - Executive & Council Support - Public awareness - Administration & logistics	- Education and awareness - Technical training - HR operations and administration - Printing services - General administration	- Data management - Secretariat support - Data management - Committee services - Records management	

7.2.1 The following departments are responsible for the functions outlined:

Department	Functions:	
Office of the Municipal Manager	- Strategy & Performance - Risk & Compliance - Internal Audit & Forensics	
Corporate Services Cluster (Render Corporate Support, ICT and Human Resources Services)	- Secretarial Services - Legal Services - IT Services - Human Resources - Work Archives/Records	- Communication - PR & Marketing - Citizen Engagement - Building Maintenance - VIP Unit - Political Offices
Financial Services (Manage the Finances of the municipality)	- Budget & Treasury Services - Revenue Management - Expenditure Management - Accounting, Asset & reporting services	- Procurement and Supply Chain Management - Property Valuation - Internal Control
Engineering Services (Provide Public Works and Basic Services to communities)	- Water provision - Sanitation Services - Electricity & Energy Services	- Technical Consumption Services - Capital Projects
Community Services (Provide Community & Services)	- Waste Management Services - Social Development - Parks & Recreation	- Sport, Arts & Culture - Primary Health Care (Clinics) - Municipal & Environmental Health Services

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Department	Functions:	
Development & Planning (Development & Town Planning, Local Economic Development and Human Settlement Services)	• Integrated Development Planning (IDP) • Spatial Planning & Land Use Management • Geographic Information Systems (GIS) • Economic Development & Tourism • Housing	
Public Safety & Roads Department (Provide Traffic & Fire Emergency Services and Roads Maintenance)	• Roads & Storm Water • Roads Marking • Street signs and names • Mechanical Workshop • Fleet Management	• Traffic Services • Fire & Emergency Services • Disaster Management • Crime Prevention

8. Key Contact Detail

8.1 Information Officer

- 8.1.1 Name: Municipal Manager
 8.1.2 Tel: (016) 360 7632
 8.1.3 Email: mm@midvaal.gov.za
 8.1.4 Fax: not applicable

8.2 Deputy Chief Information Officer

- 8.2.1 Name: Executive Director: Corporate Services
 8.2.2 Tel: (016) 360 7407
 8.2.3 Email: DIO@midvaal.gov.za
 8.2.4 Fax: not applicable

8.3 Access to information General contacts

- 8.3.1 Email: : DIO@midvaal.gov.za

Head Office

- 8.3.2 Postal address : PO Box 9
 Meyerton
 1961

- 8.3.3 Physical address: Midvaal Local Municipality
 Civic Centre
 25 Mitchell Street
 Meyerton
 1961



-
- 8.3.4 Telephone : 016 360 7400
- 8.3.5 Complaints Line: 087 106 2471 / 080 228 8275 (Toll free)
- 8.3.6 WhatsApp line : 081 876 0408
- 8.3.7 Email : Complaints@midvaal.gov.za
- 8.3.8 Website : www.midvaal.gov.za

9. Remedies available in respect of failure to act by the Municipality

9.1 Internal Remedies

A requester may:

- 9.1.1 Lodge a complaint directly with the Municipality;
- 9.1.2 Request reasons for decisions;
- 9.1.3 Appeal or challenge administrative decisions where applicable.

If you have lodged a complaint with a Municipal department and the matter has not been responded to satisfactorily, you may contact the Municipality's Customer Care or Complaints Office to investigate the matter further.

General enquiries and complaints may be directed to:

Midvaal Local Municipality
Civic Centre
25 Mitchell Street
Meyerton
1961
Telephone: 087 106 2471 / 080 228 8275 (Toll free)
WhatsApp Line: 081 876 0408
Email: complaints@midvaal.gov.za

9.1.1 Submit an internal appeal

If your rights have been infringed by a decision taken by the Municipality in relation to a PAIA request, you may lodge an internal appeal in the prescribed manner.

Step 1: Prepare the Appeal

The appeal must:

- be in writing;
- state the reasons for the appeal;
- specify the decision being challenged;
- identify the rights allegedly affected;



- indicate the relief or outcome sought; and
- include a copy of the original decision or correspondence, where applicable.

Step 2: Submit the Appeal

The completed appeal may be submitted:

By Email:

DIO@midvaal.gov.za

Or delivered by hand to:

Deputy Information Officer
Midvaal Local Municipality
25 Mitchell Street
Meyerton
1961

Or posted to:

The Deputy Information Officer
Midvaal Local Municipality
PO Box 9
Meyerton
1961

The Municipality shall consider the appeal in accordance with PAIA and communicate the outcome within the prescribed legislative timeframes.

9.2 Complaint to the Information Regulator

9.2.1 POPIA Complaints

Any person may submit a complaint to the Information Regulator in the prescribed manner regarding interference with the protection of personal information of a data subject.

A requester or data subject may lodge a complaint with the Information Regulator regarding:

- 9.2.2 Refusal of access to records;
- 9.2.3 Failure to respond to a request;
- 9.2.4 POPIA-related complaints;
- 9.2.5 Unlawful processing of personal information.

Should a person believe that their personal information has been unlawfully accessed, disclosed, processed or compromised, a complaint may be submitted to the Information Regulator.

Complaints may be submitted using the prescribed POPIA complaint form and sent to:



POPIAComplaints@inforegulator.org.za

The Regulator may:

- investigate the complaint;
- facilitate conciliation;
- issue enforcement notices; or
- take any action authorised in terms of POPIA.

9.2.2 PAIA Complaints

A requester or third party may submit a complaint to the Information Regulator after exhausting any applicable internal appeal procedure against a decision of the Information Officer or Deputy Information Officer.

A complaint may also be lodged where:

- no response has been received within the prescribed period;
- access to records has been refused;
- fees charged are disputed; or
- procedural fairness is challenged.

Complaints may be submitted using the prescribed PAIA complaint form and sent to:

PAIAComplaints@inforegulator.org.za

The Information Regulator may:

- investigate the complaint;
- facilitate dispute resolution;
- make findings and recommendations; or
- refer the matter for enforcement action where appropriate.

9.2.3 Application to Court

A requester or third party may apply to a court of competent jurisdiction for appropriate relief after:

- exhausting the internal appeal process, where applicable; or
- exhausting the complaint procedures before the Information Regulator.

Court proceedings must be instituted within the periods prescribed by PAIA.

Applications may include:

- review of refusal decisions;
- orders compelling disclosure of records;
- review of fees charged;
- review of procedural irregularities; or
- enforcement of rights under PAIA or POPIA.



The appropriate court may include:

- the High Court;
- a Magistrate's Court with jurisdiction; or
- any other competent court recognised in law.

9.3 Information Regulator Contact Details

9.3.2 Website: www.justice.gov.za/inforeg

9.3.3 Email (PAIA): PAIAComplaints@inforegulator.org.za

9.3.4 Email (POPIA): POPIAComplaints@inforegulator.org.za

10. Categories of records held by the Municipality

The Municipality holds records including but not limited to:

Nr	Category	Type
10.1	Governance Records	▪ Council agendas and minutes; ▪ Committee resolutions; ▪ Policies and by-laws; ▪ Delegations' framework.
10.2	Financial Records	▪ Annual financial statements; ▪ Budgets; ▪ SCM records; ▪ Asset registers; ▪ Audit reports
10.3	Human Resource Records	▪ Recruitment records; ▪ Employment contracts; ▪ Payroll records; ▪ Leave records; ▪ Disciplinary records.
10.4	Service Delivery Records	▪ Infrastructure plans; ▪ Water and sanitation records; ▪ Electricity records; ▪ Roads and transport records.
10.5	Planning and Development Records	▪ Spatial Development Frameworks; ▪ Town planning applications; ▪ IDP documents; ▪ Building plans. ▪ Maps ▪ GIS datasets
10.6	Legal and Compliance Records	▪ Litigation files; ▪ Contracts and agreements; ▪ Compliance reports; ▪ Risk management records



Nr	Category	Type
10.7	Information Technology Records	▪ System access records; ▪ Electronic communications; ▪ ICT governance records.

11. Guide to use PAIA and how to access the guide

- 11.1 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.
- 11.2 The Guide is available in each of the official languages.
- 11.3 The aforesaid Guide contains the description of the objects of PAIA and POPIA;
- 11.4 the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 11.4.1 the Information Officer of every public body; and
 - 11.4.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
 - 11.4.3 the manner and form of a request for:
 - 11.4.4 access to a record of a public body contemplated in section 11 of PAIA; and
 - 11.4.5 access to a record of a private body contemplated in section 50 of PAIA;
 - 11.4.6 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 11.4.7 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 11.4.8 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:
 - 11.4.8.1 an internal appeal;
 - 11.4.8.2 a complaint to the Regulator; and
 - 11.4.8.3 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;
 - 11.4.8.4 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;



- 11.4.8.5 the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 11.4.8.6 the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- 11.4.8.7 the regulations made in terms of section 92.
- 11.5 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.
- 11.6 The Guide can also be obtained:
 - 11.6.1 upon request to the Information Regulator;
 - 11.6.2 from the website of the Information Regulator at <https://info regulator.roq.za>
- 11.7 A copy of the Guide is also available in the following official languages, for public inspection during normal office hours:
 - 11.7.1 Afrikaans
 - 11.7.2 isiNdebele
 - 11.7.3 isiXhosa
 - 11.7.4 isiZulu
 - 11.7.5 Siswati
 - 11.7.6 Sepedi
 - 11.7.7 Sesotho
 - 11.7.8 Setswana
 - 11.7.9 Tshivenda
 - 11.7.10 Xitsonga

12. Categories of records which are available without a person having to request access

The following records may be available without formal PAIA requests:

- Annual reports;
- IDP documents;
- Approved budgets;
- By-laws;
- Council resolutions open to the public;
- Public notices;
- Policies;
- Tariff schedules;
- Service delivery reports;
- Website publications.
- Locality Maps



Access may be obtained through:

- Municipal website (www.midvaal.gov.za)
- Municipal offices (25 Mitchel Street, Meyerton, 1961)
- Libraries (25 Mitchel Street, Meyerton, 1961)
- Public participation meetings

13. Service available to the public and how to gain access to those services

Services provided by the Municipality include:

- 13.1 Water and sanitation;
- 13.2 Electricity services;
- 13.3 Roads and stormwater;
- 13.4 Waste management;
- 13.5 Licensing support;
- 13.6 Town planning;
- 13.7 Libraries and recreational facilities;
- 13.8 Public participation programmes.

Information regarding these services may be obtained:

- 13.9 At municipal offices (25 Mitchel Street, Meyerton, 1961)
- 13.10 Through the municipal website (www.midvaal.gov.za)
- 13.11 Contact Centre/Call centre: 087 106 2471 / 080 228 8275 (Toll free); Email: complaints@midvaal.gov.za

14. Public participation and Involvement

The Municipality encourages public participation through:

- IDP consultations;
- Public meetings;
- Ward committee engagements;
- Stakeholder consultations;
- Public notices and advertisements.

15. Processing of Personal Information in terms of POPIA

15.1 Purpose of Processing

The Municipality processes personal information for:

- a) Service delivery;
- b) Billing and revenue collection;
- c) Human resource administration;
- d) Procurement and supply chain management;
- e) Compliance with legal obligations.

15.2 Categories of Data Subjects

- a) Residents;



- b) Employees;
- c) Councillors;
- d) Service providers;
- e) Contractors;
- f) Community stakeholders.

15.3 Categories of Personal Information

- a) Identity information;
- b) Contact details;
- c) Financial information;
- d) Employment information;
- e) Property information.

15.4 Recipients of Personal Information

- a) Personal information may be shared with:
- b) Government departments;
- c) Regulatory authorities;
- d) Financial institutions;
- e) Service providers;
- f) Law enforcement agencies.

15.5 Information Security Measures

The Municipality implements appropriate technical and organisational measures to:

- a) Prevent loss or damage to information;
- b) Prevent unlawful access;
- c) Maintain confidentiality and integrity;
- d) Secure electronic and physical records.

15.6 Cross-Border Transfers

Personal information will only be transferred outside South Africa where lawful and where adequate protection exists.

16. Availability of the manual

This manual is made available in the following official languages (confirm)

- 16.1 English
- 16.2 Afrikaans
- 16.3 Sotho
- 16.4 isiZulu

A copy of this manual or the updated version thereof, is also available as follows:



- a) On the official website of the Midvaal Local Municipality via www.midvaal.gov.za
- b) At the head office of the Midvaal Local Municipality for public inspection during normal business hours – viz Monday to Friday, between 07:30 and 16:00;
- c) To any person upon request and upon the payment of a reasonable prescribed fee;
- d) To the Information Regulator upon request.

A fee for a copy of the manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

17. Updating of the Manual

The Midvaal Local Municipality will, as and when required, where necessary or in the event of any changes to this manual, update and publish the update/reviewed manual, annually on its official website.

18. Manual issue and approval

This manual is approved, issued and published in accordance with Council Resolution C****/**/*****, and endorsed by the Municipal Manager in his capacity as Information Officer.

Mr. Phumudzo Magodi
Municipal Manager

Annexure A: Categories of Records Held by the Municipality;
Annexure B: Categories of Records Automatically Available;
Annexure C: PAIA Request Form;

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests are 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 <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		

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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			
<i>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.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			



Any further particulars of record	
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
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 <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	



MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(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)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
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: Fee Schedule

**FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8] Note:

1. *If your request is granted the—*
 - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
 - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information 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) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested:

Printed copies of the information (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 information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

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**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(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)</i>	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		

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Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐ Yes ☐ No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
-----------------	--	--	--

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer



Annexure E: Internal Appeal Form;

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 <i>(If lodged by a third party)</i>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
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	
GROUND 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 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

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**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	☐	New decision (if not confirmed)	
	No	☐		
Fees (Sec 22). Confirmed?	Yes	☐	New decision (if not confirmed)	
	No	☐		
Extension (Sec 26(1)). Confirmed?	Yes	☐	New decision (if not confirmed)	
	No	☐		
Access (Sec 29(3)). Confirmed?	Yes	☐	New decision (if not confirmed)	
	No	☐		



Request for access granted. Confirmed?	Yes	☐	New decision (if not confirmed)	
	No	☐		

Signed at _____ this _____ day of _____ 20 ____

Relevant Authority

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Annexure F: Information Regulator Complaint Form.



**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:

- 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/>.
- 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.
- 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 (hereinafter 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.
- 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.
- The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
- Please attach copies of the following documents, if you have them:**
 - Copy of the form to the Body requesting access to records;
 - The Body's response to your complaint or access request;
 - Any other correspondence between you and the Body regarding your request;
 - Copy of the appeal form, if your complaint relate to a public body;
 - The Body's response to your appeal;
 - Any other correspondence between you and the Body regarding your appeal;
 - Documentation authorizing you to act on behalf of another person (if applicable);
 - Court Order or Court documents relevant to your complaint, if any.
- 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	☐

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom Nzama (Full-time Member), Adv. JC Weapond (Full-time Member), Prof. SL Snail ka Mtuze (Part-time Member), Ms. A Tilley (Part-time Member).

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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			
<i>(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)</i>			
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			
<i>(Please attach letter of authorisation)</i>			
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			

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Contact Numbers	Tel. (B): Cellular		Facsimile	
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): Cellular		Facsimile	
Reference Number given (if any)				
PART E				
COMPLAINT				
<i>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)</i>				
Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a complaint 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				
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>				
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.			☐

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

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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