**SWELLENDAM MUNICIPALITY**

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**ACCESS TO INFORMATION MANUAL 2015**

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**DEFINITIONS**

**“Act”** means the Promotion of Access to Information Act, 2000 (Act 2 of 2000) also referred to as PAIA;

**“Constitution’’** means Constitution of the Republic of South Africa, 1996;

**“Council”** means the Municipal Council of the Municipality;

**“IDP”** means the Integrated Development Plan as envisaged in chapter 5 of the Systems act;

**‘’Information Regulations’’** means the Regulations regarding the Promotion of Access to Information promulgated per government notice 187 of 15 February 2002;

**“MFMA”** means the Local Government: Municipal Financial Management Act, 2003 (Act 56 of 2003);

"**Municipality**" means the Swellendam Municipality and includes any political structure, political office bearer, duly authorised agent thereof, or a service provider fulfilling a responsibility under this by-law assigned to it in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) or any other law, as the case may be, or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated, to such political structure, political office bearer, agent or employee;

“**Municipal manager**” means a person appointed as such by the Municipality in terms of section 54A of the Systems Act;

**“SDBIP”** means the Service delivery budget implementation plan as envisaged in terms 69 of the MFMA;

**“Regulations”** means the Local Government: Regulations on appointment and conditions of employment of senior managers as promulgated per government notice 21 of 17 January 2014, as amended;

**‘’’System Act’’** means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended, and **MSA** has the same meaning**;**

**“Structures Act”** means the Local Government: Municipal Structures Act, 1998, (Act 117 of 1998);

**“Western Cape Determination Act”** means the Western Cape Determination of Types of Municipalities Act, 2000 (Act 9 of 2000);

**“Website”** means <http://www.swellenmun.co.za/>.

1. **INTRODUCTION**

The Act gives effect to the constitutional right of access to any information held by any public or private body that is require for the exercise or protection of any rights. The Act sets out the procedures attached to such a request.

Section 9 of the Act, however, recognises that such right to access to information is subject to certain justifiable limitations, for instance limitations aimed at:

* The reasonable protection of privacy;
* Commercial confidentiality;
* Effective, efficient and good governance.

Section 14 of the Act obliges public bodies to compile a manual, which would assist a person to obtain access to information held by a public body and stipulates the minimum requirements a manual has to comply with.

The purpose of this manual is therefore to inform a person how to obtain access to a record held by the Municipality and thereby giving effect to Section 14 of the Act.

1. **MUNICIPAL STRUCTURES AND THEIR FUNCTIONS**

The Municipality was established on 5 December 2000 in terms of a section 12 notice in terms of the Structures Act (notice number 496 dated 22 September 2000) and comprises the former Municipalities and Transitional Local Councils of Swellendam, Barrydale, Suurbraak, Infanta as well as parts of the Transitional Representative Councils of Bredasdorp, Langeberg, Swellendam and Wynland.

The Municipality comprises political and administrative structures whose functions are as follows: -

**The Political Structures**

1. **The Council**

The Council is defined in section 157(1) of the Constitution and in Chapter 3 of the Structures Act.

It consists of 9 Councilors, including the Executive Mayor, Deputy Executive Mayor and Speaker as determined by the MEC for local government in the Western Cape. It is a category B Municipality with a Mayoral executive system combined with a ward participatory system as provided for in the Western Cape determination act.

Its objects are as set out in section 152 of the Constitution and it strives, within its financial and administrative capacity, to provide democratic and accountable government, provide services to communities in a sustainable manner, promote social and economic development, promote a safe and healthy environment, and to encourage community participation in matters of local government.

Its functions include to annually review the needs of the community, its priorities to meet those needs, its processes for involving the community, its organizational and delivery mechanisms for meeting the needs of the community and its overall performance in achieving objectives as set out in section 152 of the Constitution.

1. **The Executive Mayor**

In terms of section 57 of the Structures Act, the Council elects an executive Mayor and deputy executive Mayor. The executive Mayor is entitled to receive reports from Council committees and to forward it to Council with a recommendation, or dispose of the matter in terms of his delegated powers. The legal powers and function of the executive Mayor is described in section 56 of the Structures Act. The Council also may delegate additional powers and function to the executive Mayor. The specific delegations to the executive Mayor can be found in the system of delegations of the Council. The executive Mayor is the executive head of the Municipality. The executive Mayor appoints a Mayoral Committee from among the Councilors to assist him/ her in the execution of his/ her functions and powers. The appointment, powers and functions of the executive Mayoral committee is prescribed in terms of section 60 read with section 80 of the Structures Act.

1. **The Speaker**

In terms of section 36(1) of the Structures Act, the Council must have a chairperson who will be called the Speaker. The Speaker:

* Presides at meetings of the Council;
* Performs the duties and exercises the powers delegated to the Speaker;
* Must ensure that the Council meets at least quarterly;
* Must ensure compliance in the Council and Council committees with the code of conduct; and
* Must ensure that Council meetings are conducted in accordance with the rules and orders of the Council.

1. **Council and portfolio committees**

The Structures Act provides for various types of committees for the Municipality. In terms of section 79 of the Structures Act, committees is elected that reports directly to the Council. In terms of section 60 read with section 80 portfolio committees is established to assist the executive Mayor. More information in this regard can be obtained from the committee system of the Municipality.

1. **Ward committees**

Section 73 of the Structures Act provides for theestablishment of ward committees for each ward to broaden community participation at local government level. A ward committee consist of the Councillors representing that ward in the Council, who must also be the chairperson of that ward committee and not more than ten other registered voters residing in the ward and representing various sectors. A ward committee may make recommendations on any matters affecting the ward to the ward Councillor or to the Council or to the executive Mayor through that particular ward Councillor. A ward committee performs any duties that are delegated to it by the Council.

**The administrative structures**

1. **Organizational structure**

The organizational structure (OD) and staff establishment derives from section 66 of the Systems Act read with the Regulations. The Municipal Manager drafts the OD and staff establishment and submits it to Council for approval.

1. **Office of Municipal Manager**

The Council appoints a Municipal Manager as head of the administration in terms of section 54A of the Systems Act. The Municipal Manager is also the accounting officer in terms of section 60 of the MFMA and is responsible for the management of the Municipality and all its Departments. The Municipal Manager must ensure that the Municipality operates within the policy directions of the Council that inter alia includes the responsibility for the formation and development of an economical, effective efficient and accountable administration equipped to implement and monitor the IDP. More information can be obtained from sections 54A and 55 of the Systems Act and sections 60 and 61 of the MFMA, the SDBIP as well in the annual performance contract of the Municipal Manager that is available on the website. The Municipal Manager also signs an employment contract setting out the, subject to applicable labour legislation, details of duties, remuneration, benefits and other terms and conditions of employment.

1. **Departments**

The Municipality has four Directorates, namely, financial-, corporate-, community- and infrastructural services as approved by the Council in terms of the O.D. and staff establishment. The functional areas of the Directors are set out in their employment- and annual performance contracts. The Directors decide on management policy within their respective functional areas within the policies and delegations of the Council.

1. **INFORMATION AND DEPUTY INFORMATION OFFICERS**

The contact details of the Information Officer and Deputy Information Officers are as follows: -

1. **INFORMATION OFFICER**

Name: **Mr. C. M. Africa - Municipal Manager**

Street Address: Municipal Office

Postal Address: P.O. Box 20, or 49 Voortrek Street, Swellendam, 6740

Telephone No: (028) - 5148500

Facsimile No: (028) – 5142694

E-mail Address: [cecilafrica@swellenmun.co.za](mailto:cecilafrica@swellenmun.co.za)

**(b) DEPUTY INFORMATION OFFICERS**

Name: **Mr. H. Schlebusch - Director Financial Services**

Street Address: Municipal Office

Postal Address: P.O. Box 20, or 49 Voortrek Street, Swellendam, 6740

Telephone No: (028) - 5148500

Facsimile No: (028) – 5142694

E-mail Address: [hennies@swellenmun.co.za](mailto:hennies@swellenmun.co.za)

Name: **Mr. D. du Plessis - Director Corporate Services**

Street Address: Municipal Office

Postal Address: P.O. Box 20, or 49 Voortrek Street, Swellendam, 6740

Telephone No: (028) - 5148500

Facsimile No: (028) – 5142694

E-mail Address: [dduplessis@swellenmun.co.za](mailto:dduplessis@swellenmun.co.za)

Name: **Mr. K Stuurman - Director Community Services**

Street Address: Municipal Office

Postal Address: P.O. Box 20, or 49 Voortrek Street, Swellendam, 6740

Telephone No: (028) - 5148500

Facsimile No: (028) – 5142694

E-mail Address: [keith@swellenmun.co.za](mailto:keith@swellenmun.co.za)

Name: **Mr. B. Badenhorst - Director Engineering Services**

Street Address: Municipal Office

Postal Address: P.O. Box 20, or 49 Voortrek Street, Swellendam, 6740

Telephone No: (028) - 5148500

Facsimile No: (028) – 5142694

E-mail Address: [bgb@swellenmun.co.za](mailto:bgb@swellenmun.co.za)

1. **REQUESTS FOR ACCESS TO A RECORD**

A person wishing to request information in terms of the Act is required to adhere to the following procedure: -

1. The request must be made in writing, on the prescribed application form as per **Annexure E**, addressed to the abovementioned information officer or deputy information officers.
2. The application must be accompanied by prescribed search service fees as indicated in paragraph 6 below.
3. The application must clearly state the nature of information needed to enable the information officer or the relevant deputy information officer to identify the requested records.
4. Information officers may defer a decision until the requested information becomes available and will so notify the requester in writing with a request that he/she makes follow-up representations within 30 days.
5. In the event the requested information is unavailable, and all reasonable steps have been taken to find a requested record, the information officer will accordingly inform the requester, giving full reasons in writing.
6. **PAIA GUIDE**

Section 10 of PAIA provides that the South African Human Rights Commission must compile a simple and easily comprehensive guide on how to use the act. The PAIA guide in terms of section 10 of the Act is available on the Municipal website and at the offices of the Municipality.

1. **SEARCH/SERVICE FEES PAYABLE**

7.1 The Act provides for two types of fees:

1. A request fee, which will be a standard fee; and
2. An access fee, which must be calculated by taking into account reproduction cost, search and preparation time and cost, as well as postal costs.

7.2 When the request is received by the information / deputy information officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

7.3 If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the information regulations for the purpose, the information / deputy information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted.

7.4 The information / deputy information officer shall withhold a record until the requester has paid the relevant fees as indicated below.

7.5 A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangement to make it available in the requested form.

7.6 If a deposit has been paid in the respect of a request for access, which is refused, then the information / deputy information officer concerned must repay the deposit to the requester.

7.7 Requests- and access fees payable in terms of Section 22 of the Act or exemption thereof is indicated in **Annexure A.**

1. **TIME LIMITS FOR DEALING WITH INFORMATION REQUESTS**

8.1 The time limit for processing an application for access to a record is **30** (thirty) working days. An applicant has the right to lodge a written complaint about any delays in receiving a response with the Municipal Manager who will attend to the complaint within **5** working days.

8.2 If a request for access is made for information that the Municipality does not process or another public body holds the information, the requester will accordingly be notified within **14** working days.

1. **REFUSAL TO GRANT ACCESS TO A RECORD**

The information officer or relevant deputy information officers may, under certain circumstances, refuse to grant access to requested records in terms of sections 33 – 45 of the Act.

1. **REMEDIES IN RESPECT OF AN ACT OR FAILURE TO ACT BY INFORMATION OFFICERS**
   1. A requester, if (i) his/her request is refused, (ii) the fees charged are unacceptable, (iii) information is given in a different form from what was requested, or (iv) the period within which information has to be disclosed is extended by the information officer, may lodge an appeal with the Municipality against the information officer. The appeal must be lodged on a prescribed application form, within **60** (sixty) days, stating the grounds of appeal and accompanied by the prescribed fees.
   2. A third party may lodge an appeal with the Swellendam Municipality against a decision by an Information or Deputy Information Officer to disclose a record to a requester of particular information. If a notice to a third party is required, this must be done within **30 (thirty) days** after notice is given to the appellant of the decision to appeal.
   3. In either subsections 10.1 or 10.2 the Information Officer must within **10 working days** submit the appeal to the executive mayor.
   4. The requester may still seek legal relief under sections 78 – 82 of the Act.
2. **SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE MUNICIPALITY**

Under the Act the Municipality is required to state which records it holds. Given the wide range of services provided, this listing of records is constantly being updated and may change over time. The method of managing records in the Municipality is in accordance with national archive requirements.

It should be noted that inclusion in the following list of records does not mean that the files or records are necessarily accessible under the Act. The Act prohibits a public body from allowing access, and/or allows the public body to refuse access, to certain types of information. Chapter 4 of the Act deals with the grounds for refusal of access to records. For further information please refer to the Act.

The following is the main series of the records kept by the Municipality:

1. Legislation
2. Organisation and Control
3. Council and Council Matters
4. Staff
5. Finance
6. Domestic Supplies and Services
7. Buildings and Grounds
8. Tenders, Quotations and Contracts
9. Reports and Returns
10. Publicity and Information
11. Social Matters
12. Composition and meetings of bodies and other gatherings
13. Legal matters
14. Licenses and Permits
15. Town Planning and Control
16. Essential Services
17. Community Services

**Annexure B** contains a list of the categories of records as per the abovementioned main series of records that the Municipality keep. More complete particulars may be obtained from the municipal head office or arrangements can be made with any one of the deputy information officers for more information.

1. **RECORDS AVAILABLE WITHOUT REQUESTS FOR ACCESS**

The records available without the need for requesting access in terms of section 15 of the Act is summarized in **Annexure C**. The access to these records is subject to the payment of the prescribed fees, as applicable.

1. **PROVISIONS FOR PUBLIC PARTICIPATION**

In terms of section 14 (1) (g) of the Act the following arrangements is made for a person to make representations and to participate and influence the formulation of policy or the exercise of powers or performance of duties of the Municipality:

* Participate in the ward committees system.

Participate in the Swellendam Municipal Advisory Forum.

* Liaise with the ward Councilor.
* Get involved in a recognized Community based Organization
* Get involved in one of the sector group within the ward.
* Make inputs through the IDP and budget processes.
* Make input through public meetings.
* React in writing on advertisements and public notices.
* Make input through the media such as radio and local newspapers.

1. **SERVICES AVAILABLE FROM THE MUNICIPALITY**

Section 14 (1) (f) of the Act stipulates that the Municipality must provide information on the services it offers. The Municipal services that are rendered by the Municipality in terms of the powers and functions allocated to it in terms of Schedules 4B and 5B of the Constitution, is listed in **Annexure D**.

Access to these services can be gained by applying at the Municipal Offices. The different policies and the tariffs and fees relating to the services can be obtained from the municipal website.

1. **GENERAL INFORMATION**

The technical details of this manual would be changed from time to time. This manual is available in Afrikaans, English and IsiXhosa. The Municipality is constantly reviewing information that can be made available and improving its own internal access to information. Always ask if a record can be made available before making a formal request under the Act.

**ANNEXURES:**

1. Annexure A: Fees payable by the applicant.
2. Annexure B: Schedule of records and categories of records kept by the Municipality.
3. Annexure C: Records automatically available in terms of section 15 of the Act.
4. Annexure D: Municipal Services
5. Annexure E: Official application form

**ANNEXURE A**

**Fee schedule in respect of public bodies as per annexure A of the Information Regulations.**

**Request and Access fees payable in terms of Section 22 of the Act or exemption thereof.**

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Description** | | **Fee** |
| 1 | The fee for a copy of the manual as contemplated in regulation 5 (*c*) for every photocopy of an A4-size page or part thereof: | | R0-60 |
| 2 | The fees for reproduction referred to in regulation 7 (1) are as follows: | |  |
| 2 (a) | For every photocopy of an A4-size page or part thereof: | | R0,60 |
| 2 (b) | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: | | R0,40 |
| 2 (c) | For a copy in a computer-readable form on:- | |  |
| 1. Stiffy disc: | | R5.00 |
| 1. Compact disc: | | R40-00 |
| 2 (d) | 1. For a transcription of visual images, for an A4-size page or part thereof | | R22-00 |
| 1. For a copy of visual images: | | R60-00 |
| 2 (e) | 1. For a transcription of an audio record, for an A4-size page or part thereof: | | R12-00 |
| 1. For a copy of an audio record: | | R17-00 |
| 3 | The request fee payable by every requester, other than a personal requester, referred to in regulation 7 (2): | | R35-00 |
| 4 | The access fees payable by a requester referred to in regulation 7 (3) are as follows:- | |  |
| 4.1 | (a) For every photocopy of an A4-size page or part thereof: | | R60-00 |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form: | | R40-00 |
| (c) For a copy in a computer-readable form on:- | (i) Stiffy disc: | R5-00 |
| (ii) Compact disc | R40-00 |
| (d) For a transcription of visual images:- | (i) For an A4-size page or part thereof: | R22-00 |
| (ii) For a copy of visual images: | R60-00 |
| (e) For a transcription of an audio record:- | (i) For an A4-size page or part thereof: | R12-00 |
| (ii) For a copy of an audio record: | R17-00 |
| (f) To search for and prepare the record for disclosure.  For each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation: | | R15-00 |
| 4.2 | For purposes of section 22 (2) of the Act, the following applies:- | |  |
| 1. Six hours as the hours to be exceeded before a deposit is payable; and | |  |
| 1. one third of the access fee is payable as a deposit by the requester | |  |
| 4.3 | The actual postage is payable when a copy of a record must be posted to a requester. | |  |
| **All fees are only payable at the Municipal cash office, 49 Voortrek Street, Swellendam.** | | | |

**ANNEXURE B**

**DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS THAT ARE HELD BY THE MUNICIPALITY**

|  |  |
| --- | --- |
| 1. **LEGISLATION**   Policy, rulings, instructions and circulars  Routine enquiries  White and Green papers  Bills  Acts of Parliament  Provincial Acts and Regulations  Council By-Laws   1. **ORGANISATION AND CONTROL**   Routine Enquiries  Functions  Needs anylises for extention and system investigations  New sections and offices  Planning and procedures  Delegation of authority  Office instructions  Record Control  Grading of Local Authority  Privatisation  Management Meetings  Impumelelo Awards  Performance Management   1. **OWN COUNCIL AND COUNCIL AFFAIRS**   Policy  Routine Enquiries  Elections  Meetings  Committees  Business affairs councillors  Sister cities  Transformation   1. **STAFF**   Post control  Determination of conditions of service  Vacancies and appointments  Financial  Retirements  Staff control  Staff evaluation and grading  Staff returns and statistics  Labour relations  Productivity  Agency agreements and secondment of staff | 1. **FINANCES**   Budget  Valuations  Rates  Loans  Tariffs  Subsidies received  Deposits  Funds and charges  Investments  Claims  Payment of accounts  Allowances councillors  Collection of money  Insurance  Accountability  Financial assistance  Losses  Bank account  Reports and returns  Forgery of money   1. **DOMESTIC STOCK AND SERVICES**   Domestic stock  Domestic services   1. **BUILDINGS AND SITES**   Buildings  Sites   1. **TENDERS, QUOTATIONS AND CONTRACTS**   Main files  Specific tenders and quotations  Specific contracts   1. **REPORTS AND RETURNS**   Returns  Reports  Returns to other  Municipal year book   1. **MARKETING AND INFORMATION**   Own marketing and information  Marketing by other institutions  Information: other institutions  Address changes |

|  |  |
| --- | --- |
| 1. **FESTIVALS AND SOCIAL GATHERINGS**   Mian files  Festivals  Social gatherings   1. **COMPOSITION AND AND MEETINGS OF BODIES AND OTHER GATHERINGS**   Minutes, reports and policy decisions  National and provincial   1. **LEGAL MATTERS**   Legal opinion and court rulings  Appointment of attorneys  Claims  Prosecutions  Community safety   1. **LICENCES AND PERMITS**   Applications and issues  Trade licenses  Permits   1. **TOWN PLANNING AND CONTROL**   Main files  Town planning scheme  Establishment of town areas | 1. **ESSENTIAL SERVICES**   Water  Electricity  Roads and streets  Sewerage  Sanitation   1. **COMMUNITY SERVICES**   Health Traffic control Library services Housing  Town Hall, Municipal offices, parks, gardens and open spaces  Sport and recreation  Provision and maintenance of Fire Brigade Services  Abattoir  Pounds  Welfare  Religion and churches  Disaster management  Reconstruction and development programme  Museums and memorials  Transmitters and relay stations  Airport  Shooting range  Dog kennels  Local economic development  Coast and beach management  Cemeteries and memorial wall |

**ANNEXURE C**

**CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS THERETO IN TERMS OF SECTION 15 OF THE ACT.**

|  |  |
| --- | --- |
| **DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY** | **MANNER OF ACCESS TO**  **RECORDS (e.g. website)** |
|  |  |
| **AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFROMATION ACT, 2000** | **(Section 15(1)(b)** |
| **FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)** | |
|  |  |
|  |  |
| **FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):** | |
| 1. Council Agendas and Minutes  2. Rezoning and consent use applications  3. Valuation Certificates  4. Valuation Rolls  5. Building Plans  6. Site Plans  7. Geographic Information [other than general public information] | 1. Available for copying 2. Available for copying 3. To be printed 4. To be printed 5. Available for copying / owner consent required – ID Document and Rates Account required 6. Available for copying 7. Available for copying |
|  |  |
| **AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):** | |
| 1. IDP 2. SDBIP 3. Spatial Development Framework 4. Municipalities Budget 5. Councillor contact Information 6. Municipalities management`s contact Information 7. Departmental structures and Information 8. By-laws 9. Policies 10. Tariffs 11. Public notices 12. Press releases 13. Reports 14. Senior Managers annual performance contracts | Available from the municipality`s web site |

**ANNEXURE D**

**MUNICIPAL SERVICES: THE MUNICIPALITY RENDERS THE FOLLOWING SERVICES:**

|  |
| --- |
| 1. The provision and management of cemeteries in Swellendam, Barrydale and Suurbraak |
| 1. Regulating of liquor trading days and hours. |
| 1. The control of fencing and fences, in terms of the applicable by-laws. |
| 1. The provision and management of library services. Libraries are provided in the following towns and suburbs, Barrydale, Swellendam (Central Business District), Swellendam (Railton), Suurbraak Buffeljagsrivier and satellite library at Malagas and Vleiplaas. |
| 1. Municipal Planning and building control (land use planning). (Structure plans, spatial development framework, and zoning scheme regulations). |
| 1. The control of public nuisances. |
| 1. Noise pollution and air quality control. |
| 1. Distribution and sale of electricity in the licensed areas of Swellendam, Barrydale and Suurbraak. |
| 1. The management and control of street trading. |
| 1. Provision of child care facilities. |
| 1. Promotion of local economic development. |
| 1. Provision and management of municipal public works. |
| 1. Provision and maintenance of municipal roads and sidewalks. |
| 1. Provision, maintenance and management of public places, public halls, local amenities, beaches and amusement facilities. |
| 1. Provision, maintenance and management of sport facilities in Swellendam, Barrydale, Suurbraak and Buffeljagsrivier. |
| 1. Provision and management of municipal parks and recreation facilities. |
| 1. Provision and management of storm water management services in built-up areas. |
| 1. Funding of the Swellendam Tourism Organization for the rendering of local tourism functions. |
| 1. Control and management of jetties and slipways at Malagas and Infanta. |
| 1. The control and administration of Rivers in terms of a Service level Agreement with the Lower Breede River Conservancy Trust. |
| 1. Provision and management of cleansing services. |
| 1. Provision and management of domestic refuse removal services in the towns of Swellendam, Barrydale, Suurbraak, Buffeljagsrivier, Malagas and Infanta. |
| 1. Provision and management of landfill sites in Swellendam, Barrydale, Suurbraak, Infanta and Malagas. |
| 1. Control and regulation of billboards and the display of outdoor advertising signs. |
| 1. Control provision and management of pounds. |
| 1. Provision and maintenance of street lighting in build-up areas. |
| 1. Provision and management of traffic services, traffic law enforcement, road markings and road traffic signs. |
| 1. Provision, maintenance and management of water services including storage, purification and reservoirs for domestic and industrial usage. |
| 1. Storage and distribution of irrigation water in Swellendam, Barrydale and Suurbraak. |
| 1. Provision and management of sewage disposal facilities and sanitation domestic and industrial usage in Swellendam, Buffeljagsriver, Suurbraak and Barrydale. Includes network and treatment plant. |
| 1. Provision, maintenance and management of risk mitigation measures such as fire breaks. |
| 1. Management of local disaster situations. |
| 1. The provision of emergency housing and associated municipal services for informal settlements. |
| 1. The control of the keeping of animals in built-up areas. |
| 1. Squatter control and management |
| 1. The eradication of alien vegetation on public land. |
| 1. Law enforcement in respect of municipal by-laws. |

**ANNEXURE E**

**MUNICIPALITY OF SWELLENDAM**

**APPLICATION FOR ACCESS TO A RECORD**

(Section 18(1) of the Promotion of Access to Information, Act No 2 of 2000)

**A: Particulars of the Institution**

The Municipal Manager

Swellendam Municipality

P O Box 20 or

49 Voortrek Street,

Swellendam

6740

TEL: (028) 514 8500

FAX: (028) 5142694

E-mail: [records@swellenmun.co.za](mailto:records@swellenmun.co.za)

**Requests for information in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), will only be processed if the attached application form has been completed in full, signed by the relevant requestor and the applicable fees have been paid.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **FOR OFFICE USE ONLY** | | | | |
| Reference number: |  | | | |
| Request received by: (name of information officer) |  | | | |
| On (date) |  | | at: |  |
| Request fee: | R | Receipt nr. | |  |
| Deposit: | R | Receipt nr. | |  |
| Access fee: | R | Receipt nr. | |  |
| Signature of Information Officer: | |  | | |

**B. Particulars of person requesting access to the record**

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

Full names and surname: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identity number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Postal address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fax number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-mail address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**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 surname: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identity number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**D. Particulars of record**

|  |
| --- |
| 1. 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.   1. If the provided space is inadequate, please continue on a separate folio and attach it to   This form. **The requester must sign all the additional folios.** |

1. **Description of record or relevant part of the Record: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Reference number, if available: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

1. **Any further particulars of the record: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**E. Fees**

|  |
| --- |
| 1. A request for access to a record, other than a record containing personal information about yourself will be processed only after a **request fee** has been paid. 2. You will be notified of the amount required to be paid as the request fee. 3. 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. 4. If you qualify for exemption of the payment of any fee, please state the reason for exemption. |

1. **Reason for exemption from payment of fees: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**F. Form of access to record**

|  |
| --- |
| **If you are prevented by a disability to read, view or listen to the record in the form of access provided, complete the next section:-** |

|  |  |  |
| --- | --- | --- |
| Disability: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  | Form in which record is required: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Mark the appropriate box with a **X.**  **NOTES**:   1. Compliance with your request for access in the specified form may depend on the form in which the record is available. 2. 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. 3. The fee payable for access to the record, if any, will be determined partly by the form in which access is required. | | | | | | | | | | | | | | | | |
| 1. **If the record is in written or printed form:** | | | | | | | | | | | | | | | | |
|  | | Copy of record\* | | | | |  | | | Inspection of record | | | | | | |
| 1. **If record consists of visual images –**   (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.): | | | | | | | | | | | | | | | | |
|  | | View the images | |  | | Copy of the images\* | | | | | |  | | | Transcription of images\* | |
| 1. **If record consists of recorded words or information, which can be produced in** | | | | | | | | | | | | | | | | |
|  | | | Listen to the soundtrack  (audio cassette) | | | | |  | | | Transcription of soundtrack\*  (written or printed document) | | | | | |
| 1. **If record is held on computer or in an electronic or machine-readable form:** | | | | | | | | | | | | | | | | |
|  | Printed copy or record\* | | | |  | Printed copy of information derived from the record\* | | | | | | |  | Copy in computer readable form\*  Stiffy/Compact disc. | | |
| \*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?  **Postage is payable**. | | | | | | | | | | | | | 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? | | | | | | | | |  | | | | | | | |

**G. Notice of decision regarding request for access**

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

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_day

of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_20\_\_\_\_

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**SIGNATURE OF REQUESTER / PERSON**

**ON WHOSE BEHALF REQUEST IS**

**MADE**