

DR JS MOROKA LOCAL MUNICIPALITY ACCESS TO INFORMATION MANUAL



**Prepared in accordance with Section 51 of the Promotion of Access to Information Act
No. 2 of 2000 (as
amended) and the Protection of Personal Information Act, 2013**

**(In this Manual, all references to sections are to the Promotion of Access to
Information Act, 2000 unless
otherwise specified)**

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1. INTRODUCTION

- 1.1. The Promotion of Access to Information Act, No. 2 of 2000 (the “**PAIA**”) seeks to give effect to the constitutional right to access information as contained in Section 32 of the Bill of Rights. The PAIA seeks to advance the values of transparency and accountability.
- 1.2. The PAIA establishes certain statutory rights of requesters to access records of a private body if:
 - i). that record is required for the exercise or protection of any rights;
 - ii). that requester complies with all the procedural requirements; and
 - iii). access is not refused in terms of any ground referred to in the PAIA.
- 1.3. The Protection of Personal Information Act, No. 4 of 2013 (the “**POPI Act**”) seeks to give effect to the constitutional right to privacy as contained in Section 14 of the Bill of Rights. The POPI Act seeks to safeguard personal information by regulating the manner in which it may be processed by public and private bodies.
- 1.4. The POPI Act provides that data subjects have the right to have their personal information processed in accordance with the conditions for the lawful processing of personal information, which are set out in the POPI Act.
- 1.5. One of the requirements specified in the PAIA, is the compilation of an information manual that provides information which includes the types and categories of records held by a private body (this relates to PAIA) as well certain information relating to the processing of personal information (this relates to the POPI Act).
- 1.6. The PAIA and the POPI Act are collectively referred to in this document as the “**Acts**”.

2. SCOPE AND PURPOSE OF THE MANUAL

- 2.1. The scope of this manual shall include and be applicable to Dr Js Moroka Local Municipality’s to suit its individual operations and/or needs.
- 2.2. This document serves as the Dr Js Moroka Local Municipality’s information manual and provides reference to the records held by the Dr Js Moroka Local Municipality’s as well as the personal information processed by the Municipality from time to time.

3. ABOUT DR JS MOROKA LOCAL MUNICIPALITY

- 3.1. Dr JS Moroka Local Municipality’s is a Local Municipality established in terms of Section 12 of the Local Government: Municipal Structures Act, (Act 117 of 1998) read with Section 151 of the Constitution of the Republic of South Africa.
- 3.2. Dr JS Moroka Local Municipality’s is under the jurisdiction of Nkangala Dr Js Moroka Local Municipality with the following local Municipalities being: -

- i. **Emalahleni Local Municipality;** www.emalahleni.gov.za
- ii. **Steve Tshwete Local Municipality;** www.stlm.gov.za
- iii. **Emakhazeni Local Municipality;** www.emakhazeni.gov.za
- iv. **Thembisile Hani Local Municipality; and** www.thembisilehanilm.gov.za
- v. **Victor Khanye Local Municipality.** www.victorkhanye.gov.za

3.3. Further general information on Dr JS Moroka Local Municipality's, its operations, activities and local municipalities can be obtained from its website at www.moroka.gov.za.

4. AVAILABILITY OF THE MANUAL

This manual is available for inspection on the Dr JS Moroka Local Municipality's website at www.moroka.gov.za .

5. CONTACT PERSON – INFORMATION OFFICER - SECTION 51 (1)(A)(I)

The responsibility for the administration of, and compliance with the Acts, has been delegated to the Accounting Officer of Dr JS Moroka Local Municipality's. Requests pursuant to the provisions of the Acts should be directed as follows:

Information Officer	:	Municipal Manager
Postal address	:	Private Bag X4012 Siyabuswa,0472
Dr JS Moroka Local Municipality's	:	2601/3 Bongimfundo street Siyabuswa,0472
Telephone	:	(013) 973 1101
E-mail address	:	municipalmanager@moroka.gov.za

6. HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR GUIDE - SECTION 51(1) (B) (I)

- 6.1. A Guide has been compiled in terms of Section 10 of the PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by the PAIA. It is available in all of the official languages.
- 6.2. The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, South Africa and on its website at www.sahrc.org.za.
- 6.3. The Information Regulator is required to update (and make available) the Guide to include information required by persons wishing to exercise any right contemplated in the POPI Act.
- 6.4. The updated Guide will be available from the Information Regulator in the manner prescribed and maybe accessed through www.justice.gov.za.

7. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC - SECTION 51(1)(B)(II)

No notice has been published pursuant to Section 51(1)(b)(ii), regarding the categories of records which are automatically available without having to request access in terms of PAIA.

8. RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION - SECTION 51(1) (B) (III)

- 8.1. Certain legislation provides that private bodies shall allow certain persons' access to specified records, upon request. Records are available in terms of the legislation detailed in **Annexure 3** to this manual (as amended from time to time); however, due to the number of laws applicable to Dr JS Moroka Local Municipality, the list of legislation may not be exhaustive.
- 8.2. Note that the information will only be provided in accordance with the requirements stipulated in the relevant pieces of legislation. If a requester believes that a right to access to a record exists in terms of the legislation above, or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity to consider the request in light thereof.

9. RECORDS – CATEGORIES AND SUBJECT OF RECORDS - SECTION 51(1) (B) (IV)

- 9.1. The information contained in this section is intended to identify the main categories of records held by the Dr JS Moroka Local Municipality and to help the requester to gain a better understanding of the main business activities of the Dr JS Moroka Local Municipality. Further assistance in identifying the records held by the Dr JS Moroka Local Municipality is obtainable from the Information Officer.
- 9.2. Records to which access will be provided in accordance with the PAIA (subject to the restrictions and right of refusal to access provided for in the PAIA) are available in respect of the following (non-exhaustive) aspects of the Dr JS Moroka Local Municipality' businesses and operations:

DR JS MOROKA LOCAL MUNICIPALITY'S RECORDS

- i. Documents of incorporation, (i.e. Section 12 Notice);
- ii. Council Resolution on composition of Council;
- iii. Records relating to the appointment/election of Councillors; and
- iv. List of Senior Management.

FINANCIAL RECORDS

- i. Annual Financial Statements;
- ii. Tax Returns;
- iii. Accounting Records;
- iv. Banking Records;
- v. Bank Statements;
- vi. Paid Cheques;
- vii. Electronic banking records;
- viii. Asset Register; and
- ix. Rental Agreements;

INCOME TAX RECORDS

- i. PAYE Records;
- ii. Documents issued to employees for income tax purposes;
- iii. Records of payments made to SARS on behalf of employees;
- iv. All other statutory compliances:
 - VAT;
 - Skills Development Levies;
 - UIF; and
 - Workmen's Compensation.

PERSONNEL / EMPLOYEE DOCUMENTS AND RECORDS

- i. Employment contracts;
- ii. Employment Equity Plan;
- iii. Medical Aid records;
- iv. Pension Fund records;
- v. Disciplinary records;
- vi. Salary records;
- vii. SETA records;
- viii. Disciplinary code;
- ix. Leave records;
- x. Training records; and
- xi. Training Manuals.

SAFETY, HEALTH AND ENVIRONMENT (SHE) RECORDS

- i. Occupational Health and Safety Policy;
- ii. Municipal Building Floor Plan and
- iii. Emergency Evacuation Plan.

10. ACCESS REQUESTS

10.1. ACCESS REQUEST PROCEDURE - SECTION 53

10.1.1. COMPLETION OF ACCESS REQUEST FORM

- i. To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:
 - The Access Request Form, attached as **Annexure 1** hereto, must be completed.
 - Proof of identity is required to authenticate the identity of the requester – in addition to the Access Request Form, requesters will be required to supply a certified copy of their identification document or a valid passport document, or if a legal entity, a certified copy of the Company Registration Certificate.
 - Type or print in BLOCK LETTERS an answer to every question.
 - If a question does not apply, state “N/A” in response to that question.
 - If there is nothing to disclose in reply to a particular question state “NIL” in response to that question.
 - If there is insufficient space on the printed form, additional information may be provided of an additional attached folio.
 - When the use of an additional folio is required, precede each answer with the applicable title.
- ii. The successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record.
- iii. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the PAIA.
- iv. If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

10.1.2. SUBMISSION OF ACCESS REQUEST FORM

- i. The completed Access Request Form, together with a certified copy of the requester’s identity document, must be addressed to the Information Officer and submitted via the contact details stated in paragraph 5.as indicated above.

- ii. An initial request fee approved and provided for in line with the Dr JS Moroka Local Municipality's Tariffs is payable on submission of the Access Request Form.

10.1.3. PAYMENT OF FEES

- i. Payment details can be obtained from the Information Officer indicated above and can be made either via a direct deposit or electronic funds transfer. Proof of payment must be supplied via the contact details stated in paragraph 5.
- ii. If the request for access is successful an **access fee** will be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the prescribed annual Municipality's Tariffs as amended annually by the Dr JS Moroka Local Municipality Council.
- iii. The access fee must be paid prior to access being given to the requested record.

10.1.4. NOTIFICATION

- i. The Information Officer will, within 30 (thirty) working days of receipt of the request, decide whether to grant or to decline the request and give notice with reasons (if required) to that effect.
- ii. This 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) working days, if the request is for a large volume of information, or the request requires a search for information held at other offices of one or more of the Municipality and the information cannot reasonably be obtained within the original 30 (thirty) working day period. The requester will be notified in writing should an extension be sought.

10.2. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4)

The non-exhaustive main grounds for refusal of a request for information are:

- i. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- ii. Mandatory protection of the commercial information of a third party, if the record contains:
 - a). Trade secrets of that party;
 - b). Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;

- c). Information disclosed by a third party to any of the Municipality if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- iii. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement – the provisions of the PAIA to apply in relation to the rights of the relevant third parties;
- iv. Mandatory protection of the safety of individuals and the protection of property;
- v. Mandatory protection of records which could be regarded as privileged in legal proceedings;
- vi. The commercial activities of the Municipality, which may include:
 - a). Trade secrets of the Dr JS Moroka Local Municipality; and
 - b). Financial, commercial, scientific or technical information which, if disclosed, would likely cause harm to the financial or commercial interests of the Municipality.

10.3. APPEAL AGAINST REFUSAL TO GRANT ACCESS

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, upon notification of the Information Officer's decision (or upon deemed refusal in terms of Section 58 of the PAIA), lodge a complaint to the Information Regulator or apply to court for appropriate relief within the timeframes as prescribed by the PAIA.

11. PERSONAL INFORMATION

11.1. PURPOSE OF PROCESSING - SECTION 51(1) (C) (I)

- i. The purpose for which personal information is processed by the Municipality will depend on the nature of the information. In general, personal information is processed by the Municipality for business administration purposes, including:
 - a). to carry out actions for the conclusion or performance of a contract;
 - b). to comply with obligations imposed by law;
 - c). to protect the legitimate interests of the data subjects; or
 - d). where it is necessary for pursuing the legitimate interests of the Municipality.
- ii. The above list is non-exhaustive.

11.2. CATEGORIES OF DATA SUBJECTS AND INFORMATION - SECTION 51(1) (C) (II)

- i. The Dr JS Moroka Local Municipality process personal information relating to the following categories of data subjects and information:

CATEGORIES OF DATA SUBJECTS

- a). Personnel / employees;
 - b). Consultants;
 - c). Contractors;
 - d). Customers;
 - e). Investors;
 - f). Local Municipalities;
 - g). Service Providers;
 - h). Suppliers;
 - i). Other third parties with whom the Municipality conduct business.
- ii. The above list is non-exhaustive.

CATEGORIES OF INFORMATION

- i. In respect of natural persons may include: name, identifying number (identity or passport number), date of birth, citizenship, age, gender, race, marital status, language, telephone number(s), email address(es), physical and postal addresses, income tax number, banking information, disability information, employment history, background checks, fingerprints, CVs, education history, remuneration and benefit information, details related to employee performance and disciplinary procedures.
- ii. In respect of juristic persons may include: name, registration number, tax information, contact details, physical and postal addresses, FICA documentation, BEE certificates, payment details (including bank accounts), invoices and contractual agreements.
- iii. The above lists are non-exhaustive.

11.3. CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED - SECTION 51(1)(C)(III)

- i. The categories of recipients to whom the Dr Js Moroka Local Municipality may supply the personal information depending on the nature of the information. In general, such categories of recipients would include:

- a. Other Municipalities in the Province or Republic of South Africa;
- b. Service Providers;
- c. Medical Aid, Pension or Provident funds;
- d. Auditing and accounting bodies (internal and external);
- e. Third parties with whom the Dr Js Moroka Local Municipality have contracted for the retention of data;
- f. Relevant authorities, government departments, statutory bodies or regulators;
- g. A court, administrative or judicial forum, arbitration or statutory commission making a request in terms of the applicable laws or rules.

ii. The above list is non-exhaustive.

11.4. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION - SECTION 51(1) (C)(IV)

The Dr JS Moroka Local Municipality envisage that they may transfer personal information to third parties or other Municipalities in the Province or Republic of South Africa, such transfers would be subject to the relevant provisions of the POPI Act.

11.5. INFORMATION SECURITY MEASURES - SECTION 51(1) (C)(V)

The Dr JS Moroka Local Municipality strive to take appropriate, reasonable technical and organisational measures to secure the integrity and confidentiality of personal information in their possession or under their control.

11.6. OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION BY A DATA SUBJECT REGULATION 2 – POPI REGULATIONS

A data subject may at any time object to the processing of his / her / its personal information (as contemplated in Section 11(3)(a) of the POPI Act) in the prescribed form attached to this manual as Appendix 4, subject to exceptions contained in the POPI Act.

11.7. REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION – REGULATION 3 – POPI REGULATIONS

A Data Subject may request that his / her / its personal information be corrected or deleted (as contemplated in Section 24 of the POPI Act) in the prescribed form attached as Appendix 5.

ANNEXURE 1

REQUEST FOR ACCESS TO A RECORD IN RELATION TO PAIA

REQUEST FOR ACCESS TO A RECORD OF PRIVATE BODY – FORM C

(Section 53(1) of the Promotion of Access to Information, Act No. 2 of 2000)

[Regulation 10]

1. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the Information Officer as indicated below:

Information Officer : Municipal Manager
Postal address : Private Bag X4012 Siyabuswa,0472
Dr JS Moroka Local Municipality's : 2601/3 Bongimfundo street Siyabuswa,0472
Telephone : (013) 973 1101
E-mail address : municipalmanager@moroka.gov.za

2A. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD (REQUESTER)

- (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 : _____
email address : _____

Capacity in which request is made, when made on behalf of another person:

2B. PARTICULARS OF REQUESTER (IF A LEGAL ENTITY)

Name of entity _____
:

- (a) *The particulars of the entity that 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.*

Registration number : _____

Postal address : _____

Fax number : _____ Telephone number : _____
email address : _____

Capacity in which request is made:

3. 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 : _____

4. PARTICULARS OF RECORD

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

1. Description of record or relevant part of the record: _____

2. Reference number, if available: _____

3. Any further particulars of record: _____

5. FEES

(a)	A request for access to a record will be processed only after a non-refundable request fee of R57.50 (including VAT) has been paid.
(b)	
(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: _____ _____ _____

6. FORM OF ACCESS TO RECORDS

<i>If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</i>	
Disability:	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
(a)	Compliance with your request in the specified form may depend on the form in which the record is available.
(b)	Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
(c)	The fee payable for access to the record, if any, will be determined by the form in which access is requested.

1.	If the record is in written or printed form:		
	<input type="checkbox"/> copy of record*	<input type="checkbox"/>	<input type="checkbox"/> inspection of record
2.	If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):		
	<input type="checkbox"/> view the images	<input type="checkbox"/> copy the images*	<input type="checkbox"/> transcription of the images*
3.	If record consists of recorded words or information which can be reproduced in sound:		
	<input type="checkbox"/> listen to soundtrack (audio CD)	<input type="checkbox"/>	<input type="checkbox"/> transcription of soundtrack* (written or printed documents)
4.	If record is held on computer or in an electronic or machine-readable form:		
	<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (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	

7. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

*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. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right.

8. 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 _____

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**

ANNEXURE 2

PRESCRIBED FEES IN TERMS OF REGULATION 11

PRESCRIBED FEES FOR REPRODUCTION OF RECORDS

PLEASE NOTE THAT ALL AMOUNTS LISTED ARE INCLUSIVE OF VALUED-ADDED TAX

(Section 54(7) of the Promotion of Access to Information, Act No. 2 of 2000)

[Regulation 11(1)]

(a)	For every photocopy of an A4-size page or part thereof	R2.60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	R0.86
(c)	For a copy in a computer-readable form on compact disc	R80.50
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R46.00
	(ii) For a copy of visual images	R69.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R23.00
	(ii) For a copy of an audio record	R34.50

PRESCRIBED FEES FOR ACCESS OF RECORDS

PLEASE NOTE THAT ALL AMOUNTS LISTED ARE INCLUSIVE OF VALUED-ADDED TAX

(Section 54(7) of the Promotion of Access to Information, Act No. 2 of 2000)

[Regulation 11(3)]

(a)	For every photocopy of an A4-size page or part thereof	R2.60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	R0.86
(c)	For a copy in a computer-readable form on compact disc	R80.50

- (d) (i) For a transcription of visual images, for an A4-size page
or part thereof R46.00
- (ii) For a copy of visual images R69.00
- (e) (i) For a transcription of an audio record, for an A4-size page
or part thereof R23.00
- (ii) For a copy of an audio record R34.50
- (f) To search for and prepare the record for disclosure or part thereof - R34.50 for each hour or part thereof reasonably required for such search and preparation
- (g) Six hours of searching to be exceeded before a deposit is payable
- (h) One third of the access fee is payable as a deposit by the requester
- (i) The actual postage fee is payable when a copy of a record must be posted to a requester

ANNEXURE 3

RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION - SECTION 51(1)(b)(iii)

Records are available in terms of the following legislation, as amended from time to time:

Administrative Adjudication of Road Traffic Offences Act, No. 46 of 1998
Basic Conditions of Employment Act 75 of 1997 (as amended)
Broad-Based Black Economic Empowerment Act 53 of 2003 (and Amendment Act and Regulations) Broad-Based
Black Economic Empowerment Revised Codes of Good Practice 2014
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Competition Act, No 89 of 1998
Consumer Protection Act 68 of 2008
Copyright Act 98 of 1978
Counterfeit Goods Act 37 of 1997
Currency and Exchanges Act 9 of 1933
Customs and Excise Act 91 of 1964
Customs and Excise Amendment Act 32 of 2014
Customs Control Act 31 of 2014
Customs Duty Act 30 of 2014
Designs Act 195 of 1993
Disaster Management Act No. 57 of 2002 and Regulations
Division of Revenue Act No. of 2018
Drugs and Drug Trafficking Act 140 of 1992
Electronic Communications and Transactions Act 25 of 2002
Employment Equity Act 55 of 1998
Employment Services Act 4 of 2014
Employment Tax Incentive Act 26 of 2013
Environment Conservation Act 73 of 1989 Environmental
Legislation – Other:
- Atmospheric Pollution Prevention Act No. 45 of 1965
- National Environmental Management: Biodiversity Act No.10 of 2004
- National Environmental Management: Protected Areas Act No. 57 of 2003
- National Heritage Resources Act No. 25 of 1999
Financial Intelligence Centre Act 38 of 2001 (and Amendment Act)
Financial Markets Act 19 of 2012
Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 (and Regulations Relating to Miscellaneous Additives in
Foodstuffs)
Hazardous Substances Act 15 of 1973
Income Tax Act 58 of 1962
Institution of Legal Proceedings Against Certain Organs of State Act No. 40 of 2002
King Report IV
Labour Relations Act 66 of 1995 (as amended)
Local Government: Municipal Finance Management Act No. 56 of 2003
Local Government: Municipal Finance Management Regulations (Published in terms of Act No. 56 of 2003)
Local Government: Municipal Structures Act No. 117 of 1998
Local Government: Municipal Systems Act No. 32 of 2000 and Regulations
Local Government: Municipal Property Rates Act 6 of 2004 and Regulations
Local Government: Municipal Demarcation Act No. 27 of 2000 and Regulations
Local Government: Intergovernmental Fiscal Relations Act No. 97 of 1997 and Intergovernmental Relations
Framework Act No. 13 of 2005 and Regulations
Local Government: Municipal Electoral Act No. 27 of 2000 and Regulations
Local Government: Municipal Property Rates Act No. 6 of 2004 and Regulations
Medicines and Related Substances Act 101 of 1965 (and Amendment Act and Regulations)
Merchandise Marks Act 17 of 1941
Mpumalanga Road Traffic Act No. 4 of 1998;

Municipal Fiscal Powers and Functions Act No. 12 of 2007 and Regulations
National Credit Act 34 of 2005
National Environmental Management Act 107 of 1998 (and Amendment Acts)
National Environmental Management: Air Quality Act 39 of 2004 (and Amendment Act)
National Environmental Management: Waste Act 59 of 2008 (and Amendment Act)
National Health Act 61 of 2003
National Road Traffic Act No. 93 of 1996
National Water Act 36 of 1998 (and Amendment Act)
Occupational Health and Safety Act 85 of 1993
Organised Local Government Act No. 52 of 1997 and Regulations
Patents Act 57 of 1978
Pension Funds Act 24 of 1956
Pharmacy Act 53 of 1974
Prevention and Combating of Corrupt Activities Act 12 of 2004
Prevention of Organised Crime Act 121 of 1998
Promotion of Access to Information Act 2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Protected Disclosures Act 26 of 2000 (and Amendment Bill)
Protection of Personal Information Act 4 of 2013
Public Administration Management Act No. 11 of 2014
Regulations on Interception of Communications and the Provisions of Communication Related to Information Act 70 of 2002
Spatial Planning and Land Use Management Act No. 16 of 2013 and Regulations
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Tax Administration Act 28 of 2011
The White Paper on Local Government, 9 March 1998
Trade Marks Act 194 of 1993
Traditional Leadership and Governance Framework Act No. 41 of 2003 and Notices
Unemployment Insurance Contributions Act 4 of 2002
Value-Added Tax Act 89 of 1991

PLEASE NOTE:

Whilst all reasonable endeavours have been made to provide a complete list of applicable legislation above, it is possible that the above list may be incomplete. Wherever it comes to the Dr Js Moroka Local Municipality' attention that existing or new legislation allows a requester access on a basis other than that set out in the PAIA, the above list will be updated.

ANNEXURE 4

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 2]**

Note:

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

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of20.....

.....
Signature of data subject/designated person

ANNEXURE 5

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

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 3]

Note:

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

Mark the appropriate box with an "x".

Request for:

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

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

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

.....
Signature of data subject/ designated person