
RESOLUTION TAKEN DURING THE MEETING OF THE EXECUTIVE COMMITTEE/MUNICIPAL COUNCIL HELD ON **8 DECEMBER 2003** IN THE COUNCIL CHAMBER, CIVIC CENTRE, VICTORIA STREET, DUNDEE

B 02/08/12/03

MANUAL OF THE ENDUMENI MUNICIPALITY IN ACCORDANCE WITH SECTION 14 OF THE PROMOTION OF ACCES TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000) (L3/1)

RESOLVED

THAT the proposed manual in accordance with Section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) be approved by Council and promulgated in the Government Gazette.



B 02/12/2003

MANUAL OF THE ENDUMENI MUNICIPALITY IN ACCORDANCE WITH SECTION 14 OF THE PROMOTION OF ACCES TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000) (L3/1)

REPORT: MANAGER CORPORATE SERVICES

In terms of section 14 of Act Number 2 of 2000, as amended, each public body has to compile a manual pertaining to access to information whereafter the document must be promulgated in a Government Gazette.

Attached is a proposed copy of such document.

If Council is in agreement

IT IS

RECOMMENDED

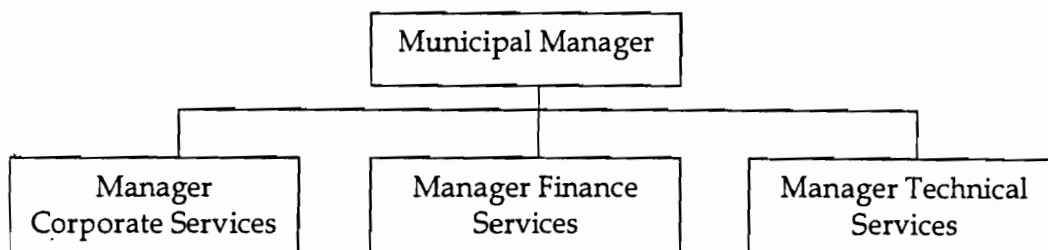
THAT the proposed manual in accordance with section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) be approved by Council and promulgated in the Government Gazette.



**MANUAL OF THE ENDUMENI MUNICIPALITY
IN ACCORDANCE WITH SECTION 14 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT, 2000
(ACT NO. 2 OF 2000)**

**Issued By The Department Of Corporate Services
At Endumeni Municipality**

1. STRUCTURE OF THE SERVICES



2. FUNCTIONS

Section 152 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), provides that the functions and objects of Local Government are as follows:

- (a) To provide democratic and accountable government for local communities;
- (b) To ensure the provision of services to communities in a sustainable manner;
- (c) To promote social and economic development;
- (d) To promote a safe and healthy environment; and
- (e) To encourage the involvement of communities and community organizations in the matters of local government.

3. ACCESS PROCEDURE

The information regarding categories of records of the Endumeni Municipality which are available without a person having to request access in terms of the Act will be dealt with in this manual under the heading "Records Automatically Available".

In terms of section 17 of Act 2 of 2000, as amended, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information

officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

The information officer of a public body has direction and control over every deputy information officer of that body and may delegate a power of duty conferred or imposed on that information officer by the Act, to a deputy information officers of that public body.

Endumeni Municipality has identified the following persons to be the information officer and deputy information officers:

INFORMATION OFFICER: D B Cebekhulu: Municipal Manager as in terms of the definition of information officer (Act 2 of 2000, as amended).

DEPUTY INFORMATION OFFICER: S Perumall: Manager Corporate Services as a Section 57 Employee Act 32 of 2000 as amended (Contractual Responsibility).

With regard to the delegating powers of the Information Officer (Section 17(3) of Act 2 of 2000, as amended), delegations will in writing in terms Section 17(6) (a) of said act, be available upon request, from the Information Officer (Municipal Manager) to clarify any delegation to said deputies.

Section 18(1) of the Act is dealing with the form to request information and a request for access must be made in the prescribed form addressed to the Information Officer at his address, fax or e-mail address which is available under the heading "Contact Details".

The form mentioned above is the same as promulgated under notice R 187 dated 15 February 2002 and attached as appendix (1) one to this manual.

In terms of section 22 of Act 2 of 2000, as amended, the Information Officer, must by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing the request. The fee structures for Endumeni Municipality is the same as per notice R187 dated 15 February 2002 and is attached as appendix (2) two, to this manual.

SECTION 22

4. CONTACT INFORMATION

4.1 INFORMATION OFFICER

The Municipal Manager Mr D B Cebekhulu is Endumeni Municipalities Information Officer and his contact details are as follows:

Name: D B Cebekhulu
 Designation: Municipal Manager
 Address: Victoria Street, Dundee, 3000
 Private Bag 2024, Dundee, 3000
 Telephone: (034) 212-2121
 Fax: (034) 212-3856
 E-Mail: caroline@endumeni.gov.za

4.2 DEPUTY INFORMATION OFFICERS

Name: S Perumall
 Designation: Manager Corporate Services
 Address: Victoria Street, Dundee, 3000
 Private Bag 2024, Dundee, 3000
 Telephone: (034) 212-2121
 Fax: (034) 212-2381
 E-Mail: sham@endumeni.gov.za

5. FUNCTIONS AND CONTACT DETAILS OF ORGANIZATIONAL STRUCTURE

Endumeni Municipality is established in terms of section 155 (1)(b) of the Constitution of the Republic of South Africa a category B Municipality as a local sphere of Government.

The organisational structure and contact details are as follows:

OFFICE OF THE MAYOR AND OFFICE BEARERS: VICTORIA STREET

Mayor:	Cllr P G Mabilisa
Telephone number:	(034) 212-2121
Speaker:	Cllr E M Adam
Deputy Mayor:	Cllr R C Nel

OFFICE OF THE MUNICIPAL MANAGER

Municipal Manager:	Mr DB Cebekhulu
Personal Assistant to the Municipal Manager:	Mrs C Jacobs
Telephone number:	(034) 212-2121

OFFICE OF THE MANAGER: CORPORATE SERVICES

Manager Corporate Services:	Mr S Perumall
Secretary to the Manager Corporate Services:	Mrs A Brockmann
Telephone number:	(034) 212-2121

Responsibilities

- General Administration & Committee Administration
- Registry - Municipal Records
- Property Administration: Staff Housing A7 Public Facilities i.e. Halls
- Property Valuations
- Legal Services
- Human Resource Management
- Protection Services
- Environmental Health
- Marketing and Publicity
- Libraries

Chief Safety and Security Officer: Mr M E Ndlovu - Tel. No. (034) 393-1121

Responsibilities

- Safety and Security
- Law Enforcement
- Traffic Control
- Learners and Drivers Licenses
- Vehicle Testing
- Disaster Management

OFFICE OF THE FINANCIAL MANAGER

Financial Manager;
Secretary to the Financial Manager:
Telephone number:

Mr M T Heslop
Mrs M Prinsloo
(034) 212-2121

Responsibilities

- Financial Planning
- Revenue Management
- Debt Management
- Financial Control
- Insurance
- Housing
- Motor Licensing

OFFICE OF THE MANAGER TECHNICAL SERVICES

Manager Engineering Services:
Secretary to the Manager Engineering Services:
Telephone number:

Mr J B Maltman
Mrs M R Botha
(034) 212-2121

Responsibilities

- ❖ Waste Management
 - Parks and Gardens
 - Cleansing
- ❖ Water, Sanitation and Roads
 - Roads and Sanitation
 - Structural
 - Civil (Mechanical)
 - Water
 - Sanitation / Sewerage
 - Maintenance
 - Building Control
- ❖ Electricity
 - Reticulation
 - Networks
 - New Projects
 - Maintenance
 - Fleet Management
 - Mechanical Workshop
- ❖ Community Projects

6. PUBLIC PARTICIPATION AND REMEDIES

Participation

All Municipal Councillors were elected on 5 December 2000 by the voters who had two votes, a vote for the Ward Councillor and a vote for a Political Party.

In terms of section 72 of the Municipal Structures Act, act 117 of 1998, as amended the Endumeni Municipality has established ward committees for the (6) six wards within its area of jurisdiction. A ward committee consists of the Ward Councillor, which is the Chairperson and not more than 10 other persons. The purpose of said committee is to ensure effective communication and participation in Municipal affairs.

An Audit Committee consisting of members of the public which was established to perform an evaluation function regarding the financial procedures in place, execution of financial regulations and to oversee the overall financial status, to ensure a democratic and accountable government. Further to it, the committee is also tasked in terms of section 40 of the Municipal Systems Act, act 32 of 2000, as amended to monitor and valuate the Performance Management System, to obtain community participation in terms of section 42 and to audit performance in terms of section 45.

Annual reports are compiled in terms of section 46 of the above-mentioned act, to reflect the Management Performance and the Financial Status. Notice is given in the local press informing the public of said meeting, the date and time thereof, when Council will consider the reports. The said meeting is open to the public and the press.

A Representative Forum was established to participate in the compilation of the Integrated Development Plan, as prescribed in Sections 23 to 32 of the Municipal systems Act. The said forum is also involved in the annual review process.

An advertisement is placed annually in the local press, inviting individuals and or organizations to participate in the budgeting process of that financial year.

Remedies:

Appeal Procedures:

An person who's rights is effected in terms of a resolution taken by a political structure, political office bearer, Councillor or a member of staff in terms of his/ her delegated powers, will be dealt with in terms of section 62 of the Municipal Systems Act, act 32 of 2000, as amended.

The notice of internal appeal is attached as appendix (3) three to this manual.

Code of Conduct of Municipal councilors (Section 54 Act 32 of 200)

Should any of Endumeni Municipal Councillors be seen to derelict their duties or fail to comply with the Code of Conduct, the public has recourse, in the first instance to the Speaker, failure to obtain satisfaction, to the Municipal Council as a whole, and if failure to obtain satisfaction to the MEC of Local Government.

Code of Conduct of Municipal Employees (Section 69 of Act 32 of 2000) and Condition of Service: Bargaining Council KwaZulu Natal.

Should any municipal employee seem to derelict in their duties or misconducts himself/herself, both the above-mentioned avenues may be followed in writing to the Municipal Manager, who will follow the procedures as prescribed in the Local Government Conditions of Service.

7. RECORD DESCRIPTION

Records are kept in terms of the KwaZulu Natal Archives Act, act 5 of 2000 and consists of the following main series which is kept in the records section.

1. LEGISLATION
2. ORGANIZATION AND CONTROL
3. ELECTIONS
4. OWN COUNCIL AND COMMITTEE MATTERS
5. STAFF
6. FINANCE
7. DOMESTIC SUPPLIES AND SERVICES
8. ACCOMMODATION AND GROUPS
9. TENDERS AND CONTRACTS
10. REPORTS AND RETURNS
11. PUBLICITY, INFORMATION AND STATISTICS
12. FESTIVALS AND SOCIAL MATTERS
13. COMPOSITION OF BODIES AND ASSEMBLIES
14. LEGAL MATTERS
15. LICENCES AND PERMITS
16. TOWN PLANNING AND CONTROL
17. ESSENTIAL SERVICES
18. COMMUNITY SERVICES
19. EXTENSION OF SERVICES FROM OTHER LOCAL AUTHORITIES

The under-mentioned items are not part of the above system and are kept within the records section separately.

Securities consist of:

- ❖ Title Deeds
- ❖ Internal agreements
- ❖ External Agreements
- ❖ Conditions of Establishment
- ❖ Valuation Rolls

Property Records

- ❖ File for each lot / erf in terms of Sibongile layout plan
- ❖ File for each lot / erf in terms of Sithembile layout plan
- ❖ File for each lot / erf in terms of the Dundee layout plan
- ❖ File for each lot / erf in terms of the Glencoe layout plan

8. RECORDS AUTOMATICALLY AVAILABLE

The under-mentioned list of records are available without a person having to request access in terms of the Promotion of Access Information Act, act 2 of 2000 as amended.

1. Minutes of any Council's or any Committee of Council's meetings, except the part of the minutes marked In-Committee (Confidential)
2. Business License files
3. Business License register
4. Business License receipts
5. Town Planning Schemes and Maps
6. Rezoning register
7. Sub-Division register
8. Valuation Rolls updated yearly manual
9. Valuation Rolls register
10. Hostel Lease Agreements manual register
11. Housing list
12. Property transfers
13. IDP minutes
14. Local Economic Development minutes, policies and strategies
15. Performance Management System organizational frame work and score card
16. Motor vehicle licensing
17. By-Laws
18. Tariff of Charges
19. Traffic Summonses
20. Drivers Licenses
21. Learners Licenses
22. Professional drivers permits
23. Delegated Powers
24. Audit Reports and Financial Statements
25. Annual Budgets
26. Information regarding the individual concern's
27. Personal services and Rates accounts
28. Burials manual register, general enquiries and operations.
29. Complaints
30. Gardens Refuse
31. Building Plans
32. Water connection, manual register, general enquiries and operations.
33. Electricity connection, manual register, general enquiries and operations.
34. Burst water main, manual register, general enquiries and operations.
35. Electricity disruption, manual register, general enquiries and operations.
36. Vehicle Maintenance, manual register, general enquiries & operations.
37. Vehicle Log Books, Log Books, general enquiries and operations.
38. Capital Budget, computerized records, general enquiries and operations.
39. Purification records (water & sewer plants) manual register, general enquiries and operations.

APPENDIX 1

REQUEST FOR ACCESS TO RECORD OF ENDUMENI MUNICIPALITY

(Section 18(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000))

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by
(state rank, name and surname of information officer/deputy information officer) on
(date) at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer / Deputy Information Officer:

Mr D B Cebekhulu
Private Bag 2024
DUNDEE
3000
Tel : (034) 212-2121
Fax: (034) 212-3856
e-mail:
caroline@endumeni.gov.za

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:

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

.....

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. 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:

.....
.....
.....

E. Fees

- (a) 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.*
- (b) You will be notified of the amount required to be paid as the request fee.*
- (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 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 for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
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Mark the appropriate box with an X.

NOTES:

(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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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 of the images*	<input type="checkbox"/>	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
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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* (stiffy or compact disc)
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*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.....

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

APPENDIX 2

FEES IN RESPECT OF ENDUMENI MUNICIPALITY

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 7(1) are as follows:

R

(a)	For every photocopy of an A4-size page or part thereof	0,60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
	(ii) For a copy of an audio record	17,00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

R

(1)(a)	For every photocopy of an A4-size page or part thereof	0,60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c)	For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00

- (d) (i) For a transcription of visual images,
for an A4-size page or part thereof 22,00
(ii) For a copy of visual images 60,00
- (e) (i) For a transcription of an audio record,
for an A4-size page or part thereof 12,00
(ii) For a copy of an audio record 17,00
- (f) To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
- (2) For purposes of section 22(2) of the Act, the following applies:
- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

DB CEBEKHULU
INFORMATION OFFICER (MUNICIPAL MANAGER)
PRIVATE BAG 2024
DUNDEE
3000

Fax: (034) 212-3856

APPENDIX 3

ENDUMENI MUNICIPALITY
NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 8]

STATE YOUR REFERENCE
NUMBER:

A. Particulars of public body

The Information Officer: Officer: Mr D B Cebekhulu
Private Bag 2024
DUNDEE
3000
Tel : (034) 212-2121
Fax: (034)212-3856
e-mail: caroline@endumeni.gov.za

B. Particulars of requester/third party who lodges the internal appeal

- (a) The particulars of the person who lodge the internal appeal must be given below.
- (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
- (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.

Full names and surname:
Identity number:
Postal address:
Fax number: Telephone number:
E-mail address:
Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname:
Identity number:

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	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

E. Grounds for appeal

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

Particulars of manner:

.....

.....

Signed at this day of 20.....

.....
SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (date) by
(state rank, name and surname of information officer/ deputy information officer).

Appeal accompanied by the reasons for the information officer's/ deputy 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/ deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED/NEW DECISION SUBSTITUTED

NEW DECISION:

.....
RELEVANT AUTHORITY

.....
DATE

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
FROM THE RELEVANT AUTHORITY ON (date):