



## **AMAHLATHI LOCAL MUNICIPALITY ACCESS TO INFORMATION MANUAL**

**Prepared in accordance with Section 14 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”.

1.7. Section 9 of PAIA, recognises that such right to access to information is subject to certain justifiable limitations, for instance limitations aimed at –

- (i). The Reasonable protection of privacy,
- (ii). Commercial Confidentiality, and
- (iii). Effective, Efficient and Good Governance.

1.8. The right to privacy includes the right to protection against the unlawful collection, retention, dissemination and use of personal information.

## **2. SCOPE AND PURPOSE OF THE MANUAL**

2.1. The scope of this manual shall include and be applicable to Amahlathi Local Municipality, subject to adjustments that suit its individual operations and/or needs.

2.2. This document serves as the Amahlathi Local Municipality's information manual and provides reference to the records held by Amahlathi Local Municipality as well as the personal information processed by the Amahlathi Local Municipality from time to time.

## **3. ABOUT AMAHLATHI LOCAL MUNICIPALITY**

3.1. Amahlathi Local Municipality 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. Amahlathi Local Municipality is under the jurisdiction of the Amathole District Municipality together with the following Five (05) Local Municipalities being: -

- i. Raymond Local Municipality;**
- ii. Great Kei Local Municipality;**
- iii. Ngqushwa Local Municipality;**
- iv. Mbhashe Local Municipality; and**
- v. Mquma Local Municipality.**

3.3. Further general information on Amahlathi Local Municipality, its operations and activities can be obtained from its website at [info@amahlathi.gov.za](mailto:info@amahlathi.gov.za)

## **4. AVAILABILITY OF THE MANUAL**

This manual is available for inspection on the Amahlathi Local Municipality's website at [info@amahlathi.gov.za](mailto:info@amahlathi.gov.za)

## **5. CONTACT PERSON – INFORMATION OFFICER -**

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

Information Officer: Municipal Manager

Postal address: Private Bag X2, Stutterheim, Eastern Cape, 4930

Amahlathi Local Municipality: Cnr Hill & Maclean Street, Eastern Cape, 4930

Telephone: 043 492 1154

E-mail address: [pgavini@amahlathi.gov.za](mailto:pgavini@amahlathi.gov.za)

## **6. HUMAN RIGHTS COMMISSION / INFORMATION REGULATOR GUIDE -**

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 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](http://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.inforegulator.org.za](http://www.inforegulator.org.za)

## **7. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC**

Section 75 (1) of the Local Government: Municipal Finance Management Act, (Act 56 of 2003) provides that the following information shall be freely available and posted on a municipal website, however no notice has been published pursuant to Section 15 of PAIA:

7.1. the annual and adjustments budgets and all budget-related documents;

7.2. all budget-related policies;

7.3. the annual report;

7.4. all performance agreements required in terms of section 57(1) (b) of the Municipal Systems Act;

7.5. all service delivery agreements;

7.6. all long-term borrowing contracts;

- 7.7. all supply chain management contracts above a prescribed value;
- 7.8. information statement containing a list of assets over a prescribed value that have been disposed of in terms of section 14(2) or (4) during the previous quarter;
- 7.9. contracts to which subsection (1) of section 33 apply, subject to subsection (3) of that section;
- 7.10. public-private partnership agreements referred to in section 120;
- 7.11. all quarterly reports tabled in the council in terms of section 52;
- 7.12. and any other documents that must be placed on the website in terms of this Act; and any other applicable legislation, or as may be prescribed.

## **8. LAWFUL PROCESSING OF PERSONAL INFORMATION**

8.1 Personal Information shall only be processed by the Amahlathi Local Municipality subject to the statutory conditions set out in Chapter 3 of the POPI Act.

8.2. Personal information means the information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

- i. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well being, disability, religion, conscience, belief, culture, language and birth of the person;
- ii. information relating to the education or the medical, financial, criminal or employment history of the person;
- iii. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- iv. the biometric information of the person;
- v. the personal opinions, views or preferences of the person;
- vi. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

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

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

8.3. Personal Information shall be processed by the Amahlathii Local Municipality without consent of the Data Subject under the following circumstances —

i. in the course of a purely personal or household activity;

ii. that has been de-identified to the extent that it cannot be re-identified again;

iii. by or on behalf of a public body—

a. which involves national security, including activities that are aimed at assisting in the identification of the financing of terrorist and related activities, defence or public safety; or

b. the purpose of which is the prevention, detection, including assistance in the identification of the proceeds of unlawful activities and the combating of money laundering activities, investigation or proof of offences, the prosecution of offenders or the execution of sentences or security measures, to the extent that adequate safeguards have been established in legislation for the protection of such personal information;

c. by the Cabinet and its committees or the Executive Council of a province; or

d. relating to the judicial functions of a court referred to in section 166 of the constitution.

## **9. RECORDS – CATEGORIES AND SUBJECT OF RECORDS HELD BY THE AMAHLATHI LOCAL MUNICIPALITY**

9.1. The information contained in this section is intended to identify the main categories of records held by the Amahlathi Local Municipality and to help the requester to gain a better understanding of the main business activities of the Amahlathi Local Municipality. Further assistance in identifying the records held by the Amahlathi 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 Amahlathi Local Municipality's businesses and operations:



## **AM AHLATHI LOCAL MUNICIPALITY 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 18 OF PAIA**

#### **10.1.1. COMPLETION OF ACCESS REQUEST FORM**

- i. A request for access must be made in the prescribed form to the information officer of the public body concerned at his or her address or through electronic mail address.
- ii. To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:
  - a. The Access Request Form, attached as **Annexure 1** hereto, must be completed;
  - b. 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;
  - c. Type or print in BLOCK LETTERS an answer to every question;

- d. If a question does not apply, state “N/A” in response to that question;
  - e. If there is nothing to disclose in reply to a particular question state “NIL” in response to that question;
  - f. If there is insufficient space on the printed form, additional information may be provided on an additional attached folio;
  - g. When the use of an additional folio is required, precede each answer with the applicable title.
- iii. The successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record.
  - iv. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified in Part 2 of Chapter 4 of the PAIA. 11
  - v. 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 Clause 5 as indicated above.
- ii. An initial request fee approved and provided for in line with Annexure A (Request Form), **(including VAT)** 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 Clause 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 fees as per Annexure B as amended by the Minister from time to time.
- 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 Amahlathi Local Municipality's offices 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 – SECTIONS 34 (1), 36 (1), 37 (1) (a), 38 (a), 40 (1) and 43 (1) OF PAIA)**

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 including a deceased individual;

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 the Amahlathi Local 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 Mandatory protection of research information of a third party and protection of research information of the Amahlathi Local 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 27 of the PAIA), lodge a complaint to the 13 Information Regulator or apply to court for appropriate relief within the timeframes as prescribed by the PAIA.

## **11. CATEGORIES OF INFORMATION**

i. In respect of natural persons may include: -

- a. names,
- b. identifying number (identity or passport number),
- c. date of birth,
- d. citizenship,
- e. age,
- f. gender,
- g. race,
- h. marital status,
- i. language,
- j. telephone number(s),
- k. email address(es),
- l. physical and postal addresses,
- m. income tax number,
- n. banking information,
- o. disability information,
- p. employment history,
- q. background checks,
- r. fingerprints,
- s. CVs,
- t. education history,

- u. remuneration and benefit information,
- v. details related to employee performance and disciplinary procedures.
- ii. In respect of juristic persons may include: -
  - a. name,
  - b. registration number,
  - c. tax information,
  - d. contact details,
  - e. physical and postal addresses,
  - f. FICA documentation,
  - g. BEE certificates,
  - h. payment details (including bank accounts),
  - i. invoices and contractual agreements.

The above lists are non-exhaustive.

## **12. CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED**

The categories of recipients to whom the Amahlathi Local Municipality may supply the personal information will depend on the nature of the information. In general, such categories of recipients would include:

- a. The District Municipality 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 Amahlathi 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. The above list is non-exhaustive.

**13. 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 Annexure 4, subject to exceptions contained in the POPI Act.

**14. 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 Annexure 5.

**ANNEXURE 1**

**AMAHLATHI LOCAL MUNICIPALITY REQUEST FOR ACCESS TO INFORMATION FORM (FORM A)**

**REQUEST FOR ACCESS TO A RECORD HELD BY AMAHLATHI LOCAL MUNICIPALITY**

(Section 18 (1) of the Promotion of Access to Information, Act No. 2 of 2000) **[Regulation 6]**

**FOR DEPARTMENTAL USE**

Reference number:

Request received by: \_\_\_\_\_ (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:

**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:

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:

copy of record\*

inspection of record

2. 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 the

images\*

3. If record consists of recorded words or information which can be reproduced in sound:

listen to the soundtrack

(audio cassette)

transcription of soundtrack\*

(written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record'

printed copy of information

derived from the record\*

copy in computer

readable form\*

(stiffy or 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

SIGNATURE OF REQUESTER OR PERSON ON WHOSE BEHALF REQUEST IS MADE

.....

## **ANNEXURE 2**

### **PRESCRIBED FEES IN TERMS OF SECTION 22 OF PAIA, REGULATION 7 OF 2002**

#### **PAIA PRESCRIBED FEES FOR REPRODUCTION OF RECORDS**

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

**TAX**

#### **[Regulation 7]**

Description

Amount (R)

for every photocopy of an A4-size page or part thereof

*\*tariff to be provided by Directorate: Finance*

for every printed copy of an A4-size page or part thereof

*\*tariff to be provided by Directorate: Finance*

for a copy in a computer-readable form on-

(i) stiffy disc

(ii) compact disc

(ii) memory stick

*\*tariff to be provided by Directorate: Finance*

(ii) for transcription of visual images, for an A4-size of part thereof

(iii) ) for a copy of visual images

*\*tariff to be provided by Directorate: Finance*

(i) for a transcription of an audio record, for an

A4-size page or part thereof

(ii) for a copy of an audio record

*\*tariff to be provided by Directorate: Finance*

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

*\*tariff to be provided by Directorate: Finance*

To search for and prepare the record for disclosure for each hour or part of hour , excluding the first hour , reasonably required for search and preparation

*\*tariff to be provided by Directorate: Finance*

The actual postage is payable when a copy of a record must be posted to a requester Actual Cost

## **ANNEXURE 3**

### **RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION**

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

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 Amahlathi Local Municipality's 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 of .....20.....

.....

*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.**

*(Please provide detailed reasons for the request)*

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