

**COLLINS CHABANE
LOCAL MUNICIPALITY**

Since 2016



PAIA MANUAL

**Prepared in terms of section 14 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

Version 1.0

*Date of compilation
16/07/2024*

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1. ACRONYMS AND ABBREVIATIONS

1.1	"CCLM"	Collins Chabane Local Municipality
1.2	"DIO"	Deputy Information Officer;
1.3	"IO"	Information Officer;
1.4	"IT"	Information Technology
1.5	"Minister"	Minister of Justice and Correctional Services;
1.6	"PAIA"	Promotion of Access to Information Act No. 2 of 2000(as Amended;
1.7	"PFMA"	Public Finance Management Act No.1 of 1999 as Amended;
1.8	"POPIA"	Protection of Personal Information Act No.4 of 2013;
1.9	"Regulator"	Information Regulator.
1.10	'The manual'	This manual together with all annexures thereto, available at the offices of CCLM.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at CCLM, without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the CCLM;
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the CCLM regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 the description of the services available to members of the public from the CCLM, and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the CCLM has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and

2.9 know whether the CCLM has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE CCLM

OUR MISSION

A Spatially Integrated & Sustainable Local Economy by 2030

OUR MISSION

To ensure the provision of sustainable basic services and infrastructure to improve the quality of life of our people and to grow the local economy for the benefit of all citizen

OUR VALUES

- Transparency
- Accountability
- Responsive
- Professional
- Creative
- integrity

THE OBJECTIVES/MANDATE

1. Promote community well-being and environmental welfare
2. Sound financial management
3. Improve access to sustainable basic services
4. Improve governance and administration
5. Integrated local economy
6. Integrated spatial and human settlement
7. Effective community participation

4. STRUCTURE OF CCLM AND FUNCTIONS

4.1 Structure



4.2 Functions of Collins Chabane Local Municipality

The municipality consists of five departments namely Planning and Development, Technical Services, Community Services, Corporate Services, and Budget and Treasury.

4.2.1 Planning and Development

The department is responsible for the following functions:

4.2.1.1 Spatial planning and land use

4.2.1.2 Local Economic Development

4.2.1.3 Building Control and Property management

4.2.1.4 Strategic Management

4.2.2 Technical Services

The department is responsible for the following functions:

4.2.2.1 Civil Engineering, Electrical and Mechanic Services

4.2.2.2 Electrical Services & Mechanical Services

4.2.2.3 Project Management

4.2.3 Community Services

The department is responsible for the following functions:

4.2.3.1 Registration and Licensing Services

4.2.3.2 Environmental and Waste Management Services

4.2.3.3 Social Services

4.2.3.4 Traffic and Law Enforcement Services

4.2.4 Corporate Services

The department is responsible for the following functions:

4.2.4.1 Human Resource Management

4.2.4.2 Information and Communication Technology

4.2.4.3 IGR & Sub-Offices Management

4.2.4.4 Communication & Special Programmes

4.2.5 Budget and Treasury

The department is responsible for the following functions:

4.2.5.1 Budget and Financial Reporting

4.2.5.2 Revenue

4.2.5.3 Expenditure

4.2.5.4 Supply Chain Management

4.2.5.5 Asset Management

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE CCLM

5.1. Information Officer

The Municipal Manager, as the Information Officer in accordance with the Promotion of Access to Information Act, has formally appointed and delegated the information officer responsibilities to the Manager responsible to Information Technology and Record Management.

Name : Mr. Hlungwani Giyani
Telephone : 015 851 0110
Cellphone : 0664778968
Email : Giyani.hlungwani@collinschabane.gov.za

Postal address : Private Bag X9271
Malamulele
0982

5.2 Access to information general contact

Postal Address: Private Bag X9271 Malamulele 0982

Physical Address: Old DCO Building
Collins Chabane Drive
Malamulele
0982

Telephone: 015 851 0110

Email: info@collinschabane.gov.za

Website: www.collinschabane.gov.za

6.

DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY COLLINS CHABANE LOCAL MUNICIPALITY

The following procedures exist for persons to report, or remedy alleged irregular, improper, or unlawful acts or omissions by the CCLM or any of its employees:

6.1 Procedures for reporting or remedying:

6.1.1 Remedies in respect of acts or failures to act in terms of the Promotion of Access to Information Act: The internal appeal authority for purposes of this Act is the Mayor (sections 74 – 77). After exhausting the internal appeal remedy a review application may be lodged in court (sections 78 – 82).

6.1.2 A person may use labour remedies regarding official acts or omissions of a labour nature, namely disputes of rights (Labour Relations Act, 1995); A person may lodge a complaint with a labour inspector concerning any alleged contravention of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997 - section 78(1)(a)), or the Employment Equity Act, 1998 (Act No. 55 of 1998 - section 34(e)).

6.1.3 If the requester of third party is not happy about outcome by CCLM, the Information Regulator or any regulatory body may be approach

6.1.4 A person may lodge a complaint with the Public Protector concerning a suspected unlawful or improper official act or omission (the Constitution and the Public Protector Act, 1994 (Act No. 23 of 1994)). A person may lodge a complaint with the South African Human Rights Commission concerning an official act or omission that is suspected to constitute a violation of or threat to any fundamental right (Human Rights Commission Act, 1994 (Act No. 54 of 1994)) In order to be protected from reprisals because of a disclosure regarding unlawful or irregular conduct by an employer or a fellow employee, the person in question may follow the disclosure procedures in the Protected Disclosures Act, 2000 (Act No. 26 of 2000). The use of other legal remedies such as the institution of proceedings for the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

6.1.5 If the CCLM fail to comply with the provision of PAIA, the requestor or any aggrieved person may, in accordance with section 78 of PAIA and the Promotion of Administrative Justice Act 3 of 2000 (PAJA) approach the court with jurisdiction for appropriate relief.

6.1.6 If the requester or third party is aggrieved by the decision of the Information Officer, he or she may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of the Act.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1 CMD has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2 The Guide is available in each of the official languages in Limpopo Province.

7.3 The aforesaid Guide contains the description of-

7.4 the objects of PAIA and or POPIA.

7.5 The postal and street address, phone, and electronic mail address of-

- the Information Officer of CCLM, and
- All Deputy Information Officers designated and or delegated in terms of section 17(1) of PAIA¹ and section 56 of POPIA².

7.6 the manner and form of a request for access to a CCLM record

7.7 the assistance available from the Information Officer of CCLM in terms of PAIA and POPIA.

7.8 All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

- an internal appeal, a complaint to the Regulator; and
- An application with a court against a decision by the information officer of CCLM a decision on internal appeal

7.9 The provisions of sections 145 and 516 requiring CCLM to compile a manual, and how to obtain access to a manual.

7.10 The provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a CCLM.

7.11 The notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access.

7.12 Members of the public can inspect or make copies of the Guide from the offices of CCLM during normal working hours. The Guide can also be obtained-

- upon request to the Information Officer
- from the website of CCLM (www.collinschabane.gov.za).

8. DESCRIPTION OF THE SUBJECTS ON WHICH CCLM HOLDS RECORDS AND CATEGORIES OF RECORDS

Subjects on which CCLM holds records	Categories of records held on each subject
Human Resources	<ul style="list-style-type: none"> Personnel records of employees Files of applicants for vacant positions Records of interviews for vacancies Records of procedures relating to grievances and discipline HR policies and procedures Advertised posts Employees records Learning and development e.g.: skills development and training plans Employment equity plan and statistics
Policy documents	<ul style="list-style-type: none"> Internal policies of the Municipality National policies relating to the institution of Local Government Planning documents
Minutes of meetings and reports	<ul style="list-style-type: none"> For Council meetings For the policy making and coordinating structures outlined. For working meetings held in various sections Annual Reports, Strategic Plan Annual Performance Plan.
Financial documents	<ul style="list-style-type: none"> Financial planning documents. Statements of accounts. Records of income and expenditure. Current accounts Audited financial statements Annual Budget
Proceedings of workshops and seminars	<ul style="list-style-type: none"> Relating to any of the functional areas of the Municipality
Draft legislation	<ul style="list-style-type: none"> This could relate to any area of municipal service
Procurement records	<ul style="list-style-type: none"> Bid documents (Specifications, evaluation, proposals, and adjudication)
Administrative documents	<ul style="list-style-type: none"> Various official forms for job applications, financial transactions, evaluation.
Correspondence	<ul style="list-style-type: none"> On specific matters pertaining to the Municipality.

9. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Document types	Available on website
Strategic documents	<ul style="list-style-type: none"> Integrated Development Plans Service Delivery and Budget Implementation Plans Annual Report Schedules of meetings of Council and its committees Information relating to the vision, mission and strategic objectives of the Municipality are available on the following website www.collinschabane.gov.za 	X
Legislation/ regulations	<ul style="list-style-type: none"> By – laws 	X
Human documents	<ul style="list-style-type: none"> Advertisements 	X
Communication	<ul style="list-style-type: none"> Media Statements Speeches and Messages 	X

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM CCLM AND HOW TO GAIN ACCESS TO THOSE SERVICES

The services available to members of the public from CCLM are listed below;

Services	Description how the public can access those services
Local Economic Development (LED)	Creation of a conducive environment for business to succeed
Electrical and Civic	Management, Maintenance and monitoring of electrical and civil works
Road and Transport	The provision of facilities to enable accessible public transport services to the Community
Environmental Management	Ensure compliance with environmental legislation to manage conservation and protection of the environment and sustainable socio-economic development through integrated development plan
Emergency and disaster management	The responsibility includes to prevent, mitigate and address disasters and to protect life, property and the environment
Sport, Arts and Culture	the unit is responsible to coordinating sport, arts and culture and development of sporting codes
Horticulture, Parks and cemetery services	The unit is responsible for the services such as, glass cutting, clearing of pathways, beautification, planting of trees in proclaimed areas
Integrated Development Planning (IDP)	The unit deals with the coordination and increases integrated development planning, good public participation practice and sector department participation.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY COLLINS CHABANE LOCAL MUNICIPALITY

11.1 Intergovernmental Relations and structures of the municipality

CCLM has established Structures in terms of the Intergovernmental Relations Act 13 of 2005. Example is Tihosi/Mahosi Forum; this forum is established to discuss issues relating to service delivery to community.

11.2. Municipal public participation activities/ programmes

CCLM has public participation mechanisms within its area of jurisdiction, which includes among others Council Outreach programme, IDP Public Consultations, Batho Pele events and information sharing session. The CDWs and Councilors are meant to assist communities to participate in issues of governance within their localities.

11.3. Stakeholder engagement

The municipality is responsible for the co-ordination of the IDP and must draw in other stakeholders in the area who can impact on and/or benefit from development in the area. There is a model for stakeholder participation in place. Stakeholders have been categorized, focussed with targeted advertising being followed to build recognition of CCLM as a brand.

11. PROCESSING OF PERSONAL INFORMATION

The CCLM process personal information of data subjects under its care in the following ways –

12.1 Staff administration and Job applicants.

12.2 Keeping of accounts and records.

12.3 Procurement process.

12.4 Visitors to any premises of CCLM

12.5 Complying with other relevant legislations, such as MPFMA/PFMA, POPIA/PAIA, National Archives Act and Regulations under CCLM and National Treasury Instruction Notes.

13. The categories of the data subjects and the description of the nature or categories of the personal information to be processed

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address; Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific, or technical information and trade secrets
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person

13.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Internal and external Auditors	Auditing process
Internal Security and Risk	Internal management of Risk

13.4 Planned transborder of personal information

The CCLM has not planned transborder flows of personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, the Municipality will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection, and the third party agrees to treat that personal information with the same level of protection as the CCLM is obliged under **POPIA**.

Any transfer of personal information cross border shall be with data subject's consent, however, should it not be reasonably practicable to obtain data subject's consent, the CCLM shall transfer the personal information if -

- It will be for the data subject's benefit; and
- the data subject would have given consent should it have been reasonably practicable to obtain such consent.

13.5 General Description of Information Security Measures

13.5.1 The CCLM continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent –

13.5.1.1 Loss of, damage to or unauthorised destruction of personal information; and

13.5.1.2 unlawful access to or processing of personal information.

13.5.2 CCLM has taken reasonable measures, as contained paragraph 13.5.3 below, to -

- identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control.
- establish and maintain appropriate safeguards against the risks identified.
- regularly verify that the safeguards are effectively implemented; and
- ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

13.5.3 Measures taken by the CCLM includes, amongst others -

- Access Control.
- Data Encryption.
- Defensive Measures.
- Robust Monitoring, Auditing and Reporting capabilities.
- Data Backups.
- Anti-virus and Anti-Malware Solutions.
- Awareness and Vigilance.

14. AVAILABILITY OF THE MANUAL

14.1 This Manual will be available in the following official languages-

14.1.1. Xitsonga

14.1.2 English

14.1.3 Tshivenda

14.2 A copy of this Manual or the updated version thereof, shall be available as follows-

14.2.1 CCLM Website at www.collinschabane.gov.za

14.2.2 Municipality Head Office and Satellite Offices for public inspection during normal business hours


14.2.3 To any person upon request and upon the payment of a reasonable prescribed fee; and

14.2.4 to the Information Regulator upon request.

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

15. UPDATING OF THE MANUAL

The Collins Chabane Local Municipality will, if necessary, update and publish this manual annually.



HLUNGWANI GP
MANAGER: IT

20/08/2024
DATE

APPROVED/NOT APPROVED



SHILENGE RR
MUNICIPAL MANAGER

22/08/2024
DATE