



The JPC Promotion of Access to Information Act Manual, 2018

CITY OF JOBURG PROPERTY COMPANY

STATE OWNED COMPANY LIMITED SOC

(Registration No.: 2000/017147/07)

(RF)

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

PREPARED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO

INFORMATION ACT (NO. 2 OF 2000)

(THE ACT)

APPROVED BY: INFORMATION OFFICER:

DATE


: 8/8/2018



**JOBURG
PROPERTY COMPANY**

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1. COMPANY PROFILE

1.1 The City of Joburg Property Company SOC Ltd ("JPC"), was established by the City of Johannesburg Metropolitan Municipality ("CITY"), as a municipal owned entity. This was in terms of the Companies Act, 1973 and the Local Government Transition Act, 209 of 1993 or section 86C of the Local Government: Municipal Systems Act, 32 of 2000, as amended according to the applicable provisions of Act 44 of 2003.

1.2 JPC's vision is to be COJ's provider of property management, property development and property asset management services in order to maximize the social, economic and financial benefit to COJ and support COJ's delivery objectives on a cost competitive basis:-

1.1.1 Property Asset Management

- Provides strategic advisory role relating to activities of capital investment, portfolio planning, disposal of single asset and /or entire portfolios and identification of possible scenarios for the positioning of the portfolio. The primary objectives are the means of intervention of complex real estate operations and identification of potential utilisation or investment opportunities:

- Functions:

- ✓ Identification of property sector investment opportunities;
- ✓ Pre-feasibility and feasibility studies;
- ✓ Analysis of portfolio and investment returns;
- ✓ Portfolio analysis;
- ✓ Fixed asset register management;
- ✓ Physical verification of city fixed assets;
- ✓ Compilation of asset management plans and council property information;
- ✓ Portfolio/property strategy development (including research and valuations)
- ✓ Implementation of COJ/MOE property strategy/requirements.
- ✓ Roll out of asset management plans

1.2.2 Property Management

- This function involves obtaining and maintaining value from the property portfolio by effectively administering and leasing, acquiring and selling, and ensuring maintenance of the property. Ensure success in all asset management operations by providing precise information and understanding of the physical characteristics of the portfolio or the assets.

Functions:

- ✓ Investigation into best practice standards
- ✓ Document management and analysis
- ✓ Property specific or portfolio data compilation and survey
- ✓ Property Development
- ✓ Property maintenance and management of services and encroachments
- ✓ Facilities management

1.2.3 Property Development

1.2.3.1 Property development aims to maximise the financial, economic and social returns from the sale and/or lease of council owned land by active engagement with the property development value chain, in line with the City's Growth and Development Strategy.

1.2.3.2 Company values have become an ethical foundation for all organisations and are therefore fundamental to the JPC's success. Such values are not just important but crucial to the overall ascendancy of JPC. The following values were identified and adopted by JPC:

- Professionalism;
- Accountability;
- Responsibility;
- Customer Service and
- Trust.

1.2.3.3 It is the responsibility of the JPC, as a public body or a part of a municipality, which is itself a public body, to ensure general information is available to the public in accordance with the provisions of the Act.

1.2.3.4 Therefore JPC holds most property files, of properties it manages on behalf of the City, which the City owns. This includes title deeds, notarial deeds of servitude and lease agreements with third parties, in respect of immovable properties of the City.

2. JPC'S COMPANY ORGANOGRAM

2.1 Enclosed, as ANNEXURE "X".

3. INTRODUCTION

3.1 The Manual has been compiled for the JPC and is a requirement in terms of section 14 of the Act. This Act gives effect to the right of the public to access information public and private bodies, as provided for in Section 32 of the Constitution of the Republic of South Africa, Act No. 108 of 1996 (as Amended) ("the Constitution"), which stipulates that:

"32 (1) Everyone has the right to access to-

(a) any information held by the state; and

(b) any information that is held by another person and that is required for the exercise or protection of any rights."

3.2 One of the objectives of the Act is to promote transparency , accountability and effective governance. This objective form part of the JPC strategy and values to achieve socio, economic and environmental development, leveraging the City's immovable assets.

3.3 The JPC strives to be accessible by providing the relevant information to the public. The purpose of this manual is:-

3.3.1 To enable the public to exercise its rights in terms of the Act;

3.3.2 To create an understanding of the functions performed and records kept by the JPC;

3.3.3 To assist in fostering a culture of transparency, accountability and

3.3.4 To promote public participation, in the life of the City of Johannesburg through the agency of JPC.

And to:

5.3.5 Inform and assist any person on how to obtain access to records held by the City of Joburg Property Company JPC.

4. WHO SHOULD READ AND USE THIS MANUAL

This a Manual to assist the public with, sufficient detail, on the procedure to make requests for access, to the records held by JPC, as a public body. If there is any doubt on the interpretation, reference should be made to the Act and its associated proclamations and regulations.

5. ADDRESSES, WEBSITES AND OTHER CONTACT INFORMATION OF JPC'S INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

5.1 as required by section 14, this Manual contains the following information

- a description of the Organogram and functions of the JPC;
- the postal and street addresses, phone and fax numbers and electronic mail address of the Information Officer as well as the Deputy Information Officer, designated as such;
- sufficient detail to facilitate a request for access to a record of the JPC;
- categories of records to the JPC, which are available without a person having to request access;
- a description of the services available to members of the public from the JPC and how to access those services;
- a description of any arrangement or provision for a person by consultation, making representations or otherwise, to participate in or influence the formulation of policy or the exercise of power or performance of functions by the JPC;
- such other information as may be prescribed.

5.2 CONTACT DETAILS OF THE JPC

City of Joburg Property Company Soc Ltd.

Registration Number: 2000/017147/07

Postal Address : P.O. Box 31565
Braamfontein
2017

Physical Address : 33 Hoofd Street
Forum II, 1 first floor
Braampark
Braamfontein
2017

Website : www.jhbproperty.co.za
Telephone : (010) 219 9025
Facsimile : (010) 219 9400

INFORMATION OFFICER

Chief Executive Officer, Helen M. Botes : HBotes@jhbproperty.co.za
Cell number : 0825288887

DEPUTY INFORMATION OFFICER

Tshepo Mokataka: Senior Manager Legal : tmokataka@jhbproperty.co.za
Services Unit, Office of the Chief Executive
Officer (OCEO)
Cell number: : 0825288879

6. SUMMARY OF RESPONSIBILITIES

- 6.1 JPC has been established by the City, as a municipal entity and business unit in terms of the Local Government Transition Act or section 86C of the Local Government: Municipal Systems Act, 32 of 2000 as amended in terms of Act 44 of 2003.
- 6.2 JPC's vision is to be the City of Johannesburg's provider of property management, property development and property asset management services, in order to maximize the social, economic and financial benefit of the City of Johannesburg and support the City of Johannesburg's delivery objectives on a cost competitive basis as described at paragraph 1 above.
- 6.3 The JPC, carries on its business and its functions/responsibilities, within a legislative framework, which comprises, the following statutes, as a minimum:-
- 6.3.1 Local Government Ordinance (No. 17 of 1939);
 - 6.3.2 Constitution of the Republic of South Africa (108 of 1996)
 - 6.3.3 Local Government: Municipal Structures Act (117 of 1998);
 - 6.3.4 Local Government: Municipal Systems Act (No 32 of 2000)
 - 6.3.5 Local Government: Municipal Finance Management Act (No 56 of 2003);
 - 6.3.6 Municipal Supply Chain Management Regulations, 2005
 - 6.3.7 Municipal Asset Transfer Regulations, (1 September 2008)
 - 6.3.8 Promotion of Access to Information Act, (No 2 of 2000);
 - 6.3.9 Promotion of Administrative Justice Act (No. 3 of 2000)
- 6.4 Other statutes, which have an impact on the functions and governance of the JPC include but, are not limited:-
- ✓ Town Planning and Townships Ordinance, (No 15 1986);
 - ✓ Spatial Planning and Land Use Management Act (No. 16 of 2013);
 - ✓ National Water Act (No. 36 of 1998);
 - ✓ Expropriation Act (No. 63 of 1975);
 - ✓ Housing Act (No. 107 of 1997)

- ✓ Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (No. 19 of 1998)

6.5 In terms of the Service Delivery Agreement, concluded between the City and the JPC pursuant to the provisions of section 76 (b), read with section 80 (1) of the Systems Act and Special Power Attorney, the City granted to the JPC, the latter has authority, to represent the City, in various immovable property transactions and in the deeds registry offices, of both Johannesburg and Pretoria.

7. STRENGTHENING THE RIGHT OF PUBLIC TO ACCESS TO INFORMATION

7.1 The Act has, significantly strengthened, the right of members of the public, to information held by the JPC. Every effort will be made to provide the requested information without recourse to the Act. However, in a very small number of cases where there is reasonable doubt, whether the information should be made available to the requester, the requester now has the right to make a formal application for this information under the Act.

7.2 At present , a requester can make a formal application at JPC or telephonically to JPC. In both cases, the request will be captured electronically and a reference number given to the requester. The request can then be tracked until a decision is made to provide the information or whether the request is rejected, in terms of the Act and any appeal completed.

7.3 Where a request for information cannot be met, a requester will be:

- Informed of his/her right to make a formal application under the Act.
- Informed of the fact that certain types of requests for information may be refused.
- Informed of his/her right of appeal if a request is initially refused.

8. GIVING THE PUBLIC ACCESS TO INFORMATION

8.1 Most types of general information held by JPC will be made available to members of the public on request. General information is available on both the intranet and internet.

8.2 In terms of the Act, JPC has a responsibility to:

- Foster a culture of transparency and accountability by giving effect to the right of access to information.
- Actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

8.3 At present, JPC will make the following information automatically in terms of section 15(1)(a) of the Act, subject to payment of prescribed fee for reproduction:

DESCRIPTION OF THE RECORD	MANNER OF ACCESS	PRESCRIBED FEE PAYABLE
Tariffs and Fee Structure	Reproduction/copy	As per the Act
Title Deeds	Reproduction/copy	As per the Act
Approved Policies	Available from JPC's web site	As per the Act
Contact Details of JPC's employees	Available from JPC's web site a	Not applicable
Public Notices	Reproduction/copy	Not applicable
Press releases	Reproduction/copy	Not applicable
Departmental Structures and Information	Reproduction/copy – Available from JPC's web site	Not applicable
Company Brochures and News Letters	Available from JPC's web site and JPC's office	Not applicable
Speeches and Massages	Available from JPC's web site	Not applicable

Vacancies	Available from JPC's web site, JPC's notice boards and at JPC Offices	Not applicable
Tax Number	Reproduction/copy	Not applicable

Further information on any other issue, which is not in the above list, must be made in terms of the Act addressed to the information officer.

8.4 RECORDS HELD AND ACCESS TO RECORDS HELD

8.4.1 The method of managing records, at the JPC is, in accordance with legislation on archives, as per the National and Provincial requirements. It should be noted that, the inclusion, onto the following list of records, does not mean, that the file or record mentioned, is necessarily accessible, in terms of the Act. The Act, prohibits a public body, from allowing access to and /or allows a public body to refuse access to certain types of records or information. Chapter 4 of the Act, deals with the grounds for refusal of access to information or records.

8.4.2 INFORMATION TO BE FORMALLY REQUESTED IN TERMS OF THE ACT, INCLUDES, *INTER ALIA*:-

DESCRIPTION OF THE RECORD	MANNER OF ACCESS	PRESCRIBED FEE PAYABLE
TENDERS	Reproduction/copy	As per the Act
CHEQUE RETURNS	Reproduction/copy	As per the Act
Annual financial Reports/Statements	Available from JPC's web site and	Not applicable
Management Reports	Copy	As per the Act
Employees leave Records	Reproduction/copy	As per the Act
Internal policies and procedures	Available from JPC's web site	As per the Act
Documents on Disciplinary matters	Reproduction/copy	As per the Act
Documents on Conditions of	Reproduction/copy	As per the Act

Service		
Documents held by the JPC from Third parties	Reproduction/copy	As per the Act
Agreements between the JPC and third parties (to the extent that same are not confidential)	Reproduction/copy	As per the Act
Documents relating to tenders and procurement or Supply Chain matters	Reproduction/copy	As per the Act
Datebase of service providers or Panel of service providers	Reproduction/copy	As per the Act

9. MAKING A FORMAL APPLICATION IN TERMS OF THE ACT

- 9.1 As previously stated, some information held by JPC, may be made available to members of the public, without recourse to the formal procedures, required by the Act and every effort will be made to meet a requester's request.
- 9.2 If there is a reasonable belief that the information would not be made available in terms of existing legislation, the requester will be informed of his/her right to make a formal application. However, a requester has the right, at any time, to make a formal request for information in terms of the Act.

A member of the public who wishes to make a formal application can visit JPC and will be assisted regarding the specific request.

9.3 Formal Application Process in terms of Section 18 of the Act:

- 9.3.1 The requester must comply with all the procedural requirements, contained in the Act, relating to the request for access to a record.

9.3.2 The requester must complete the prescribed form enclosed herewith, as Form A, and submit same, as well as payment of a request fee and a deposit, if applicable, to the Information Officer to the postal or physical address, fax number, as stated, in paragraph 5 above.

9.3.3 The prescribed form must be filled in, with enough particularity to, at least, enable the Information Officer to identify:

- (a) the record or records requested;
- (b) identity of the requester;
- (c) which form of access is required, if the request is granted;
- (d) postal address or fax number of the requester;
- (e) if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer; and
- (f) if an individual, because of illiteracy or a disability, is unable to make a request for access to a record in terms of the Act, may make the request orally.

9.3.4 The requester must state that he/she requires the information in order to exercise or to protect a right and clearly state what the nature of the right is so to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

9.3.5 The requester must pay the prescribed fee before any further processing can take place.

10. Personal Requester

10.1 JPC, may voluntarily, provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

11. Other Requester and Third Party Notification and Intervention.

11.1 This requester (other than a personal requester) is entitled to request access to information on third parties. However, JPC is not obliged to, voluntarily grant access. The requester must fulfill the prerequisite requirements for access in terms of the Act, including the payment of a request fee and access fee. Before JPC grants access on information about third parties, the provisions of section 47 of the Act must be complied with and all efforts must be made to notify the third party and be given the opportunity to make representation on the third party's consent or objection to the request for information in terms of section 48.

12. IF A FORMAL APPLICATION IS MADE IN TERMS OF THE ACT

12.1 The Information Officer must respond to the formal request for information in terms of section 25 of the Act, as soon as reasonably possible but within 30 (thirty) days after the request has been received.

12.2 In certain limited circumstances, JPC's Information Officer may extend the original 30 (thirty) days period, once by a subsequent 30 (thirty) days under the following circumstances:

- (a) the request is for a large number of records or requires a search through a large number of records and compliance with the original period, would unreasonably interfere with the activities of JPC;
- (b) the request requires a search for records in, or collection thereof from, another office of JPC not situated in the same town or city, as the office of the Information Officer that cannot reasonably be completed within the original period;
- (c) consultation among divisions of JPC or with the City or another public body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
- (d) circumstances exist to the impracticality of complying with the request within the original period;

(e) the requester consents in writing to such extension in terms of Section 26 of the Act.

12.3 The response must state whether the request has been granted or give adequate reasons in terms of the Act why the request has been refused. If there are defects in the request, the requester must be given an opportunity to rectify before refusing the application.

13. IF A REQUEST IS GRANTED

13.1 Normally, the information requested will be made available immediately. In a very small number of cases the information will not be available immediately and reference should be made to Section 24 of the Act for situations where deferment is acceptable.

13.2 Note that if a fee is required, this fee should be paid before the information is supplied. Every reasonable effort will be made to provide the information in an accessible form as may be requested by the requester.

14. IF A REQUEST IS REFUSED (chapter 4 of the Act)

14.1 Grounds for Refusal

14.1.1 Mandatory protection of:

- (a) privacy of a third party who is natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- (b) commercial information of third party, if the record contains:
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - information disclosed in confidence by a third party to the company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- (c) Certain confidential information of a third party, if it is protected in terms of an agreement, and protection of confidential information of the public body;
- (d) Safety of individuals and protection of property;

- (e) Records which would be regarded as privileged in legal proceedings;

14.1.2 Other grounds of Refusal

- (a) Commercial activities of the company which may include:-

- Trade secrets of the company
- Financial, commercial, scientific or technical information which the disclosure could likely cause harm to the financial or commercial interests of the company;
- Information which, if disclosed, could put the company at a disadvantage in negotiations or commercial competition;
- A computer programme which is owned by the company, and which is protected by copyright.

- (b) The research information of the company or a third party, if its disclosure would disclose the identity of the company, the researcher or subject matter of the research and would place the research at a serious disadvantage.

- Transparently frivolous or vexatious requests, or would involve a substantial and unreasonable diversion of resources, in terms of section 45 of the Act.

15. REMEDIES AVAILABLE IF AN APPLICATION IS REFUSED AND THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH

- 15.1 In terms of Section 74 and 75 of the Act, an aggrieved party, has the right to lodge, an internal Appeal, to the decision that is taken by the Information Officer of JPC to refuse the request for access in terms the Act. Nothing prevents the aggrieved party, from approaching the courts, if dissatisfied with the decision of the Information Officer of JPC.

16. MANNER OF APPEAL AND APPEAL FEES

- 16.1 An internal appeal must be lodged to JPC's Information Officer:-

- 16.1.1 in the prescribed Form B within 60 days;

- 16.1.2 if the notice to a third party is required by Section 49 of the Act, within 30 (thirty) days after notice is given to the appellant of the decision appealed against; or
- 16.2 if notice to the appellant is not required, after the decision was taken the notice of appeal must be delivered or sent to the Information Officer of JPC, at his/her address and contact details, referred to in paragraph 7.2 above, and must identify the subject of the appeal and state the reasons for the internal appeal and may include other relevant information known to the appellant;
- 16.3 if in addition to a written reply the appellant, wishes to be informed of the decision on the internal appeal, in any other manner, he/she must state that manner and provide the necessary particulars to be so informed. Where applicable, the appeal must be accompanied by the prescribed appeal fee, in terms of the Act, and must specify a postal address or fax number. If an appeal is lodged after the expiry of the period referred to above, the Information Officer of JPC must upon showing good cause, allow the late lodging of the appeal.
- 16.4 In the Information Officer or the duly designated deputy Information Officer in writing, disallows the late lodging of the appeal, he/she must give notice of that decision to the person who lodged the appeal. An applicant lodging an appeal against the refusal of his or her request for access must pay the prescribed appeal fee.
- 16.5 If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid. As soon as reasonably possible, but in any event within 10 (ten) working days after receipt of an appeal in accordance with the Act, the Information Officer of JPC must submit the internal appeal together with his/her reasons for the decision concerned; and
- 16.6 If the internal appeal against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified in terms of section 47(1) of the request.

17. EXTERNAL REMEDIES

- 17.1 A requester that is dissatisfied with JPC's Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, apply to court for relief.
- 17.2 Likewise, a third party dissatisfied with JPC's Information Officer's decision to decline a request for information, may within 30 (thirty) days of notification thereof, apply to a court for relief.
- 17.3 For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another Court of competent status.

18. RECORDS, WHICH ARE LOST OR DO NOT EXIST

- 18.1 If all reasonable steps have been taken to find a record requested and the record cannot be found or JPC believes it does not exist, JPC's Information Officer or Deputy Information Officer, must, by way of affidavit attached herewith, as Form C, notify the requester that it is not possible to give access to that record in terms of Section 55 of the Act.
- 18.2 This affidavit, in terms of Section 55(3) of the Act, is regarded, as a decision to refuse a request for access. The requester, may make application to a Court for review of the decision.

19. TRANSFER OF REQUEST

- 19.1 In terms of Section 20 of the Act, a request for access to information may be transferred to another public body:
 - 19.1.1 where the request for information is not under the control of JPC or possession;
 - 19.1.2 where the record is more closely connected with another public body;
 - 19.1.3 where the record contains commercial information in which another public body has greater commercial interest; or

19.1.4 where the record is not in possession or under the control of JPC but was created by or for another public body or was received first by another public body.

19.2 Upon transferring the request, as soon as reasonably possible, but in any event, within 14 (fourteen) days, after the request is received, the Information Officer making the transfer must immediately notify the requester thereof.

20. FEES

20.1 The Act (see Section 22 of the Act) provides for two types of fees:

- (a) A request fee, which is a standard fee; and
- (b) An access fee, which must be calculated, by taking into account, reproduction costs, search and preparation time, and as well as postal costs.

20.2 When the request is received by JPC's Information Officer, the Information Officer shall by notice, require the requester, other than a personal requester, to pay the prescribed request fee, (if any or exempted under Section 22(8) of the Act), before further processing of the request.

21. FEE SCHEDULE

21.1 A request for access to record will only be processed after a requester other than a personal requester has paid a request fee paid upfront being a fee of R35,00 (thirty five) rand.

21.2 An access fee must be payable by the requester unless exempted in terms of the Act (see Section 22(8) of the Act).

22. REPRODUCTION FEE

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-page or part thereof held on a computer or In a 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 transcript 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 transcript of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00

23. ACCESS FEE

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 thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on -	
(iii) Stiffy disc	10,00
(iv) Compact disc	40,00
(d) (i) For a transcript 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 transcript 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 the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search.	

23.1 The actual postal fee is payable when a copy of a record must be posted to a requester.

23.2 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.

24. APPEAL FEES

24.1 The application fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3)(a) of the Act, is R50,00 (fifty) rand.

24.2 NOTE: In terms of Regulation 8 of the Act, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations, as long as the Public Body is registered as a VAT vendor in terms of the Value Added Tax Act, Act No. 89 of 199 as emended from time to time.

FORM A**REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

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

[Regulation 2]

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:

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- (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 therefor.*

Reasons 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 hereunder, 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) *Your indication as to the required form of access depends 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
--	---

2. If record consists of visual –

(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"/> transcript of the images*
--	--	--

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"/> Transcript of soundtrack* (written or printed document)
--	--

4. If record is held on computer or in an electronic or machine-readable form -					
	printed	copy	of		printed copy of information derived from record *
	record*				copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcript of a record (above), do you wish the copy of transcript to be posted to you? A postal fee is payable.	YES	NO
---	-----	----

<i>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.</i>
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 thereof 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 THE REQUEST IS MADE

FORM B

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
[Regulation 6]

STATE YOUR REFERENCE
NUMBER: _____

NOTE: A person who lodges an internal appeal may have to pay an appeal fee. If an appeal fee is payable, the decision of the internal appeal may be deferred until the fee is paid.

A. Particulars of public body

The Information Officer / Deputy Information Officer

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

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

Full names and surnames: _____

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) is lodging the internal appeal

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:

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding fees determined in terms of section 22 of the Act
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act.
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form as requested by the requester.
<input type="checkbox"/>	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 upon 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 thereof 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/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by information officer/deputy information officer on _____
_____ (date) to the relevant authority.

OUTCOME OF APPEAL:

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

NEW DECISION: _____

DATE

RELEVANT AUTHORITY

DATE RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
FROM THE RELEVANT AUTHORITY: _____

FORM C

AFFIDAVIT

(Section 55 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

I, the undersigned

_____ (state name and rank/position of responsibility),

Do hereby make oath and say:

_____ (state all reasonable steps that were taken to find the record and the reasonable grounds for believing that the record cannot be found or does not exist and therefore it is not possible to give access to that record).

(Signature of Deponent)

I certify that the Deponent attested that he/she knows and understands the contents of this affidavit and having declared that he/she has no objection to taking the prescribed oath and that he/she considers the prescribed oath to be binding on his conscience. Sworn to before me on this _____ day of _____ 20__ at _____

COMMISSIONER OF OATHS

ANNEXURE "X"

JPC'S COMPANY ORGANOGRAM