



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENT & TRADITIONAL AFFAIRS**

PROMOTION OF ACCESS TO INFORMATION ACT

Prepared in terms of section 14 of the Promotion of Access to Information Act 2 of 2000, as amended.

AND

PROTECTION OF PERSONAL INFORMATION ACT

Prepared in terms of section 14 of the Protection of Personal Information Act 4 of 2013

MANUAL

FY 2024/25

TABLE OF TABLE OF CONTENTS

Item	Description	Page No.
1.	Definitions and interpretations	3
2.	List of acronyms and abbreviations	7
3.	Overview and objectives of the manual	8
4.	Purpose of PAIA and POPIA manual	9
5.	Structure and functions of the Department of CoGHSTA	10
6.	Key contact details for access to information of the Department of CoGHSTA	11
7.	Remedies available if provisions of PAIA are not complied with or in respect of an act or a failure to act by the Department	11
8.	Guide on how to use PAIA and how to obtain access to the guide	14
9.	Categories of records held by the Department	15
10.	Records of the Department which are available without a person having to request access in terms of Section 15(2) of the Act	18
11.	Procedure for access to records held by the Department	20
12.	Services offered by coghsta and how to gain access to the services	24
13.	Processing of personal information	25
14.	Prescribed fees	27
15.	Availability of the manual	28
16.	Records that cannot be found or does not exist	28
17.	Disposal of records	28
18.	Updating of the manual	29
19.	Annexures	30

1. DEFINITIONS AND INTERPRETATIONS

1.1 Definition

- 1.1.1 **“Access fee”** means a fee prescribed for the purposes of section 22(6) of the Promotion of Access to Information Act hereto referred as PAIA.
- 1.1.2 **“Data subject”** means the person to whom personal information relates.
- 1.1.3 **“Deputy Information Officer”** means the designated individual in the public or private body who is responsible for assisting the Information Officer with the PAIA Request.
- 1.1.4 **“Guide”** means the guide on how to use PAIA by any person who wishes to exercise any right contemplated in the Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA.
- 1.1.5 **“Human Rights Commission”** means the South African Human Rights Commission referred to in section 181 (1) (b) of the Constitution.
- 1.1.6 **“Information Officer”** means the Head of Department of the Limpopo Department of Cooperative Governance Human Settlement and Traditional Affairs.
- 1.1.7 **“Information Regulator”** means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013.
- 1.1.8 **“Internal appeal”** means an internal appeal to the relevant authority in terms of section 74.
- 1.1.9 **“Minister”** means the Cabinet member responsible for the administration of justice.
- 1.1.10 **“Person”** means a natural person or a juristic person.
- 1.1.11 **“Personal information”** means information relating to an identifiable natural person, including, but not limited to –

- (a) 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.
- (b) information relating to the education or the medical, financial, criminal or employment history of the person.
- (c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person.
- (d) the biometric information of the person
- (e) the personal opinions, views, or preferences of the person.
- (f) 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.
- (g) the views or opinions of another individual about the person; and
- (h) 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 but excludes information about an individual who has been dead for more than 20 years.

1.1.12 “**Public body**” means –

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- (b) any other functionary or institution when
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation.

1.1.13 **“Record”** of, or in relation to, a public or private body, means any recorded information –

- (a) regardless of form or medium,
- (b) in the possession or under the control of that public or private body, respectively; and
- (c) whether or not it was created by that public or private body, respectively.

1.1.14 **“Request for access”**, in relation to –

- (a) a public body, means a request for access to a record of a public body in terms of section 11 of the Act.

1.1.15 **“Request for access”**, in relation to –

- (a) a public body, means

- (i) any person (other than a public body contemplated in paragraph (a) or (b)(i) of the definition of 'public body', or an official thereof) making a request for access to a record of that public body; or
 - (ii) a person acting on behalf of the person referred to in subparagraph (i).

- (b) a public body, means

- (i) any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; or
 - (ii) a person acting on behalf of the person contemplated in subparagraph(i);

1.1.16 **“Responsible party”** means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

1.1.17 **“Third party”**, in relation to a request for access to –

- (a) a record of a public body, means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than –
 - (i) the requester concerned; and
 - (ii) a public body; or
- (b) a record of a private body, means any person (including, but not limited to, a public body) other than the requester.

1.1.18 **“The Act”** means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of section 92.

1.2 Interpretation

- 1.2.1 any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation, or other legislation as at the signature date, and as amended or substituted from time to time.
- 1.2.2 if any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it were a substantive provision in the body of this Manual.
- 1.2.3 where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this document.
- 1.2.4 where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day.
- 1.2.5 any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months, or years, as the case may be.

- 1.2.6 the use of the word "including" followed by a specific example/s shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s.
- 1.2.7 insofar as there is a conflict in the interpretation of or application of this Manual and the Act, the Act shall prevail.
- 1.2.8 this Manual does not purport to be exhaustive of or to comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/her/itself with the provisions of the Act before lodging any request with the Regulator.

2. LIST OF ACRONYMS AND ABBREVIATIONS

"DIO"	: Deputy Information Officer
"IO"	: Information Officer
"MEC"	: Minister of Executive Council
"PAIA"	: Promotion of Administrative Justice Act, 2000
"PFMA"	: Public Finance Management Act No. 1 of 1999 as amended
"POPIA"	: Protection of Personal Information Act No. 4 of 2013
"HOD"	: Head of Department
"CoGHSTA"	: Co-operative Governance, Human Settlement and Traditional Affairs

3. OVERVIEW AND OBJECTIVES OF THE MANUAL

The Promotion of Access to Information Act 2 of 2000, (PAIA) gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required for the exercise and protection of rights. More broadly, PAIA aims to underline the importance of access to information in a democratic society by fostering a culture of transparency and accountability. PAIA does this by requiring public (government) and private (non-government) bodies to create both a manual describing the type of records they hold, and procedures for others to access that information.

This PAIA and POPIA Manual ("the Manual") has been prepared in accordance with section 14 of PAIA as read with POPIA. It provides an overview of the records held by COGHSTA and details of how such records may be accessed, including the right to privacy as highlighted by Protection of Personal Information Act 4 of 2013.

This includes its structure, functions, and objectives; contact details; the procedure for requesting information; Information that is automatically available; fees payable when requesting access to any of these records. In addition, PAIA/POPIA reinforces the confidentiality of this information by providing that it must not be disclosed in terms of the Act, except to the person to whom it relates or that person's authorized representative.

4. PURPOSE OF THE MANUAL

4.1 This manual can be used by members of the public to –

4.1.1 establish the nature of the records which may already be available at the Limpopo Department of Co-operative Governance, Human Settlement and Traditional Affairs hereto referred as the Department, without the need for submitting a formal PAIA and POPIA request.

4.1.2 have an understanding of how to make a request for access to a record of the Department.

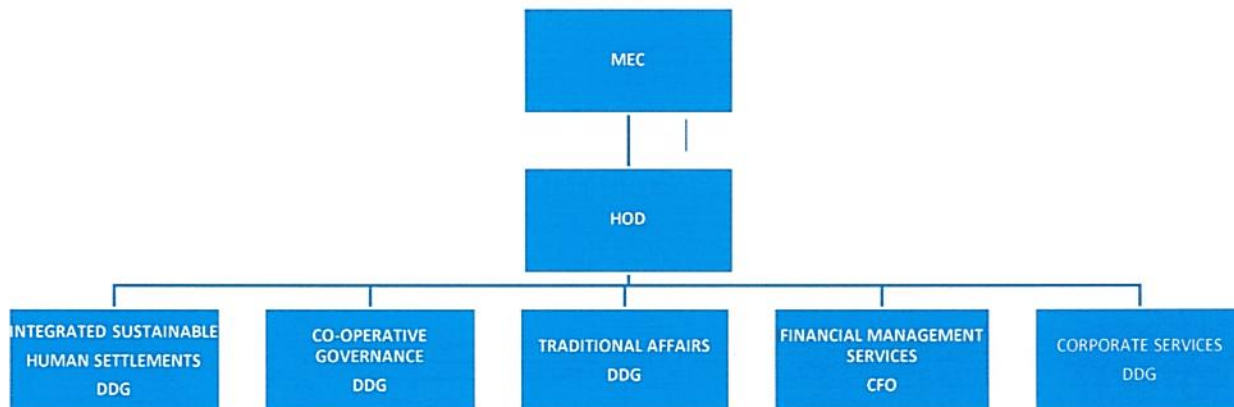
4.1.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access.

- 4.1.4 know all the remedies available from the Department regarding request for access to the records, before approaching the Courts.
- 4.1.5 describe the services available to members of the public from the Department and how to gain access to those services.
- 4.1.6 outline the description of the guide on how to use PAIA and POPIA, as updated by the Department and how to obtain access to it.
- 4.1.7 understand if the Department will process personal information, the purpose of processing of personal information, the description of the categories of data subjects and of the information or categories of information relating thereto.
- 4.1.8 know if the Department 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
- 4.1.9 know whether the Department has appropriate security measures to ensure the confidentiality, integrity and availability of the information which is to be processed.

5. STRUCTURE OF THE LIMPOPO DEPARTMENT OF CO-OPERATIVE GOVERNANCE HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS

The HOD is the Accounting Officer of the Department. There are 5 sub-departments in the Department: Below is the structure of the Department of Co-operative Governance, Human Settlements and Traditional Affairs.

The Department of Co-operative Governance, Human Settlement and Traditional Affairs is having five District offices, namely Capricorn, Mopani, Sekhukhune, Vhembe and Waterberg and Polokwane as its Head office.



Functions

The following are the core functions of the Department:

- To manage the provision of sustainable and integrated human settlement in the province
- To coordinate and provide support to municipalities, monitor the performance thereof, and provide development and planning services.
- To provide professional support services to municipalities and traditional local councils

6. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS

6.1 Information Officer

Name : Dr. Malahlela Modjadji
 Tel : 015 -284 5584
 Email : Malahlelamm@coghsta.limpopo.gov.za
 Fax number : 015-295 3463

6.2 Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA)*

Name : Mr. Rambiyana Richard
Tel : 015 294 5558
Email : Rambiyanaart@coghsta.limpopo.gov.za

6.3 Access to information general contacts

Email : PAIA@coghsta.limpopo.gov.za

6.4 The Department of Co-operative Governance, Human Settlement and Traditional Affairs operate from its Head –Office in the Provincial capital city of Polokwane as well as the district offices listed below:

Head Office

Postal Address: Private Bag X9485, Polokwane, 0700
Physical Address: 20 Rabe Street Hensa Towers Polokwane
Telephone: 015—284 5000/015-294 2000
Email: info@coghsta.limpopo.gov.za
PAIA@coghsta.limpopo.gov.za
Website: www.coghsta.limpopo.gov.za

7. REMEDIES AVAILABLE IF PROVISIONS OF PAIA ARE NOT COMPLIED WITH OR IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE DEPARTMENT

7.1 If the Department fails to comply with the provisions 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.

7.2 If the requester or third party is aggrieved by the decision of the Department, 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.

7.3.1 Internal Remedies

7.3.1.1 An internal appeal can only be lodged, in terms of section 74 of PAIA, with the relevant authority.

7.3.1.3 Accordingly, a requester may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer on the following grounds –

7.3.1.3.1 refusal to grant access to the records.

7.3.1.3.2 the tender or payment of the request fee in terms of section 22(1) of PAIA; or

7.3.1.3.3 the access fee to be paid is too excessive; or

7.3.1.3.4 the tender or payment of a deposit in terms of section 22(2) of PAIA; or

7.3.1.3.5 the decision of the Information Officer to grant a request for access; or

7.3.1.3.6 an extension of period in terms of section 26(1) of PAIA; or

7.3.1.3.7 refusal to grant access to records in a particular form requested, in terms section 29 (3) of PAIA.

7.3.1.3.8 failure to disclose records: or

7.3.1.3.9 refusal to grant request to waive the fees.

7.3.2 A third party may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer to grant a request for access to a record.

7.3.3 In order to appeal against any decision(s) made by the Information Officer or Deputy Information Officer, referred to in paragraph 7.3.1.3 above, a requester must lodge an internal appeal by completing Form 4. Form 4, attached hereto, must be submitted to the same Information Officer or Deputy Information Officer that made the original decision, who is then required to forward it to the Executive Authority within ten (10) working days after receipt of an internal appeal.

7.3.4 **Period within which to lodge an appeal**

7.3.4.1 An internal appeal form must be delivered or sent to the Information Officer or Deputy Information Officer's address or fax number or electronic mail address, contact details of which can be found in paragraph 6 above –

7.3.4.1.1 within 60 days after the decision was taken.

- 7.3.4.1.2 within 30 days after notice is given to the third party of the decision appealed against.
- 7.3.5 The Appeal must be submitted to the Information Officer who must in terms of PAIA, forward it to the Appeal Authority, within ten (10) days, together with –
- 7.3.5.1 his or her reasons for the decision concerned; and
- 7.3.5.2 the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request, in terms of section 47 (1) of PAIA.
- 7.3.6 The Appeal must be delivered or sent to any of the contact information listed in paragraph 6 above.
- 7.3.7 The Department may, upon good cause shown, allow the late lodging of the internal appeal. If the Executive Authority is not satisfied with the reasons advanced for late lodging of the appeal; the request will be disallowed on written notice to the person that lodged the internal appeal.
- 7.3.8 A requester lodging an internal appeal against the refusal of his or her request for access may pay the prescribed appeal fee (if any or unless he/she is exempted from paying fees). If the prescribed appeal fee is payable in respect of an internal appeal, the decision on the internal appeal may be deferred until the fee is paid.
- 7.3.9 The Executive Authority, must process and decide on the internal appeal within thirty (30) days from the date in which the internal appeal was received by the Information Officer or Deputy Information Officer.
- 7.3.10 **External Remedies**
- 7.3.10.1 The decision made by the Executive Authority, pertaining to any of the decisions the requester or third party is aggrieved by, is final and the requester or third party may, by way of an application, within 180 days apply to a court for appropriate relief in terms of section 82.

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

- 8.1 The purpose of the Guide is to provide information that is needed by any person who wishes to exercise any right contemplated in PAIA and POPIA.
- 8.2 This Guide will specifically assist a person, also called a data subject, on how to access his/her or its personal information in terms of section 23 of POPIA. The aforesaid Guide contain the description of –
 - 8.2.1 the objects of PAIA and POPIA.
 - 8.2.2 the postal and street address, phone and fax number and, if available, electronic mail address of –
 - 8.2.2.1 the Information Officer of every public body, and
 - 8.2.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPI;
- 8.3 the manner and form of a request for –
 - 8.3.1 access to a record of a public body contemplated in section 11 of PAIA: and
 - 8.3.2 access to a record of a private body contemplated in section 50 of PAIA:
 - 8.3.3 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 8.3.4 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 8.3.5 all remedies available in law 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 –
 - 8.3.5.1. an internal appeal.
 - 8.3.5.2 a complaint to the Regulator; and an application to a court against a decision by the Information Officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body.

- 8.3.6 the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a Manual, and how to obtain access to a manual;
- 8.3.7 the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively
- 8.3.8 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 8.3.9 the regulations made in terms of section 92 of PAIA.

9. CATEGORIES OF RECORDS HELD BY THE DEPARTMENT

- 9.1 Records held by the Department are generated through each of its divisions, the core operations processes under both PAIA and POPIA.
- 9.2 Each division of the Department generates substantive records which relate specifically to the outputs of the division and operational records in the course of organisational operations.
- 9.3 The categories of records generated in the Department are classified in the manner listed below –
 - 9.3.1 according to the file plan for correspondence, files on strategic support, core functions, and operational processes of the Department.
 - 9.3.2 the Records Control Schedule for other records including publications and audio-visual records and the electronic information systems of the Department.
- 9.4 Certain records of the Department are acquired in the course of work of the Department and in certain instances records are received from public and private bodies in accordance with PAIA and POPIA.
- 9.5 The Department reserves the right to transfer requests for records to relevant bodies where these bodies were the primary holders or generators of the information requested, or where the Department no longer has possession of such record.

9.6 The Department also reserves the right to create new categories of records where this is necessary. This Manual will be updated to reflect changes in categories of records accordingly.

9.7 **Description of the subjects on which the Department holds records and the categories of records held on each subject.**

9.7.1 The Department holds the following records, which are available from the Department and may be requested by way of the PAIA request process prescribed in paragraph 9.7.3 below. Such records usually do not have information which can reasonably be said to be of a confidential nature.

9.7.2 Most records which fall into this category of information are available from the registry of the Department.

9.7.3 Below is the list of records and information that may be formally requested in terms of PAIA.

Subjects on which the body holds records	Categories of records held on each subject
STRATEGIC DOCUMENTS, PLANS, PROPOSALS	<ul style="list-style-type: none">• Annual Reports, Strategic Plan, Annual Performance Plan.• Monitoring and Evaluation reports.
CO-OPERATIVE GOVERNANCE	<ul style="list-style-type: none">• Development and Planning records (i.e., spatial, and human settlement planning, local economic development (LED), Land Use, Deeds, IDPs, Infrastructure, Spatial planning)• Municipal infrastructure development records (i.e., municipal infrastructure delivery programme, municipal assets management, free basic services programmes (fbs), infrastructural administration management)• Co-operative governance support records (municipal institutional capacity building services, municipal performance, municipal finance).
TRADITIONAL AFFAIRS	<ul style="list-style-type: none">• Traditional Affairs records• Institutional and kings/queenships support services

Subjects on which the body holds records	Categories of records held on each subject
INTEGRATED SUSTAINABLE HUMAN SETTLEMENTS	<ul style="list-style-type: none"> • Anthropological Services and House of Traditional Leaders ▪ Human Settlements Sector Performance and Municipal Support records (Human Settlement Capacity Development, Municipal Housing Accreditation, Industry and Economic Development Analysis) ▪ Housing Admin and Property Management Records (Debtors, Lease Agreements, Property Disposal, Subsidy and Claims, Asset Register) ▪ Social Housing Development records (Community-Based Housing, Institutional Housing) ▪ Housing Project Management records (Informal Settlement, Rural Housing, Social Amenities, Housing Rectification)
CORPORATE SERVICES	<ul style="list-style-type: none"> • Information Technology Records • Strategic Management Records. • General and Human Resource Records • Communication and Knowledge Management Records • Information Sources • Service Excellence Records • Physical Security Records • Anti-fraud and Corruption Records • Risk Management Records
FINANCIAL ADMINISTRATION.	<ul style="list-style-type: none"> • Housing Subsidy Payments Records • Creditors and Debtors and Revenue Records • Budget and Accounting Records • Supply Chain Records

9.8 Categories of records that may be subject to the grounds for refusal of access to records.

9.8.1 The records listed in the categories above may be formally requested, but access to parts of these records or the whole record may be refused on legal grounds listed in sections 33 to 46 and sections 62 to 70 of PAIA.

9.8.2 The Department further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources.

9.8.3 Access will also be refused where requests are clearly frivolous and or vexatious.

9.8.4 However, the Information Officer or Deputy Information Officer(s) may grant a request for access to a record of the Department, if –

9.8.4.1 the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law; and

9.8.4.2 the public interest in the disclosure of the record clearly outweighs the harm contemplated in any of the grounds for refusal of access to records.

10. Records available without a request - Automatically available records (Section 15)

The following are categories of records generated by the Department, which are freely and readily available without having to request access in terms of the Act:

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g., Website) <u>SECTION 15(1)(b)</u>
For inspection in terms of <u>Section 15 (1)(a)(i)</u>	
Section 14 manual made available in terms of the Promotion of Access to Information Act 2 of 2000	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre

For purchasing in terms of Section 15(1)(a)(ii)	
Photographs	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Tender Bulletins	Purchased within the Cashier Office at 20 Rabe Street, Hensa Towers, Polokwane-Department of Co-operative Governance, Human Settlements and Traditional Affairs.
For Copying in terms of Section 15(1)(a)(ii)	
Speeches	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Departmental Circulars	Website: www.coghsta.limpopo.gov.za Departmental Registry
Newsletters	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Strategic Plans	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Annual Performance Plan	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Departmental Contact Details	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Policies, Acts and Regulations	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Service Standards and norms	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Forms	Website: www.coghsta.limpopo.gov.za Departmental Registry
Departmental Structure	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre
Maps	Website: www.coghsta.limpopo.gov.za Departmental Knowledge and Resource Centre

Information Brochures	Departmental Knowledge and Resource Centre
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11. PROCEDURE FOR ACCESS TO RECORDS HELD BY THE DEPARTMENT

11.1 Section 18 of PAIA prescribes the procedure to be followed in making a request for access to information held by the Department. Section 23(1) of POPIA also provides the procedure to access personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 18 of PAIA.

11.2 A requester or data subject must use the prescribed form, FORM 2, when requesting access to a record or personal information. Form 2 is annexed hereto.

11.3 A requester is any person making a request for access to a record of the Department and in this regard, PAIA distinguishes between two types of requesters for access to information, i.e., Personal Requester, (data subject) and Other Requester.

11.3.1 A data subject is a requester who, having provided adequate proof of identity, is seeking access to a record containing personal information about the data subject. Subject to the provisions of PAIA and POPIA, the Department will provide the requested information, or give access to any record regarding the data subject's personal information within a reasonable time, (at a prescribed fee, if any) in a reasonable manner and format and in a form that is generally understandable. The prescribed fee for reproduction of the personal information requested will be charged by the Department.

11.3.2 A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties. However, the Department is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.

11.4 The Form 2 must be addressed and submitted to the Information Officer by hand, post, per fax or e-mail, which details are set out in paragraph 6 above.

11.5 The requester must provide sufficient information of the record(s) requested for the Information Officer or Deputy Information Officer, if any, to identify the record(s). The prescribed form must be filled in with enough particularity to at least enable the Information Officer to identify:

11.5.1 the identity of the requester;

11.5.2 particulars of record requested;

11.5.3 type of record;

11.5.4 form of access; and

11.5.5 manner of access.

11.6 Some additional important points to remember when completing the request form:

11.6.1 each section of the form contains instructions that should be followed to improve the likelihood of the request being granted with minimal delay being experienced;

11.6.2 if records are requested on behalf of another person, please provide a copy of the mandate authorising you to act on behalf of another person;

11.6.3 a detailed description of the records being requested must be provided to enable the Information Officer or Deputy Information Officer to identify it accurately.

11.7 The requester must indicate, as per section 29(2) of PAIA, the form of access that is required.

11.8 The requester must indicate whether the requested record(s) is preferred in any particular language.

11.9 The requester should indicate the manner in which he/she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.

11.10 The requester will receive the information in such manner as indicated. Section 29(3) of PAIA indicates that making available the information will depend on whether the request will not interfere unreasonably with the effective administration of the

Department, be detrimental to the preservation of the record(s) or infringe any copyright not owned by the State.

- 11.11 The requester must indicate, as per section 29(2) of PAIA, the form of access that is required.
- 11.12 The requester must indicate whether the requested record(s) is preferred in any particular language.
- 11.13 The requester should indicate the way he/she wishes to be informed of the decision on the request and the necessary particulars to be informed accordingly.
- 11.14 An oral request for access to a record(s) may be made if the requester does not have a formal education or has a disability. The Information Officer or Deputy Information Officer will assist the requester to complete the prescribed form on behalf of such requester and provide him/her with a copy of the completed form.
- 11.15 The requester will be notified of the prescribed fee payable, if any, the method of payment and the office to which he/she can make such payment or submit proof of payment before a request for information is processed further. Please note that the requester is exempted from paying an access fee to the Regulator if –
 - 11.15.1 the requester is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than R14 712 a year, or
 - 11.15.2 the requester is married and his/her joint income, after permissible deductions, such as PAYE and UIF, is less than R27 192 per year.
- 11.16 The request for information will, in terms of Section 25 of PAIA, be processed by the Information Officer within 30 days after receipt of the request or as soon as is reasonably possible, whereafter the Information Officer will inform the requester of his/her decision, either to grant or reject the request for access to records. The decision must, if it is reasonably possible, be communicated in the manner requested by the requester.
- 11.17 Section 26 of PAIA prescribes the instances where the period of thirty (30) days referenced in Section 25 of PAIA, may be extended once for a further 30 days. The

period of 30 days may be extended once for a further period of not more than 30 days, if –

- 11.17.1 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 the Department.
- 11.17.2 the request requires a search for records in, or collection thereof from, an office of the Department not situated in the same town or city as the office of the Information Officer and cannot reasonably be completed within the original period;
- 11.17.3 consultation among divisions of the Department or with another public body is necessary or desirable to decide upon the request and such decision-making process cannot reasonably be completed within the original period;
- 11.17.4 more than one of the circumstances contemplated in paragraphs 13.17.1, 13.17.2 and 13.17.3 exist in respect of the request making compliance with the original period not reasonably possible; or;
- 11.17.5 the requester consents in writing to such extension.

11.18 If the period has been extended, the information officer must as soon as possible and within 30 days of first receiving the request inform the requester of that extension.

11.19 If a request for access to a record has been refused, delayed, or granted subject to unreasonable fees or is granted in an unacceptable form, the requester may lodge an internal appeal as per Section 74 of PAIA.

11.20 Section 74 of PAIA allows for appeals against the decision of the Information Officer and the appeal processes (which are not compulsory).

11.21 According to Section 78 of PAIA, a requester or third party referred to in Section 74, may only apply to a Court for appropriate relief in terms of Section 82 of the Act, after having exhausted the internal appeal procedure against a decision of the Information Officer. As indicated in paragraph 9.3 above, appeal processes are not compulsory

and the requester or thirds party may, at any time, within the prescribed period of 180 days, approach the court for appropriate relief.

12. SERVICES OFFERED BY COGHSTA AND HOW TO GAIN ACCESS TO THOSE SERVICES

No	Sub-department	Service
1.	Cooperative governance	<ul style="list-style-type: none"> • Development and Planning • Municipal Infrastructure Development • Cooperative Governance Support • Democratic Governance and Disaster Management
2.	Traditional affairs	<ul style="list-style-type: none"> • Traditional Affairs <ul style="list-style-type: none"> ▪ Institutional and kings/queenships support services ▪ Anthropological services and House of Traditional leaders
3.	Human settlements	<ul style="list-style-type: none"> • Human Settlement Sector Performance and Municipal Support • Housing Administration and Property Management • Human Settlement Development
4.	Corporate services	<ul style="list-style-type: none"> • Strategic Human resource management • Human Resource utilization and Capacity Development • Government Information Technology • Regulatory and Compliance • Strategy Management • Risk and Internal Control • Security and Investigation Management
5.	Financial management services	<ul style="list-style-type: none"> • Financial Administration and accounting • Supply Chain Management • Internal Control and Compliance

13. PROCESSING OF PERSONAL INFORMATION

13.1 The Department will process personal information of data subjects under its care in the following ways

13.1.1.1 Staff administration and Job applicants;

13.1.1.2 Keeping of accounts and records;

13.1.1.3 Procurement process;

13.1.1.4 Visitors to any premises of the Department

13.2 Categories of Data Subjects and their Personal Information

13.2.1 The department may process records relating to suppliers, shareholders, contractors, service providers, staff and clients:

Categories of data subjects	Personal information that may be processed
Foreign Persons / Entities	Name; contact details (contact number(s), fax number, email address); physical and postal addresses.
Intermediary / Advisor/ Consultant	Names of contact persons; Name of Entity; Physical and Postal address and contact details (contact number(s), fax number, email address); Registration Number.
Contracted Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies.
Employees / Members / Committee Members	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references.

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

The Department may supply the personal information of data subject to the Service Providers who render the following services –

13.3.1 Conducting criminal checks.

13.3.2 Conducting qualification verifications.

13.3.3 Forensic investigation and any other investigation relating to the activities of the Department.

13.3.4 Auditing.

13.3.5 Administration of the Government Employee Pension Funds and medical aids; and

13.3.4 the Department may also supply the personal information of data subjects to –

13.3.5 any regulatory authority or tribunal, in respect of any matter or part thereof, that falls under their jurisdiction.

13.3.6 law enforcement agencies, such as the National Prosecuting Authority or South African Police Service, for criminal investigation.

13.3.7 to Courts, in respect of any matter taken on judicial review.

13.4 General Description of Information Security Measures

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

13.4.1.1 loss of, damage to or unauthorised destruction of personal information; and

13.4.1.2 unlawful access to or processing of personal information.

13.4.2 The Department has taken reasonable measures, as contained in the paragraph below, to –

13.4.2.1 identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control.

13.4.2.2 establish and maintain appropriate safeguards against the risks identified.

13.4.2.3 regularly verify that the safeguards are effectively implemented; and

13.4.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

13.5 Measures taken by the Department includes, amongst others –

13.5.1 Access Control

13.5.2 Data Encryption.

☐ 13.5.3 Defensive Measures.

13.5.4 Robust Monitoring, Auditing and Reporting capabilities

13.5.5 Data Backups.

13.5.6 Anti-virus and Anti-malware Solutions.

13.5.7 Awareness and Vigilance; and

13.5.8 Agreements are concluded with Operators to implement security controls.

14. PRESCRIBED FEES

☐ 14.1 Section 22(1) of PAIA states that fees payable for access to records of the Department are to be prescribed. The prescribed fees are as set out in Annexure A, attached hereto.

14.2 A requester who seeks access to any record may be required to pay a fee, unless exempted, as referred to in paragraph 13.3 below.

14.3. The requester does not need to pay an access fee to a public body if –

14.3.1. He or she is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than R14 712 a year, or

14.3.2. He or she is married and the joint income with his or her partner, after permissible deductions, such as PAYE and UIF, is less than R27 192 per year.


15. AVAILABILITY OF THE MANUAL

15.1 The Manual of the Department will be made available in the following official languages: English, Afrikaans, Sepedi, Tsonga and Venda

15.1.1 on the website of the Department at www.coghsta.limpopo.gov.za

15.1.2 at the head office of the Department for public inspection during normal business hours;

15.1.3 to any person upon request and upon the payment of a reasonable amount.


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

16. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

16.1 Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.

16.2 Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

17. DISPOSAL OF RECORDS

 17.1 The Department reserves the right to lawfully dispose of certain records in terms of authorities obtained from the Provincial Archivist.

17.2 Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

17.3 In accordance with section 24(1) of POPIA, the Department may, upon receipt of the request from a data subject –

17.3.1 correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or

17.3.2 destroy or delete a record of personal information about the data subject that the Department is no longer authorised to retain in terms of section 14 of POPIA.

18. UPDATING OF THE MANUAL

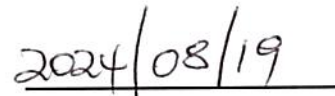
The Department will, if necessary, update and publish this Manual annually.

19. AUTHORIZATION

This Manual was approved by the Head of Department of Co-operative Governance, Human Settlements and Traditional Affairs.



HEAD OF DEPARTMENT
DR.MM MALAHLELA



DATE

20. ANNEXURES

A. PRESCRIBED FEES FOR THE DEPARTMENT

Reproduction	Fees
The request fees payable by every requester	R100.00
photocopy of an A4-size page or part thereof	R1.50 per page or part thereof
printed copy of an A4-size page	R1.50 per page or part thereof
For a copy in a computer-readable form on-compact disc	R40,00
or a transcription of visual images, for an A4-size page or part thereof	R24,00
For a transcription of an audio record, for an A4-size page or part thereof	R24,00

Access	Fees
photocopy of an A4-size page	R1.50 per page or part thereof
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R40,00
For a copy in a computer-readable form on- <ul style="list-style-type: none"> • Compact disc 	R40,00
For a transcription of visual images, for an A4-size page or part thereof	R24,00
For a transcription of an audio record, for an A4-size page or part thereof	R24,00
To search for and prepare the record for disclosure for each hour of part of an hour, excluding the first hour, reasonably required for such search and preparation.	100.00
To not exceed a total cost of	300.00

REQUEST FOR ACCESS TO RECORD

FORM 2

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorization, must be attached to this form.

TO: The Information Officer

_____ (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

☐ Request is made in my own name
 ☐ Request is made on behalf of another person.

PERSONAL INFORMATION

Full Names			
Entity Number			
Capacity in which request is made (<i>when made on behalf of another person</i>)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:

Cellular:	
-----------	--

Full names of person on whose behalf request are made (if applicable):	
--	--

Page 1 of 5

Identity Number	
Postal Address	

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue to a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available	

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

A request fee must be paid before the request will be considered.

You will be notified of the amount of the access fee to be paid.

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.

Any further particulars
of record

TYPE OF RECORD

(Mark the applicable box with an "X")

Record is in written or printed form

Record comprises virtual images (*this includes photographs, slides, video recordings, computer-generated images, sketches, etc*)

Record consists of recorded words or information which can be reproduced in sound

Record is held on a computer or in an electronic, or machine-readable form

FORM OF ACCESS

(Mark the applicable box with an "X")

Printed copy of record (*including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form*)

Written or printed transcription of virtual images (*this includes photographs, slides, video recordings, computer-generated images, sketches, etc*)

Transcription of soundtrack (*written or printed document*)

Copy of record on flash drive (*including virtual images and soundtracks*)

Copy of record on compact disc drive (*including virtual images and soundtracks*)

Copy of record saved on cloud storage server

MANNER OF ACCESS

(Mark the applicable box with an "X")

If you qualify for exemption of the payment of any fee, please state the reason for exemption

Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Processing fees:	
Deposit (if any):	

Signature of Information Officer

OUTCOME OF REQUEST AND OF FEES PAYABLE
FORM 3
[Regulation 8]

Note:

1. If your request is granted the—

- (a) amount of the deposit, (if any), is payable before your request is processed; and
(b) requested record/portion of the record will only be released once proof of full payment is received.

2. Please use the reference number hereunder in all future correspondence.

To : _____

Reference number: _____

Your request dated _____ refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)

Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Transcription of soundtrack (written or printed document)

Copy of information on flash drive (including virtual images and soundtracks)

Copy of information on compact disc drive (including virtual images and soundtracks)

Copy of record saved on cloud storage server

3. To be submitted

Postal services to postal address

Postal services to street address

Courier service to street address

Facsimile of information in written or printed format (including transcriptions)

E-mail of information (including soundtracks if possible)

Cloud share/file transfer

Preferred language:

(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)

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
i Flash drive			
• To be provided by requestor	R40.00		
ii Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL			

Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search

Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank	:	_____
Name of account holder	:	_____
Type of account	:	_____
Account number	:	_____
Branch Code	:	_____
Reference Nr	:	_____
Submit proof of payment to	:	_____

Signed at _____ this _____ day of _____ 20____

Information Officer



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
CO-OPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number: _____

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?		Yes		No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				

Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
E-Mail Address			

<p align="center">DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(Mark the appropriate box with an "X")</i></p>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
<p align="center">GROUND FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i></p>	
State the grounds on which the internal appeal is based:	

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

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication (<i>Please specify</i>)

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

Page 2 of 3

FOR OFFICIAL USE
OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>		
Date received:		
Appeal must be accompanied by the reasons of the officer's decision and, where applicable, the particulars of any third party to whom by which the record relates, submitted the information officer:	Yes	
	No	
OUTCOME OF APPEAL		

Refusal of request for access. Confirmed?	Yes		New decision (If not confirmed)	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision (If not confirmed)	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision (If not confirmed)	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision (If not confirmed)	
	No			
Request for access granted. Confirmed?	Yes		New decision (If not confirmed)	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority

Page 3 of 3



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
CO-OPERATIVE GOVERNANCE,
HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS

APPLICATION FOR THE CONSENT OF A DATA SUBJECT FOR THE PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF DIRECT MARKETING IN TERMS OF SECTION 69(2) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017

[Regulation 6]

TO:

(Name and address of data subject)

FROM:

Contact number(s): _____

Fax number: E-mail address: _____

(Name, address, and contact details of responsible party)

Dear *Mr/Ms/Dr/Adv/Prof _____

PART A

1. In terms of section 69 of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), the processing of personal information of a data subject (the person to whom personal information relates) for the purpose of direct marketing by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by this responsible party. After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether by automatic means, concerning personal information, including—

(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

(b) dissemination by means of transmission, distribution or making available in any other form; or

(c) merging, linking, as well as restriction, degradation, erasure, or destruction of information.