



**INFORMATION PAIA MANUAL OF ICLEI – LOCAL GOVERNMENTS FOR SUSTAINABILITY – AFRICA
NPC (“PAIA MANUAL”)**

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, Number 2 of
2000 (“the Act”)

Edition 1, June 2021

TABLE OF CONTENTS	Page
1. Introduction	2
2. ICLEI – Local Governments for Sustainability – Africa NPC	2
3. Contact details	2
4. The Information Officer	2
5. The Act and Section 10 Guide	3
6. Applicable Legislation	3
7. Records available only on request to access in terms of the Act	3
8. Access to records held by ICLEI Africa	4
a) How to request a record	4
b) Fees	4
c) Records held by ICLEI Africa	5
9. Availability of the Manual	6
10. Prescribed fee structure and application form in respect of private bodies	6
ANNEXURE A List of Fees	7
ANNEXURE B Application Form	8-11

1. INTRODUCTION

The aim of this manual is to assist potential requesters in requesting access to information (documents or records) from ICLEI – Local Governments for Sustainability – Africa as contemplated under the Promotion of Access to Information Act No 2 of 2000 (“the Act”).

The Manual may be amended from time to time, and as soon as any amendments have been effected, the latest version of the Manual will be published and distributed in accordance to the Act.

A requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.

2. ICLEI – LOCAL GOVERNMENTS FOR SUSTAINABILITY – AFRICA NPC

ICLEI – Local Governments for Sustainability is a global network working with more than 2500 local and regional governments committed to sustainable urban development. Active in 125+ countries, we influence sustainability policy and drive local action for low emission, nature-based, equitable, resilient and circular development.

ICLEI – Local Governments for Sustainability – Africa NPC (“ICLEI Africa”) is a Non Profit Company (PBO number 930 032 155) established in accordance with the laws of South Africa with CIPC, Registration Number: 2002/005578/08, is exempt from Income Tax and is registered for VAT.

This PAIA Manual of ICLEI Africa is available to view at its premises: Unit 1, 2nd floor, South Tower, Sable Park, 14 Bridge Way, Century City 7441 as well as on its website: www.africa.iclei.org

3. CONTACT DETAILS OF ICLEI AFRICA (SECTION 51(1)(A))

Regional Director:	Mrs. Kobie Brand
Registered Physical Address:	Unit 1, 2 nd floor, South Tower, Sable Park, 14 Bridge Way, Century City 7441, Cape Town, South Africa
Postal Address:	PO Box 5319, Tygervalley 7536, Cape Town, South Africa
Telephone Number:	+27 21 202 0381 (Reception)
Email address:	iclei-africa@iclei.org
Website:	www.africa.iclei.org

4. THE INFORMATION OFFICER (SECTION 51(1)(B))

The Act prescribes the appointment of an Information Officer for Public Bodies where such Information Officer is responsible to, inter alia, assess requests for access to information. The Head of a Private Body fulfils such a function in terms of section 51. ICLEI Africa has opted to appoint an Information Officer to assess requests for access to information as well as to oversee its required functions of the Act.

The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and

responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render ICLEI Africa as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the POPI Act 4 of 2013. All requests for information in terms of the Act must be address to the Information Officer.

Contact details of the Information Officer:

Information Officer: Kobie Brand (Regional Director: ICLEI Africa)

Deputy Information Officer: Stephanie Babef (Finance Manager: ICLEI Africa)

(All information officers may be contacted through the ICLEI Africa details listed above)

5. THE ACT AND SECTION 10 GUIDE (SECTION 51(1)(B))

A guide on how to use the Act has been compiled by the South African Human Rights Commission and is available from them. Any queries should be directed to:

The South African Human Rights Commission

PAIA Unit (The Research and Documentation Department)

Private Bag X2700, Houghton, 2041

Telephone number: (011) 877-3600

Fax number: (011) 403-0625

Website: www.sahrc.org.za

Email Address : paia@sahrc.org.za

6. APPLICABLE LEGISLATION (SECTION 51(1)(C))

In terms of Section 52, a Private Body may, on a voluntary and period basis, submit to the Minister a description of categories of records which are automatically available without a person having to request access in terms of the Act. This includes records which are available:

- For inspection;
- For purchase or copying from the Private Body; and
- From the Private Body free of charge

7. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1)(D))

Records are kept in accordance with such legislation as is applicable to ICLEI Africa, which includes but is not limited to, the following legislation:

- Basic Conditions of Employment Act 75 of 1997

- Closed Corporation Act 69 of 1984
- Close Corporations Amendment Act 25 of 2005
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Intellectual Property Laws Amendments Act 38 of 1997
- Non-profit Organisations Act 71 of 1997.
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Protection of Businesses Act 99 of 1978
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

8. ACCESS TO RECORDS HELD BY ICLEI AFRICA (SECTION 51(1)(E))

It should be noted that any and all records, whether specifically listed or not, shall only be made available subject to the provisions of the Act.

a. How to request a record

The requestor must make use of the prescribed form to make the request, a copy of which is attached as ANNEXURE B to this Manual. The request must be made to the Information Officer at ICLEI Africa provided herein.

The requester must:

- i. Provide sufficient detail in the request to enable the Information Officer to identify the record or records requested and the requester.
- ii. Indicate which form of access is required.
- iii. Specify a postal address or fax number in South Africa, or an e-mail address. The requestor should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

- iv. Identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- v. Submit proof, to the satisfaction of the head of the private body of the capacity in which the requester is making the request if a request is made on behalf of another.

Completed request forms together with the request fee (if applicable) should be submitted to the Information Officer as described under item 3: CONTACT DETAILS.

The request for access to records will deem to have been made once the form has been received by our offices.

b. Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the request fee:

- The Information Officer must by notice require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request.
- The fee that a requester must pay to a private body is R50.00. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the Information Officer has made a decision on the request, the requester must be notified in the form he or she required.
- If the request is granted, then a further access fee must be paid for reproduction and for search and preparation to search and prepare the record for disclosure.

Should you require greater clarity, we refer you to the Guide on how to use the Promotion of Access to Information Act published by the Human Rights Commission on the website www.sahrc.org.za

c. Records held by ICLEI Africa

ICLEI Africa holds the following categories of information, records and documentation:

- Accounting Records
- Administrative Information
- Asset register
- Contracts and Service Level Agreements
- Human Resources Records
- ICLEI Africa database (electronic), including but not limited to Partners, Members, Supporters and Donors
- Information Technology Details
- Insurance Policies
- Intellectual Property
- Internal Phone Lists
- Minutes of Meetings

- Memoranda of Understanding
- Monitoring and Evaluation Records
- Network Member Records
- Policies and Procedures
- Publications
- Statutory Company Records

9. AVAILABILITY OF THE MANUAL

This Manual is available for inspection by the general public on www.africa.iclei.org or upon request during office hours at the offices of the organisation at the address as stated in clause 3 of this Manual. Copies of the Manual may be made available subject to the prescribed fees.

10. PRESCRIBED FEE STRUCTURE AND APPLICATION FORM IN RESPECT OF PRIVATE BODIES

The fee structure and the application form are prescribed under PAIA and are attached to this manual. It is also available from:

- the Government Gazette,
- the website of the Department of Justice and Constitutional Development (www.doj.gov.za) (section: "regulations")
- the SAHRC website (www.sahrc.org.za).

ANNEXURE A

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a) For every photocopy of an A4-size page or part thereof R 1,10
 - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R 0,75
 - c) For a copy in a computer-readable form on compact disc R 70,00
 - d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00
(ii) For a copy of visual images R 60,00
 - e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00
(ii) For a copy of an audio record R 30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - (1) (a) For every photocopy of an A4-size page or part thereof R 1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R 0,75
(c) For a copy in a computer-readable form on compact disc R 70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof R 40,00
(ii) For a copy of visual images R 60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof R 20,00
(ii) For a copy of an audio record R 30,00
(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.
 - (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
 - (3) The actual postage is payable when a copy of a record must be posted to a requester.

ANNEXURE B

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000 Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

ICLEI – Local Governments for Sustainability – Africa NPC

Mail to: P O Box 5319,
Tygervalley 7536
South Africa

Or deliver to:
Unit 1, 2nd floor, South Tower, Sable Park,
14 Bridge Way,
Century City 7441
South Africa

Or e-mail to iclei.africa@iclei.org (as an attachment)

**Attention: The Information Officer
Mrs Kobie Brand**

B. Particulars of person requesting access to the record

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the record must be given below.</i></p> <p>(b) <i>The address and/or fax number in South Africa to which the information is to be sent must be given.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Full names and surname: _____

Identity number: _____

Postal address: _____

Postal Code: _____

Telephone number: _____

Fax number: _____

Email 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 / details 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 page and attach it to this form. **The requester must sign all the additional pages.***

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 of R50.00 has been paid.

(b) 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.

(c) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:						
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>							
1. If the record is in written or printed form:							
	copy of record*		inspection of record				
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):							
	view the images		copy of the images*				
			transcription of the images*				
3. If record consists of recorded words or information which can be reproduced in sound:							
	listen to the soundtrack (audio cassette)		transcription of the soundtrack* (written or printed document)				
4. If record is held on computer or in an electronic or machine-readable form:							
	printed copy of record*		printed copy of information derived from the record*				
			copy in computer readable form (stiffy or compact disc)*				
*If you requested a copy or transcription or stiffy / compact disc of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	YES	NO		
YES	NO						

G. 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.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the
aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE