



as amended

Prepared in terms of Section 14 of the Promotion of Access to Information Act 2 of 2000

# PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

**AGENDA: COUNCIL: 30 SEPTEMBER 2025**

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**1. LIST OF ACRONYMS AND ABBREVIATIONS**

1.1	“RLM”	Rustenburg Local Municipality
1.2	“PAIA”	Promotion of Access to Information Act No. 2 of 2000
1.3	“POPIA”	Protection of Personal Information Act No. 4 of 2013
1.4	“IO”	Information Officer
1.5	“DIO”	Deputy Information Officer
1.6	“PIRC”	POPIA Incidence Response Committee
1.7	“MFMA”	Municipal Finance Management Act No. 56 of 2003
1.8	“Regulator”	Information Regulator
1.9	“Structures Act”	Municipal Structures Act No. 117 of 1998
1.10	“Systems Act”	Municipal Systems Act No. 32 of 2000
1.11	“MPRA”	Municipal Property Rates Act No. 6 of 2000
1.12	“IDP”	Integrated Development Plan

**2. DEFINITIONS**

**“Access Fee”** means a fee prescribed for the purpose of Section 22(6) or 54(6) as the case may be;

**Data subject”** means the person whom personal information relates;

**“Deputy Information Officer”** means the designated individual who is responsible for assisting the Information Officer with the PAIA request.

**“Information Officer”** means the Municipal Manager appointed in terms of Section 82

**“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;

**"Head"**

means –

- in the case of a natural person, including a person referred to in paragraph (c) of the definition of "political party", that natural person or any person duly authorised by that natural person;
- in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership;
- in the case of a juristic person –

(a) executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or

(b) the person who is acting as such or any person duly authorised by such acting person; or

(c) the case of political party, the leader of the political party or any person duly authorised by that leader;

**"Human Rights Commission"**

means the South African Human Rights Commission referred to in Section 181 (1) (b) of the Constitution; the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or the person who is acting as such or any person duly authorised by such acting person;

**"Information Regulator"**

means the Information Regulator established in terms of Section 39 of the Protection of Personal Information Act, 2013;

**"Internal appeal"**

means an internal appeal to the relevant authority in terms of Section 74;

**"Minister"**

means the Cabinet member responsible for the administration of justice;

**"Person"**

means a natural person or a juristic person;



**“Personal information”** means information relating to an identifiable natural

person, including, but not limited to –

- 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;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- 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;
- the views or opinions of another individual about the person; and
- 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;

**“Political party”** means -

- any entity that accepts donations principally to support or oppose any registered political party or its candidates, in an election as defined in Section 1 of the Electoral Act, 1998 (Act No. 73 of 1998);
- any registered political party as defined in the Electoral Act, 1998; or
- a natural person who is an independent candidate.

**“Private body”** means –

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity; a 1.1.14.2 partnership which carries or has carried on any trade, business or
- profession; or any former or existing juristic person; or
- a political party but excludes a public body;



**"Public body"**

means -

- any department of state or administration in the national or provincial sphere of government or any RLM in the local sphere of government;
- or any other functionary or institution when Constitution or a provincial constitution; or

**"Record"**

means any recorded information –

- regardless of form or medium;
- in the possession or under the control of that public or private body, respectively; and
- whether or not it was created by that public or private body, respectively; exercising a power or performing a duty in terms of the exercising a public power or performing a public function in terms of any legislation;

**3. PURPOSE OF PAIA MANUAL**

3.1 The Promotion of Access to Information Act 2 of 2000 gives effect to the public's right to information from public and private bodies as contained in Section 32 of the Constitution *inter alia* to advance and increasingly focus on the development of good corporate governance.

3.2 The RLM recognises and is committed to fulfilling its constitutional obligations to, *inter alia* –

- 3.2.1 To ensure transparency and accountability
- 3.2.2 To guide requesters on submitting requests.
- 3.2.3 To inform requesters of their rights and responsibilities.

3.3 This PAIA Manual is useful for the public to –

3.3.1 check the nature of the records which may already be available at the RLM without the need for submitting a formal PAIA request;

3.3.2 understand how to make a request for access to a record of the RLM;



3.3.3 obtain all the relevant contact details of the person(s) who will assist the public with the records they intend to access;

3.3.4 know all the remedies available from the RLM regarding request for access to the records, before approaching the Regulator or the Courts;

3.3.5 know the description of the services available to members of the public from the RLM and how to gain access to those services;

3.3.6 know a description of the guide on how to use PALA, as updated by the Regulator and how to obtain access to it;

3.3.7 know if the body will process personal information and the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

3.3.8 know if the RLM 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

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

**4. SCOPE OF THE MANUAL**

4.1 PALA manual provides a comprehensive framework for accessing information outlining procedures, rights and responsibilities;

4.2 Check the nature of the records which may already be available at Rustenburg Local RLM, without the need for submitting a formal PALA request;

4.3 Understand how to make a request for access to a record of the Rustenburg Local RLM;



4.4 Access all the relevant contact details of the persons who will assist the public with the records they intend to access;

4.5 Know all the remedies available from the Rustenburg Local RLM regarding request for access to the records, before approaching the Regulator or the Courts;

4.6 The description of the services available to members of the public from the Rustenburg Local RLM and how to gain access to those services;

4.7 A description of the guide on how to use PALA, as updated by the Regulator and how to obtain access to it;

4.8 If the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

4.9 Know if the Rustenburg Local RLM 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

4.10 Know whether the Rustenburg Local RLM has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

**5. ESTABLISHMENT OF RUSTENBURG LOCAL MUNICIPALITY**

5.1 In terms of the provisions of Section 12 read with Section 14 of the Local Government: Municipal Structures Act, Act 117 of 1998, the RLM was established in terms of Provincial Notice 316 of 2000 published in the North West Provincial Gazette No 5574 dated 29 September 2000.

5.2 The RLM has its principal place of business at the Municipal Offices, Missionary Mpheni House, Corner of Nelson Mandela Drive and Beyers Naude Drive, Rustenburg, North West Province.



**6. STRUCTURE OF THE RUSTENBURG LOCAL MUNICIPALITY**

**6.1 ORGANIZATIONAL STRUCTURE**

Local government is functioning in a consistently changing environment and therefore its structures and services may change. Council's vision, goals and strategic priorities are continuously reviewed and the relevant current structures are aligned with its new strategic direction. The current organizational structure is illustrated in the organogram below, while Council governance structure is illustrated in the following chart.

**7. POLITICAL STRUCTURE**

The Council of the RLM comprises of 89 councillors (45 elected as ward councillors and 44 elected as proportional representation councillors) which include an Executive Mayor, a Speaker, a Mayoral Committee comprising of ten members and various Committees of which the Mayoral Committee is the executive committee.

**7.1 Executive Mayor**

The RLM has an Executive Mayor who is also the Appeal Authority in terms of this manual. The Executive Mayor of the RLM is the political head of the RLM and performs, *inter alia*, the following functions:

7.1.1 presides at the meeting of the Mayoral Committee;

7.1.2 performs the duties and exercises powers assigned to him in terms of legislation including the Local Government: Municipal Structures Act, Act 117 of 1998 (also referred to as "the Structures Act") incorporating also any ceremonial functions, and exercises the powers delegated to him/her by the municipal council;

7.1.3 identify the needs of the RLM;

7.1.4 Evaluate these needs in order of priority;



7.1.5 makes recommendations to the municipal council regarding the strategies to address priority needs;

7.1.6 carries the responsibilities extended to him under the provisions of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (also referred to as "the MFMA").

7.2 Speaker

The Speaker presides at meetings of the municipal council and performs the duties and exercises the powers referred to in the Structures Act.

7.3 Councillors

Councillors are elected to represent local communities:

7.3.1 to ensure that municipalities have structured mechanisms of accountability to local communities;

7.3.2 to meet the priority needs of communities by providing services equitably, effectively and sustainably, within the means of the RLM;

7.3.3 In order to ensure that Councillors fulfill their obligations to communities, and support the achievement by the RLM of its objectives set out in Section 19 of the Structures Act, a Code of Conduct for Councillors was established and all councillors are bound to comply with it. The Code is contained in Schedule 1 of the Local Government: Municipal Systems Act, Act 32 of 2000 (also referred to as the Systems Act). Councillors are elected as members of the municipal council for a period ending when the next council is declared elected;

7.3.4 The Executive Mayor, Speaker and Mayoral Committee Members are all councillors of the RLM.



**8. ADMINISTRATIVE STRUCTURE**

**8.1 Municipal Manager**

- 8.1.1 The Council has appointed a Municipal Manager in terms of Section 54A of the Systems Act. This official is the head of the Council's administration and also the accounting officer for the RLM;
- 8.1.2 As head of the administration and the accounting officer, the Municipal Manager *inter alia*: As responsible for the formation and development of an economical, effective, efficient and accountable administration, equipped to implement the Integrated Development Plan (IDP);
- 8.1.3 Advises the political structure and political office bearers of the RLM;
- 8.1.4 Manages communications between the RLM's administration and its political structures and political office bearers;
- 8.1.5 Carries out decisions of political structures and political office bearers of the RLM;
- 8.1.6 Fulfills the fiduciary duties and responsibilities extended to him under the MFMA and other legislation;
- 8.1.7 Administers and implements the RLM's by-laws and other legislation;
- 8.1.8 Exercises the powers and the performance of any duties delegated to him by the municipal council, or sub-delegated by other delegating authorities of the RLM in terms of Section 59 of the Systems Act.
- 8.1.9 Implements national and provincial legislation applicable to the RLM;
- 8.1.10 Implements and Oversees;
- 8.1.11 Strategy and Planning;



8.1.12 The Project Management Unit;

8.1.13 Regional Community Centres;

8.1.14 Information Technology;

8.1.15 Internal Audit; and

8.1.16 Legal and Valuation

8.1.17 Implements and oversees the RLM's relationship with the Water Services Trust in order to ensure accountability of the Water Services Trust to the RLM and that its mandate is properly executed.

## **9. DIRECTORATES**

Under the Municipal Manager as head of administration, resides the following Directorates, each with its own sub-departments:

9.1 Budget and Treasury Office

9.2 Roads & Transport (R&T)

9.3 Technical & Infrastructural Services

9.4 Community Development

9.5 Corporate Support Services

9.6 Planning & Human Settlement

9.7 Public Safety; and

9.8 Local Economic Development

## **10. CORE RESPONSIBILITIES OF DIRECTORATES**

### **10.1 BUDGET AND TREASURY OFFICE**

10.1.1 This Directorate renders accounting and financial management services for the RLM. It is also responsible for providing budget services which includes making sure that the annual budget of the RLM contains *inter alia*:-

- 10.1.1.1 estimates of all revenue expected to be received during the financial year ending 30 June to which the budget relates;
- 10.1.1.2 estimates of current expenditure for that financial year;
- 10.1.1.3 estimates of interest and debt servicing charges;
- 10.1.1.4 estimates of capital expenditure for that financial year and the projected financial implications of that expenditure for future financial years.

10.1.2 This Directorate also provides all financial management services, financial administrative support and financial advice to the other directorates and the council of the RLM with the view to ensuring sound financial administration. The directorate has various sub-directorates or units.

## **10.2 ROADS AND TRANSPORT**

10.2.1 This Directorate is responsible for the processes required to assess the need and extent of as well as the implementation and administration of the Roads and Transport (R&T).

10.2.2 The R&T is a public transport system designed to be fast and efficient. It provides an integrated transport network of safer, faster, affordable and more efficient public transport. It operates on fully or partly dedicated roads and transport routes.

10.2.3 The R&T connects with existing systems of rail, buses and mini-bus taxis, ensuring that people can move much more easily around the city.

10.2.4 The Roads and Transport (R&T) system is intended to be integrated, which means that the various public transport modes in Rustenburg will work in synergy.

10.2.5 Storm Water – involves the management of systems to deal with storm water within the area of jurisdiction of the RLM including the maintenance and development of infrastructure.

10.2.6 Municipal Roads – involves the construction maintenance and control of a road network for the benefit of the public.

10.2.7 Municipal Public Works – involves any infrastructure or services necessary to enable the RLM to perform its required functions.

10.2.8 Detailed information and booklets are available from the directorate, on the RLM's website.

### **10.3 TECHNICAL & INFRASTRUCTURAL SERVICES**

10.3.1 This Directorate is responsible for the provision of basic affordable and sustainable civil, electrical, mechanical and waste management services to the community of Rustenburg.

10.3.2 Key functions of the Directorate are:-

10.3.2.1 Electricity Reticulation – involves the bulk supply of electricity which includes electricity for the purposes of supply, transmission and distribution including the maintenance and development of infrastructure.

10.3.2.2 Water – involves the establishment, operation, management and regulation of a cost effective potable water supply system and services, including the maintenance and development of infrastructure.

10.3.2.3 Sanitation – involves the establishment, operation, management and regulation of a functional sanitation system, to provide cost effective sewer and sanitation services including maintenance and development of infrastructure.

10.3.2.4 Street Lighting – involves the provision and maintenance of lighting for illuminating of streets.



**10.4 COMMUNITY DEVELOPMENT**

10.4.1 This Directorate is responsible for the management, provision and maintenance of community facilities, libraries and information services, primary health care services and environmental health care services.

Key functions of the Directorate are:

**Community Facilities**

- (a) Provide and maintain cemeteries
- (b) Provide and maintain parks
- (c) Provide and maintain sports facilities
- (d) Provide and maintain swimming pools
- (e) Provide and maintain community halls

**Information and Services**

Provide library and information services

**Environmental Management Services**

Environment Management which includes Policy Review and Research; Assessment and Monitoring; Management Systems and Auditing; Education, Promotion and Communication.

**10.5 CORPORATE SUPPORT SERVICES**

10.5.1 This Directorate is responsible for the provision of effective and efficient administrative support and human resources service to the RLM.

Key functions of the Directorate are:-

10.5.1.1 Human resources acquisition and maintenance thereof including recruitment, utilisation and retention of the RLM's human capital resources.

10.5.1.2 Human resources employment relations which includes facilitating sound relationships between the employer and the employees.



10.5.1.3 Human resources employee training and development.

10.5.1.4 General administration.

10.5.1.5 Archive management.

### 10.6 PLANNING AND HUMAN SETTLEMENT

10.6.1 This Directorate is responsible for the provision and administration of all services related to town planning, human settlement and related issues within the area of jurisdiction of the Rustenburg Local RLM.

Key functions of the Directorate are:

10.6.1.1 Development Planning which includes Estates Administration;

Future Planning; Land Use and Law Enforcement.

10.6.1.2 Housing Provision which includes Rental Administration; Housing

Schemes, housing developments, and housing projects.

10.6.1.3 Building Control and Regulation which includes building

inspectors and to ensure that all buildings are safe and comply

with town planning schemes.

### 10.7 PUBLIC SAFETY

10.7.1 This Directorate is responsible for the overseeing of public safety and security.

Key functions of the Directorate are:-

10.7.1.1 Emergency and Disaster Management

10.7.1.2 Traffic Services

10.7.1.3 Crime Prevention

10.7.1.4 Licensing and Administration

**10.8 LOCAL ECONOMIC DEVELOPMENT**

10.8.1 This Directorate is responsible for facilitating the creation of a conducive environment within Rustenburg, where diverse domestic and international investment can be harnessed thereby encouraging sustainable local economic growth, development, empowerment, transportation and job opportunities.

Key functions of the Directorate are:

**SME Development**

(a) Training and skills development that include amongst others skills in construction, procurement, development of entrepreneurial skills, etc.

(b) Facilitation of access to funding.

(c) Exposure to markets and business opportunities.

(d) Promotion of partnerships, etc.

(e) Linking with prospective funders for SME development projects

(f) Promotion of the National legislation that includes the different Charters that relate to SME and business development

(g) Facilitate job creation

(h) Support and promote the RDP goals that support SME Development in procurement (i) Report on the Supply Chain Management output

(j) Tourism Development - This includes but is not limited to the following:

- Facilitation for the development of Tourism, Entities like Hotels, Lodges, Bed & Breakfast Facilities, Tourism Routes, meanders, hiking trails, tour guides, tour guides, tour operators, ecotourism, etc.
- Promotion of the Arts and Crafts.
- Promotion of the Performing Arts.
- Development of culture and heritage.
- Branding and Marketing of the City of Rustenburg.
- Linking with prospective funders for tourism development projects Promotion of partnerships, and the like

**Rural/Agricultural Development**

- Facilitation of access to land for agricultural purposes
- Supporting agricultural development



- Linking with prospective funders for agricultural development projects
- Promotion of partnerships, etc.

**Industrial Development including Manufacturing**

- All agro-processing projects
- Steel fabrication projects
- Promotion of the manufacturing of the Arts & Crafts
- Promotion of small-scale mining
- Promotion of partnership, etc.
- Linking with prospective funders for manufacturing and industrial development projects.

**10.9 MPAC**

10.9.1 Submission of the annual report (AR) – MPAC to monitor that AR has been submitted. In case of failure to submit, request reasons (MFMA Section 127).

10.9.2 Oversight report – MPAC to prepare a report and consider all representations made to the council, municipal officials, and members of the public. Public members should be allowed to address the Committee (MFMA Section 129).

10.9.3 Issues raised by the Auditor General (AG) – MPAC to monitor that the issues raised during the municipal audit have been fully addressed (MFMA Section 131).

10.9.4 MPAC to assist in monitoring the effectiveness of the Audit Committee – a fully functional Audit Committee is appointed (MFMA Section 166).

10.9.5 MPAC to monitor and exercise oversight on disciplinary action instituted in terms of the MFMA and the Financial Misconduct Regulations.

10.9.6 Promoting good governance, transparency, and accountability in the use of municipal resources.

10.9.7 Examine the performance-related information based on the functions assigned to the RLM as they align with the financial information.



10.9.8 Review and recommend to Council actions or otherwise relating to the expediting and conclusions of Unauthorized, Irregular, Fruitless, and Wasteful Expenditure (UIFW).

**10.10 AUDIT**

10.10.1 The Performance Audit Committee comprises s166 of the MFMA and performs responsibilities assigned to it by s166 of the Act and corporate governance code (King IV™).

10.10.2 The Committee is directly accountable to the Council. In discharging its responsibilities, the Committee has authority to:

- conduct or authorize investigations into any matters within its scope of responsibility.
- access any information, records and officials as it requires to fulfill its responsibilities.
- request the attendance of any executive or official at Committee meetings.
- conduct meetings with External Auditors (Auditor General South Africa) and Internal Auditors as deemed necessary.
- obtain advice from external parties as deemed necessary.
- facilitate any disagreements between management and the external auditor regarding financial reporting; and
- pre-approve all outsourced auditing assurance and consulting assignments.

**10.10 Risk Committees**

10.10.1 Risk Management;

10.10.2 Review the risk management framework for identifying, assessing, monitoring and managing significant risks;

10.10.3 Review the high-level risk register, including the report of significant changes to the Rustenburg Local RLM and the entity (ies)'s risk register;

10.10.4 Review the report on risk management culture of the Rustenburg Local RLM and the entity (ies);



10.10.5 Evaluate whether risk management is carried out in a manner that really benefits the Rustenburg Local RLM and the entity (ies);

10.10.6 Assess and contribute to the internal audit planning processes relating to the risks of the Rustenburg Local RLM and the entity (ies);

10.10.7 Review and recommend disclosures on matters of risk in the annual financial statements;

10.10.8 Review and recommend disclosures on matters of risk and risk management in the annual report;

10.10.9 Provide regular feedback to the Council / RWST Board of Trustees and the Municipal Manager – RLM / Chief Executive Officer - RWST on the adequacy and effectiveness of risk management in the Rustenburg Local RLM and the entity (ies), including recommendations for improvement; and

10.10.10 Satisfy itself that it has appropriately addressed the following risks:

- financial reporting risks, including the risk of fraud;
- risk of internal financial controls failure; and
- IT risks as they relate to financial reporting.

11. DESCRIPTION OF THE INFORMATION OR RECORDS HELD BY THE RLM

11.1 "Records" of the RLM refer to any recorded information –

11.1.1 regardless of form or medium;

11.1.2 in the possession or under the control of the RLM; and

11.1.3 whether or not it was created by the RLM.

11.2 This includes records created or received in the course of official business and which are kept as evidence of the RLM's functions, activities and transactions. There are different forms of records, for example correspondence files, maps, plans, registers, agendas and minutes, which could be available in different media, e.g. paper, electronic, or on microfilm.



**12. SECTION 32 OF CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, ACT 108 OF 1996 - ACCESS TO INFORMATION.**

12.1 This Section of the Constitution stipulates that everyone has the right of access to:

12.1.1 any information held by the State; and

12.1.2 also, to any information that another person holds and that is required to exercise or protect any rights.

12.2 Section 32 also requires that national legislation must be enacted to give effect to this right and may provide for reasonable measures to alleviate the administrative and financial burden on the State.

**13. THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000:**

13.1 The Promotion of Access to Information Act, Act 2 of 2000 (hereafter "the Act" or "PAIA") was enacted on 3 February 2000 giving effect to the Constitutional rights of access to information as referred to above, held by the State and to any information that another person holds and that is required for the exercise or protection of any right;

13.2 Section 9 of the Act, however, recognises that such right to access to information is subject to certain justifiable limitations, for instance, limitations aimed at:

13.2.1 reasonable protection of privacy;

13.2.2 commercial confidentiality; and

13.2.3 effective, efficient and good governance.

13.3 Section 14 of the Act obliges public bodies, like the RLM, to compile a Manual, which would assist a person in obtaining access to information held by the public body, such as the RLM, and stipulates the minimum requirements a manual has to comply with.



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

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

14.2 The Guide is available in (English, Setswana and Afrikaans) official languages.

14.3 The aforesaid Guide contains the description of-  
14.3.1 the objects of PAIA and POPIA;

14.3.2 The postal and street address, phone and, if available, electronic mail address of-

14.3.2.1 the Information Officer of every public body, and  
14.3.2.2 every Deputy Information Officer of every public and private body designated in terms of Section 17(1) of PAIA and Section 56 of POPIA;

14.3.3 the manner and form of a request for-

14.3.3.1 access to a record of a public body contemplated in Section 11; and  
14.3.3.2 access to a record of a private body contemplated in Section 50;

14.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

14.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;

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

14.3.6.1 An internal Appeal;

14.3.6.2 A complaint to the Regulator; and



14.3.6.3 An application with 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.

14.3.7 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;

14.3.8 the provisions of Sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

14.3.9 the notices issued in terms of Sections 22 and 54 regarding fees to be paid in relation to requests for access; and

14.3.10 the regulations made in terms of Section 92

14.4 Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

14.4.1 upon request to the Information Officer using Form 2; or

14.4.2 from the website of the Regulator <https://inforegulator.org.za/paia-forms/>;

## 15. REQUEST PROCEDURE

15.1 Section 10 of the Promotion of Access to Information Act (PAIA) guide outlines the procedure for requesting access to information held by a public or private body;

### \*Step 1: Prepare Your Request\*

(a) Identify the information you want to access.

(b) Determine which public or private body holds the information.

(c) Ensure you have the required information (e.g., ID number).

### \*Step 2: Complete the PAIA Request Form\*

(a) Obtain the PAIA request form 2 from the body's website or office.

(b) Fill out the form accurately and completely.



(c) Specify the information requested.

**\*Step 3: Submit Your Request\***

- (a) Submit the completed form to the Information Officer.
- (b) Pay the prescribed fee (if applicable).
- (c) Provide proof of payment.

**\*Step 4: Receive Acknowledgement\***

- (a) The Information Officer will acknowledge receipt of your request.
- (b) You will receive a reference number.

**\*Step 5: Wait for Response\***

- (a) The body will process your request within 20-30 working days.
- (b) You may be contacted for clarification or additional information.

**\*Step 6: Receive Decision\***

- (a) The body will notify you of its decision.
- (b) If granted, access will be provided.
- (c) If refused, reasons will be provided.

**\*Section 7 Requirements\***

- (a) Request must be in writing.
- (b) Request must be specific.
- (c) Request must provide sufficient details.
- (d) Request must be addressed to the Information Officer.

**\*Request Form Requirements\***

- (a) Name and address.
- (b) ID number.
- (c) Description of information requested.
- (d) Reason for request (optional).



(e) Proof of payment.

15.2 Section 18 of PAIA prescribes the to be followed in requesting access to information held by the RLM. 43.8.2. Section 23(1) of POPIA also provides the procedure to access personal information.

15.3 The manner of access to personal information in terms of Section 23 of POPIA prescribed FORM 2 when requesting access to a record or personal information.

15.4 A requester is any person making a request for access to a RLM record. In this regard, PAIA distinguishes between two types of requesters for access to information: Personal Requesters (data subjects) and Other Requesters.

15.5 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.

15.6 Subject to the provisions of PAIA and POPIA, the RLM 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 generally understandable form.

15.7 The prescribed fee for the reproduction of the personal information requested will be charged by the RLM.

15.8 A person falling in the category of Other Requester is entitled to request access to information pertaining to third parties.

15.9 However, the RLM is not obliged to grant access prior to the requester fulfilling the requirements for access to information in terms of PAIA and POPIA.

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

15.11 The requester must provide sufficient information on the record(s) requested in order 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:



- (a) the identity of the requester.
- (b) particulars of record requested.
- (c) type of record.
- (d) form of access; and
- (e) manner of access.

15.12 When a requester is unable to read or write or has a disability, the request may be made orally. In such a case, the information officer/deputy information officer must complete the form on behalf of the requester.

#### 16. PRESCRIBED FEES PAYABLE

16.1 Section 22(1) of PAIA states that fees payable for access to records of the RLM are to be prescribed. The prescribed fees are as set out in Annexure B to the Regulations relating to the Promotion of Access to Information, 2021 (Government Notice No. R 757 of 27 August 2021);

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

#### 17. EXEMPTION ON FEES

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

17.2 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

17.3 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.

#### 18. DECISION AND NOTICE

18.1 The requester will be notified within 30 (thirty) days of receipt of the request of the



information officer's/deputy information officer's decision in this respect unless the period for dealing with the request has been extended;

18.2 If the request is granted, a further access fee must be paid for the search, preparation, and reproduction of the record, where applicable;

18.3 The requester will be given the required information if available, within a reasonable time upon receipt of the application form and prescribed fee.

**19. TRANSFER OF REQUESTS**

19.1 If a request for access is made in respect of information that is not in the possession of the RLM, or if the information is more closely connected to another public body, the request will be transferred within 14 (fourteen) days of receipt of the request to the other body/institution/organisation who could provide the information. Once the request is transferred, the requester will be provided with all the relevant and necessary information regarding the transfer, which will include, the details of the person to whom the request was transferred;

19.2 Records not found or do not exist;

19.3 In cases where records cannot be found or do not exist and all reasonable steps have been taken to find the requested record, the information officer will by means of an affidavit/affirmation inform the requester accordingly, providing full reasons.

**20. DISPOSAL OF RECORDS**

20.1 The RLM reserves the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service of South Africa;

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

20.3 In accordance with Section 24(1) of POPIA, the Regulator may, upon receipt of the request from a data subject –

20.3.1 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

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

**21. DEFERRAL OF ACCESS**

21.1 Requests may be deferred until information becomes available. The requester will be notified accordingly and requested to make representations within 30 (thirty) days as to why the information is required prior to it becoming public.

**22. REFUSAL OF ACCESS TO RECORDS**

22.1 Refusal of access to records;

22.2 The information officer/deputy information officers may refuse access to records under the circumstances as provided for in Part 2, Chapter 4 of the Act.

22.3 Remedies

22.4 Remedies are available if the requester/third party is not satisfied that the decision of the City's information officer/deputy information officer complies with the provisions of the Act. A requester/third party may lodge an internal appeal with the City against a decision taken by the information officer or deputy information officer if:

22.4.1 a request for access is refused;

22.4.2 the fees charged are unacceptable;

22.4.3 the period within which a decision about access to a record must be made, is extended;

22.4.4 access to a record is not provided in the form requested, e.g. electronic copy instead of a printed copy;



22.4.5 a third party may lodge an internal appeal with the City against a decision by the information officer or deputy information officer to disclose information relating to the third party.

### **23. APPEAL PROCEDURE**

23.1 An internal appeal must be lodged on the prescribed FORM 2;

23.2 within a period of 60 (sixty) days;

23.3 if notice to a third party is required by Section 49(1)(b), within 30 (thirty) days after notice was given to the appellant of the decision appealed against or if notice to the appellant is not required, after the decision was taken;

23.4 The internal appeal:

23.4.1 must be delivered, posted or sent by electronic mail to the information officer or corporate deputy information officer;

23.4.2 must identify the subject of the internal appeal and give reasons for the appeal;

23.4.3 must state the manner in which the applicant wishes to be informed of the decision on the internal appeal, in addition to a written reply must be accompanied by the prescribed appeal fee, if applicable;

23.4.4 must specify a postal address or e-mail address;

23.4.5 the information officer or deputy information officer must within 10 (ten) working days after receipt of an internal appeal submit it to the Appeal Authority, namely the Speaker, for consideration;

23.4.6 late appeals may be allowed if good cause can be shown.

### **24. LEGISLATION**

Drafting, Amendments, Advertising, Policies, By-laws, Comments and Legal Opinions, Legislation



<b>25.</b>	<b>ORGANISATION AND CONTROL</b>
25.1	Office Management / Instructions
25.2	Organisational Development
25.3	Delegation of Authority
25.4	Service Delivery
25.5	Disclosure of Official Information / Confidentiality
25.6	Internal Audit
25.7	Visits / Inspections
25.8	Customer Relations Management
25.9	Human Resources Policies
25.10	Bargaining Council Agreements
25.11	Council Resolution
25.12	Recommendations of Council meetings and other committees of the Council
<b>26.</b>	<b>ELECTIONS</b>
26.1	Local Government Elections
26.2	Provincial Elections
26.3	National Elections
<b>27.</b>	<b>COUNCIL AND COUNCILLOR MATTERS</b>
27.1	Composition of Council, Mayoral Committee, Portfolio Committees and other Committee
27.2	Council, Committee
27.3	Establishment of Political Offices
<b>28.</b>	<b>FINANCE</b>
28.1	Estimates
28.2	Financial Statements, Annual Financial Statement
28.3	Property Valuations
28.4	Property Rates
28.5	Loans
28.6	Funding / Subsidies Received
28.7	Own Funds



**AGENDA: COUNCIL: 30 SEPTEMBER 2025**

- 28.8 Tariffs, Fees, Charges, Fines and Deposits
- 28.9 Credit control and debt collection Policies
- 28.10 Bookkeeping / Banking
- 28.11 Investments
- 28.12 Petty Cash
- 28.13 Value Added Tax (VAT)
- 28.14 Reports and Returns
- 28.15 Settlement of Accounts due by Council
- 28.16 Levies

**29. STAFF**

- 29.1 Recruitment, Appointments
- 29.2 Terminations
- 29.3 Job Evaluation
- 29.4 Labour Relations
- 29.5 Newsletters / Notices
- 29.6 Records
- 29.7 HR Policies
- 29.8 Bargaining Council Agreements

**30. TRAINING AND DEVELOPMENT**

- 30.1 Skills Development Plan
- 30.2 Training Needs Assessment
- 30.3 Staff Training
- 30.4 Councillor Training
- 30.5 Workshops / Information Sessions / Congresses / Seminars
- 30.6 Occupational Health and Safety
- 30.7 Records
- 30.8 Reports

**31. PROCUREMENT SERVICES**

- 31.1 Tenders and Contracts
- 31.2 Quotations
- 31.3 Guarantees



**32. INFORMATION TECHNOLOGY**

- 32.1 Licences
- 32.2 Service Level Agreements
- 32.3 Support IT
- 32.4 Application and Operating Systems
- 32.5 Internet
- 32.6 Geographic Information Systems (GIS)
- 32.7 Intranet
- 32.8 Liaison with Companies
- 32.9 ITC Policies

**33. PUBLICITY AND INFORMATION**

- 33.1 Press Releases

- 33.2 Radio / Television Interviews

- 33.3 Public Participation

- 33.4 Own Publications

- 33.5 Complaints and Enquiries

- 33.6 Gifts Register

- 33.7 History of Council

- 33.8 Compilation

- 33.9 Public Relations / Communications

**34. SOCIAL MATTERS**

- 34.1 Speeches

- 34.2 Protocol and List of Addresses

- 34.3 Festivals / Events

- 34.4 Receptions and Functions

- 34.5 Concerts and Performances

**35. REPORTS, RETURNS AND STATISTICS**

- 35.1 Reports

- 35.2 Returns and Statistics

- 35.3 Questionnaires



**36. BUILDING AND PROPERTY TRANSACTIONS**

- 36.1 Release of Bonds
- 36.2 Granting / Refusal of Free Use
- 36.3 Investigation on Sale of Buildings and Land
- 36.4 Asset Control / Management
- 36.5 Investigation in Respect of Purchase of Land
- 36.6 Valuation of Council Properties
- 36.7 Buildings
- 36.8 Land disposal
- 36.9 Land Acquisition
- 36.10 Servitude

**37. COMPOSITION AND MEETINGS OF BODIES**

- 37.1 Internal
- 37.2 External

**38. LEGAL MATTERS**

- 38.1 Legal Opinions and Court Decisions
- 38.2 Civil Action Claims
- 38.3 Establishment / Functioning of Municipal Courts
- 38.4 Disciplinary hearing matters and Conciliation matters
- 38.5 Contraventions / Complaints
- 38.6 Internal Appeals Decisions
- 38.7 Summons and Applications

**39. LICENCES AND PERMITS**

- 39.1 Licences
- 39.2 Permits, Certificates and Concessions

**40. PLANNING AND BUILDING CONTROL**

- 40.1 Termination and Alteration of Boundaries
- 40.2 Surveys



- 40.3 Project Planning
- 40.4 Town Planning / Zoning Schemes
- 40.5 Forward Planning
- 40.6 Township Establishment
- 40.7 Land Use Management / Township Control
- 40.8 Identification of Land
- 40.9 Naming
- 40.10 Town Entrance Improvements
- 40.11 Conservation of Built Environment
- 40.12 Building Control
- 40.13 Control of Advertising
- 40.14 Cultural / Heritage Studies

**41. LOCAL ECONOMIC DEVELOPMENT**

- 41.1 Co-ordinating and Managing Economic Data on GIS
- 41.2 Establishment of Development Vehicles
- 41.3 Statistics
- 41.4 Main Economic Sectors
- 41.5 Employment Creation
- 41.6 Small, Medium and Micro Enterprises (SMMES)
- 41.7 Training and Development
- 41.8 Urban Farming / Small Farming Settlements

**42. TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING**

- 42.1 Traffic Management Systems
- 42.2 Traffic Impact / Transportation Studies
- 42.3 Traffic Accident / Incident Management Plans
- 42.4 Transport System Management (TSM) Projects
- 42.5 Traffic Data Measurements
- 42.6 Road Accidents
- 42.7 Traffic Calming Measures
- 42.8 Traffic Signs and Road Markings
- 42.9 Traffic Signals
- 42.10 Pedestrian Facilities
- 42.11 Public Transport



42.12 Airport  
42.13 Parking

**43. ENVIRONMENTAL MANAGEMENT**

43.1 Integrated Environmental Impact Assessment (EIA) Studies / Programmes  
43.2 Sustainable Environment  
43.3 Environmental Education and Awareness  
43.4 Environmental Communication and Promotion  
43.5 Environmental Enforcement  
43.6 Reports and Returns  
43.7 Comments on other development proposals  
43.8 Matters Affecting the Environment

**44. ROADS**

44.1 Reports  
44.2 Proclamations and De-proclamations  
44.3 Road Reinstatements  
44.4 Street Naming and Numbering  
44.5 Management of Roads  
44.6 National Roads  
44.7 Provincial Roads  
44.8 Main and Proclaimed Main Roads  
44.9 Local Streets and Squares  
44.10 Rural / Farm Roads  
44.11 Private Roads  
44.12 Footways, Sidewalks, Kerbs, Verges and Boundary Fences  
44.13 Access Driveways  
44.14 Bridges, Subways and Level Crossings  
44.15 Intersections  
44.16 Permanent Closure of Streets, Lanes and Level Crossings  
44.17 Applications by Council for Consent for Roadworks on Telkom 66.19 Property / Wayleaves  
44.18 Road Access  
44.19 Servitudes



**45. CLEANING SERVICES RENDERED**

- 45.1 Reports
- 45.2 Statistics
- 45.3 Special Projects
- 45.4 Refuse Removals
- 45.5 Supply of Refuse Bins and Bags
- 45.6 Street / Area Cleansing
- 45.7 Cleaning of Storm-water Drains
- 45.8 Refuse Disposal/ landfill sites
- 45.9 Processing of Compost

**46. STORMWATER DRAINAGE**

- 46.1 Regional Storm-water Catchment Management
- 46.2 Distribution Network
- 46.3 Services

**47. ELECTRICITY**

- 47.1 Generation and Purchase of Electricity
- 47.2 Distribution of Electricity
- 47.3 Installation of Electricity

**48. SEWERAGE**

- 48.1 Bulk Sewerage
- 48.2 Provision of Sewerage Treatment Capacity
- 48.3 Maintenance of Regional Sewers
- 48.4 Installation of Distribution Network
- 48.5 Purification
- 48.6 Servitudes and Wayleaves
- 48.7 Rustenburg Water Service Trust

**49. WATER SUPPLY**

- 49.1 Master Plan



- 49.2 Statistics / Returns
- 49.3 Water Restrictions / Water Demand Management
- 49.4 Recycling of Water
- 49.5 Purchasing of Water
- 49.6 Water Quality Monitoring
- 49.7 State of Water Resources
- 49.8 Distribution and Supply
- 49.9 Main Pipe Lines
- 49.10 Water Treatment Plants
- 49.11 Reservoirs
- 49.12 Dams
- 49.13 Water Wayleaves
- 49.14 Registration of Notarial Water Servitudes
- 49.15 Metres
- 49.16 Fire Hydrants
- 49.17 Underground Water for Irrigation Purposes
- 49.18 Servitudes

**50. CEMETERIES AND CREMATORIA**

- 50.1 Reports and Returns
- 50.2 Cemeteries

**51. PROTECTION SERVICES**

- 51.1 Volunteers
- 51.2 Open Day
- 51.3 Fire Services
- 51.4 Disaster Management
- 51.5 Law Enforcement
- 51.6 Traffic Control / Enforcement

**52. HOUSING**

- 52.1 Planning / Provision
- 52.2 Income of Housing Beneficiaries / Prospective Buyers
- 52.3 Waiting List / Allocations
- 52.4 Liaison / Role of Housing Associations / Companies



- 52.5 Rapid Land Release
- 52.6 Housing for every Poor / Indigent
- 52.7 Informal Settlements
- 52.8 Housing Projects
- 52.9 Leased Housing Schemes
- 52.10 Housing for the Aged
- 52.11 Statistics

**53. LIBRARY SERVICES**

- 53.1 Acquisition of Books

- 53.2 Planning and Provision

- 53.3 Maintenance of Library Buildings

- 53.4 Usage of Library Buildings

- 53.5 Security in respect of Library Material

- 53.6 Provision of Facilities in Libraries

- 53.7 Computerised Library System

- 53.8 Liaison

- 53.9 Reports and Returns

- 53.10 Hours of Operation

**54. SPORT AND RECREATION**

- 54.1 Liaison with Sport Federations / Councils

- 54.2 Sport Facilities and Grounds

- 54.3 Swimming Pools

- 54.4 Recreation Facilities / Multi-Purpose Halls / Civic Centres and other Halls

- 54.5 Planning and Staging of Recreational Events

**55. PARKS, GARDENS, PUBLIC OPEN SPACES AND HORTICULTURAL MATTERS**

- 55.1 Parks, Public Open Spaces and Gardens

- 55.2 Nurseries, Horticultural Matters and Landscaping



**56. COMMUNITY DEVELOPMENT AND SOCIAL WELFARE**

- 56.1 Community Liaison
- 56.2 Reconstruction and Development Programme (RDP)
- 56.3 Social Development Plan
- 56.4 Strategies and Services
- 56.5 Community Development Projects
- 56.6 Data Base in respect of Community Organisations
- 56.7 IDP

**57. EDUCATION**

- 57.1 Liaison with Schools

**58. CONTROLLING OF ANIMALS**

- 58.1 SPCA

**59. DESCRIPTION OF THE INFORMATION THAT IS AUTOMATICALLY AVAILABLE**

- 59.1 These categories of municipal records are automatically available without a person having to request access in terms of the Act. This means that these categories of records will be made available upon receipt of a proper request.
- 59.2 These records remain subject to review by the Information Officer in terms of Section 15(4) of the Act i.e. if it reasonably appears to the Information Officer that the specific record requested may or must be refused then that portion of the record will not be made available.
- 59.3 These records are available on written request and without payment of a request fee but are subject to payment of an access fee and a reproduction fee.



**60. AGENDAS AND MINUTES OF COUNCIL**

60.1 Agendas and minutes of all meetings of Council, its structures excluding minutes and agendas which have been marked "confidential".

**61. COUNCILLORS**

- 61.1 (Including Mayor, Deputy Mayor, Speaker and office bearers)
- 61.2 Information regarding each Councillor's
- 61.3 Name, office address, office telephone number excluding personal information
- 61.4 Ward / proportional, political party, and election details
- 61.5 Position in Council, e.g. member of committee A and if office bearer, whether full-time or part-time
- 61.6 Council representation on outside bodies
- 61.7 Salary, allowances
- 61.8 Details of trips outside the municipal area

**62. STRUCTURES**

- 62.1 Including Council, Executive Mayoral Committee, Portfolio Committees
- 62.2 Composition, names of members, office bearers, seat, political membership
- 62.3 Time and venue of meetings

**63. COUNCIL LEGISLATION, BY-LAWS AND POLICIES**

- 63.1 Political office bearers
- 63.2 Councillors
- 63.3 Members of Staff
- 63.4 Structures (Exco, Sub-Councils, Portfolio Committees and other committees)

**64. DECISIONS BY INDIVIDUALS**

64.1 Decisions by any political office bearer, Councillor or staff member in terms of a power or duty delegated or sub-delegated.



**65. BUDGET**

- 65.1 Capital budget
- 65.2 Estimates of income and expenditure
- 65.3 Reports on budget control
- 65.4 Business plans

**66. INTEGRATED DEVELOPMENT PROGRAMME (IDP)**

**FINANCIAL RECORDS**

- 66.1 Annual statements
- 66.2 Arrears (excluding personal details)

**67. REGISTERS WHERE AVAILABLE**

- 67.1 Movable assets
- 67.2 Agreements
- 67.3 Contractors, service providers
- 67.4 Tenders awarded

**68. TARIFFS, FEES, SURCHARGES ETC.**

**PERSONAL INFORMATION OF MEMBERS OF STAFF IN TERMS OF SECTION 34(2) (F) OF THE ACT RELATING TO**

- 68.1 The fact that the individual is or was an official
- 68.2 Title, work address, work telephone number and other similar particulars of the individual
- 68.3 The classification, salary scale or remuneration and responsibilities of the position held or services performed by the individual

**69. STATISTICS (excluding personal details of individuals)**

- 69.1 Statistics kept for departmental use in the format in which it is available
- 69.2 Statistics in the format as required by legislation



**70. PERSONAL INFORMATION OF PERSONAL REQUESTER**

Personal information requested by personal requester seeking access to a record containing personal information about the requester, on positive identification.

**71. PUBLICATIONS**

All publications by and on behalf of the RLM and which have been made public or presented to Council and in which no copyright is held by persons or bodies not connected with the RLM.

**72. HOUSING**

- 72.1 Land available for housing development
- 72.2 Available municipal housing

**73. TENDERS**

- 73.1 Tender application of requester after public opening
- 73.2 Tender Award decisions

**74. SERVICE PROVIDERS**

Details of providers of services to the RLM

**75. PLANNING**

- 75.1 Zoning and structure plans
- 75.2 Policies and policy plans
- 75.3 Individual zonings and conditions
- 75.4 Register of approved departures and consent uses
- 75.5 Documentation relating to town planning applications
- 75.6 Documentation on planning files

**76. LAND**

- 76.1 Single records only of owners of land where available



76.2 Details of municipal owned land

77. ORGANISATIONAL STRUCTURE

Structure and Functions

77.1 Description of the information that is not automatically available

77.1.1 This is a categories of records of the RLM which are not automatically available and which require a person to request access in terms of the Act.

77.1.2 This means that access to these records requires that a requester complete and submit a formal request (applying for access) and comply with the provisions of this manual before the request will be considered.

If a record is required and is not listed in this Section then a person requiring access must request access in terms of the Act.

77.2 Description of the information or records that the RLM will not avail due to their nature of being private and confidential information (limited access)

7.2.1 Employees personal files or records Section 40

77.2.2 Legal Comments/ Opinion

77.2.3 Communication between Attorneys and RLM

77.2.4 Management Report by AG

77.2.5 Personal Information provided by 3<sup>rd</sup> parties

77.2.6 SLA

77.2.7 Council In Committee Agenda

77.2.8 Confidential Information (Section 35)

77.2.9 Personal Information Information (without consent) Section 35

77.2.10 Information Protected by law (Section 35)

77.2.11 Information subject to legal privilege ( Section 35)

77.2.12 Information that would cause harm or prejudice ( Section 36)

77.2.13 Information that would compromise security or confidentiality (Section 36)

77.2.14 Medical records (Section 39)

77.2.15 Financial Information or records and invoices ( Section 40)



77.2.16 Information related to ongoing investigation or litigation (Section 41)  
77.2.17 Information that would infringe copyright or intellectual property rights (Section 41)

**77.3 Information that does not require to be requested**

77.3.1 Information already publicly available

77.3.2 Information in the public domain

77.3.3 Information not in the possession of the public body

77.3.4 Information not recorded (verbal conversation)

77.3.5 Information that would require an unreasonable search

77.3.6 Information that is in the possession of another organ of state.

**78. PURPOSE OF PROCESSING PERSONAL INFORMATION**

78.1 The primary purpose of processing personal information in our organization is to facilitate efficient and effective operations, ensure compliance with regulatory requirements, and provide excellent services to our customers, employees, and stakeholders.

**78.2 Key Objectives\***

78.2.1 \*Employee Management\*: Process personal information to manage employee data, including recruitment, payroll, benefits, and performance management.

78.2.2 \*Customer Service\*: Collect and process personal information to provide tailored services, respond to inquiries, and resolve customer complaints.

78.2.3 \*Marketing and Communications\*: Use personal information to inform customers about products, services, and promotions, as well as to conduct market research and analysis.

78.2.4 \*Compliance and Risk Management\*: Process personal information to ensure compliance with regulatory requirements, such as tax laws, employment laws, and data protection regulations.



78.2.5 \*Research and Development\*: Use personal information to conduct research, analyse trends, and develop new products and services.

78.2.6 \*Operational Efficiency\*: Processing personal information enables us to streamline our operations, reduce manual errors, and improve overall efficiency.

78.2.7 \*Regulatory Compliance\*: We must process personal information to comply with relevant laws, regulations, and industry standards.

78.2.8 \*Customer Satisfaction\*: Collecting and processing personal information allows us to tailor our services to meet individual customer needs, leading to increased satisfaction and loyalty.

78.2.9 \*Business Growth\*: Processing personal information enables us to analyse customer behaviour, preferences, and trends, informing our business strategy and driving growth.

78.2.10 \*Risk Management\*: By processing personal information, we can identify and mitigate potential risks, protecting our organization, customers, and employees from harm.

78.2.11 In summary, processing personal information is essential for our organization to achieve its goals, ensure compliance with regulatory requirements, and provide excellent services to our customers and stakeholders.

79. AVAILABILITY OF THE MANUAL

79.1 This Manual is made available in the following three official languages-

English;  
Setswana; and  
Afrikaans

79.2 A copy of this Manual or the updated version thereof, is also available as follows-

- on [www.rustenburg.gov.za](http://www.rustenburg.gov.za), if any, of the public body;

- at the head office of the public body for public inspection during normal business hours;

- to any person upon request and upon the payment of a reasonable prescribed fee; and

- to the Information Regulator upon request.

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

**80. UPDATING OF THE MANUAL**

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

**81. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER**

81.1 The contact details for the Administrative head of the RLM, the Municipal Manager, are as follows:

**INFORMATION OFFICER**

Name: Adv.: ASHMAR RANTHEKENG KHUDUGE

Designation: MUNICIPAL MANAGER

Tel: 014 590 3551

Email: [munman@rustenburg.gov.za](mailto:munman@rustenburg.gov.za)

Physical address: 159 Beyers Naude



**AGENDA: COUNCIL: 30 SEPTEMBER 2025**

7<sup>th</sup> Floor, Missionary Mpheni House,  
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**DEPUTY INFORMATION OFFICERS (ALL DIRECTORS)**

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**Name:** Mr. G DITSELE  
**Designation:** DIRECTOR: BUDGET & TREASURY OFFICE  
**Tel:** 014 590 3129  
**Email:** [gditsele@rustenburg.gov.za](mailto:gditsele@rustenburg.gov.za)  
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**Name:** Mr. MI SEHLOHO  
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**Name:** Mr. G MAHLANGU  
**Designation:** DIRECTOR: ROADS & TRANSPORT  
**Tel:** 014 590 3726  
**Email:** [gmahlangu@rustenburg.gov.za](mailto:gmahlangu@rustenburg.gov.za)  
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Rustenburg, North West Province

Name: **Mr. PW NCHEFU**

Designation: **DIRECTOR: PUBLIC SAFETY**

Tel: 014 590 3214

Email: [pnchefu@rustenburg.gov.za](mailto:pnchefu@rustenburg.gov.za)

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Rustenburg, North West Province

Issued by

**Adv. ASHMAR RANTHEKENG KHUDUGE**  
**INFORMATION OFFICER**



MEMORANDUM

TO : OFFICE OF THE MUNICIPAL MANAGER (LEGAL & VALUATION SERVICES)

FROM : ACTING DEPUTY CHIEF FINANCIAL OFFICER

DATE : 21<sup>ST</sup> MAY 2025

SUBJECT : REPORT ON THE REVIEW OF MANUAL IN TERMS OF PROMOTION OF ACCESS TO INFORMATION ACT AS AMENDED (PAIA, ACT NO. 31 OF 2019)

COMMENTS: BUDGET AND TREASURY

1. The purpose of this item is to bring to the attention of the Municipal Council the revised manual as outlined by the provisions of Promotion of Access to Information Amendment Act (PAIA) 31 of 2019. Further to highlight key provisions of PAIA 2000, that were amended by the PAIA 31 of 2019 as well as to request the Information Regulator to provide necessary training to both Senior Managers and Councilors on the application of PAIA and POPIA.
2. Currently, the Municipality has compiled an information manual to comply with PAIA and to ensure effective access to information by members of the public. This Manual was approved by the Municipal Council and subsequently, the said manual was published in terms of the provisions of Section 21, 21A and 21B of the Municipal Systems Act, 32 of 2000 read with Section 14 (2) of the Promotion of Access to Information Act, 2000 (placed on website, newspapers and displayed at both head office of Municipality and the satellite offices as well as libraries). The purpose of the information manual is *inter alia*, to enable the public to check the categories of records held by the Municipality and which records are available without a person having to submit a formal PAIA request and to guide the members of public of the Municipality as to how to make a request for access to records held by the Municipality as well as accessing the contact details of the information Officer and the Deputy Information Officer(s) who will assist the public with the records they intend to gain access thereto. In simple terms, the Manual sets out the procedure to be followed to facilitate requests to access information held by the Municipality.
3. Currently, the provisions of PAIA have been amended to complement POPIA as well as to empower the Information Regulator to be the watchdog of this legislation. Based on the above, the Municipality is under obligation to review its Manual so that it can accord with the PAIA Regulations as well as PAIA Amendment Act. Further, the review of the Manual is aimed at appointing new Deputy Information Officers to assist the Information Officer (Municipal Manager) in complying with the dictates of the legislation as well as to interact with the Information Regulator whenever there are complaints to be investigated by the Information Regulator.
3. As seen on the item, failure to comply with PAIA will result in inter alia criminal penalties, fines, 3 years imprisonment and potential reputational damage.
4. There are no financial implications at this stage.
5. The Budget and Treasury Office therefore recommends that the report be noted.

Ms. Busiswe Faka  
 Acting Deputy Chief Financial Officer  
 T/J/m