

GEORGE MUNICIPALITY

ACCESS TO INFORMATION MANUAL

This manual has been compiled in terms of the provisions of the Promotion of Access to Information Act, 2000 (Act 2 of 2000).

This manual is compiled to:

- Foster a culture of transparency and accountability giving effect to every person's rights of Access to Information;
- Actively promote a society in which the people of George have effective access to information to enable them to fully exercise and protect all of their rights.

1. Municipal Council

A municipal council is defined in section 157(1) of the Constitution, 1996 (Act 108 of 1996) hereafter called "the Constitution").

George Municipality has an Executive Mayoral System as defined by the Municipal Structures Act No 117 of 1998.

Objectives of a Municipal Council

A municipality must strive, within its financial and administrative capacity, to achieve the objects set in section 152 of the Constitution as follows:

- Provide democratic and accountable government;
- Provision of services to communities in a sustainable manner;
- Promote social and economic development;
- Promote a safe and healthy environment;
- Encourage community participation in matters of local government.

Who qualifies to be a member of the municipal council?

Every citizen who is qualified to vote for a particular municipal council has the right to stand as a candidate for election as a municipal councillor. On an annual basis a municipal council must review:

- The needs of the community
- Its priorities to meet those needs
- Its processes for involving the community
- Its organisational and delivery mechanisms for meeting the needs of the community and
- Its overall performance in achieving the objectives as set out in section 152 of the Constitution.

Term of office for Municipal Councillors

The term of office for the Municipal Councillors is five years as determined by the Electoral Act.

Municipal Manager (Municipal Structures Act, No. 117 of 1998)

Appointment of Municipal Manager

A Municipal Manager is appointed in terms of section 82 of the Municipal Structures Act.

A municipal council must appoint a municipal manager who is the head of administration and also the accounting officer for the municipality.

Who appoints the municipal manager?

The municipal council is responsible for appointing the municipal manager and to provide him/her with the necessary tools to perform his/her duties. The municipal manager is therefore accountable to the municipal council.

Objectives of the Municipal Manager

The primary objective of the municipal manager is to ensure that the municipality operates in terms of the policy directions of the municipal council.

Functions of the Municipal Manager (Municipal Systems Act)

A head of the administration and the accounting officer, the municipal manager is responsible, inter alia, for the formation and development of an economical, effective, efficient and accountable administration equipped to implement the Integrated Development Plan (IDP).

The Municipal Manager is also responsible for managing the communication between political structures and office bearers and administration.

2. George Municipality: Description of its Structure and Functions

George Municipality was established on 5 December 2000 in terms of Provincial Notice 501 dated 22 September 2000 and comprises the area as set out in the attached map (Annexure "A").

B. Functions

The Municipality at present fulfils the following functions:

(i) Amenities and Infrastructure

- Electricity
- Storm water management
- Street lighting
- Road maintenance
- Water and sewerage disposal
- Municipal Building maintenance
- Parks and gardens
- Libraries
- Municipal Workshop
- Municipal Siding maintenance

(ii) Health, Environmental and Community Services

- Municipal Health Services
- Squatting
- Environmental and conservation
- Business licensing
- Refuse removal
- Town cleaning
- Cemeteries
- Sport and Recreation
- Arts and Culture

(iii) Economic Development

- Promote local tourism
- Economic development
- Trading legislation
- Street trading
- Industrial development
- Create and investor – friendly climate
- Eradication of poverty

(iv) Finance

- Keeping of financial records
- Municipal rating and taxation
- Municipal insurance
- Municipal banking and investments
- Taking up of loans
- Stock control asset register

(v) Housing Development

- Housing Development
- Housing administration
- Spatial Development
- Urban Revival

(vi) Human Resources

- All legislative, Civil law and administrative functions pertaining to staff
- Staff training
- Implementation of Skills Act
- Councillor training
- Local Labour Forum
- A Performance management system is in the process of being developed.

(vii) Land, Rural and Agricultural Development

- Rural land matters
- Agricultural matters
- Education and welfare in general
- Rendering of services in all areas under its jurisdiction including in previously disadvantaged areas
- Land reform
- Acquisition and alienation of land
- Impounding of stray animals
- Squatter Control

(viii) Planning and Building Control

- Integrated Development Planning (including strategic planning)
- Town planning services
- Building Control Services
- Plans and signage control
- Property valuation

(ix) Safety and Security

- Law Enforcement (Traffic)
- Fire Services / Rescue Services
- Occupational Safety Services
- Disaster Management

(x) Internal Audit

- Internal auditing of entire municipality

3. General information regarding a municipality

A **Budgeting**

What is a Municipal Budget?

The annual budget of a Municipality contains estimates of all revenue expected to be received during the financial year ending 30 June to which the budget relates, estimates of current expenditure for that financial year, estimates of interest and debt servicing charges, estimates of capital expenditure for that financial year and the projected financial implications of that expenditure for future financial years.

Approval of the budget

A Municipal Council must for each annual financial year, compile / approve a budget in operating income and expenditure and capital expenditure and thereby provide appropriate money from its Revenue Fund for the requirements of the municipality (Municipal Finance Management Bill, 2000, chapter 4, paragraph 13: Local Government Transition Act).

The purpose of preparing a budget

The objective of the budgeting process is to set maximum expenditure limits for each component of the Municipality. A Municipality may only incur expenditure in accordance with its approved budget (Local Government Transition Act No. 209 of 1993, paragraph 10G (4) (a)).

The Municipality's annual budget also serves as an important tool for planning and control.

The Municipality annual budget also serves as an important tool for planning and control.

The Municipality must structure and manage its administration and budgeting and planning process to give priority to the basic needs of the community, and to promote the social and economic development of the community (Constitution of the Republic of South Africa No. 108 of 1996/152, Section 153).

B. **Integrated Development Planning:**

What is Integrated Development Planning?

Integrated Development Planning is a process through which Municipalities prepare a strategic development plan, for a five-year period. The Integrated Development Plan (IDP) is a product of the integrated development planning process.

The Integrated Development Plan is the principle strategic planning instrument, which guides and informs all planning, budgeting, management and decision-making in a Municipality (Integrated Development Plan Guide Pack Guide 0 Overview, Chapter 2, paragraph 2.1 (i)).

An Integrated Development Plan adopted by a Municipal Council may be amended and remains in force until and Integrated Development Plan is adopted by the next elected Council (Local Government Municipal Systems Act, 2000, (Act 32 of 2000) Section 25(2). Therefore the Integrated Development Plan is linked to the term of office of Councillors.

C. Procurement

What is Procurement?

Procurement refers to the process of acquiring goods and services by the Municipality, in accordance with a set of policies adopted by the Council. When procuring /acquiring goods and services, municipalities must ensure that it is in accordance with a system which is fair, equitable, transparent, competitive and cost effective and giving preference to the historically disadvantaged groups / individuals.

What are the objectives of the Procurement Policy?

- To create a procurement system which is uniform within the municipality and simple to administer;
- To create conditions which are conducive to the empowerment of small medium micro-enterprises (SMME's);
- To promote the achievement of equity by measures designed to protect or advance persons disadvantaged by past unfair discrimination;
- To eliminate fraud or any other irregularities in the procurement of goods and services; and
- To guide the Municipality in properly administering processes relating to tenders/contracts/retentions, purchase requisitions and orders, creditor payments and stores.

D. Tariffs

What are Tariffs?

Tariffs represent the charges levied by Council on consumers for the utilisation of services (e.g. water, electricity, refuse services, etc.) provided by the Municipality and rates on properties. Tariffs may be calculated in various different ways, depending upon the nature of the service being provided.

Tariffs may be set in such a manner so as to recover the full cost of the service being provided or recover a portion of those costs.

Legal Requirements

In terms of section 74 of the Municipal Systems Act, 2000, the Council must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying of fees for municipal services provided by or on its behalf.

Objectives of Tariff Policy

The objective of the tariff policy is to ensure the following:

- The tariffs of the Municipality conform to acceptable policy principles;
- Municipal services are financially sustainable;
- There is certainty in the Council of how the tariffs will be determined;
- Tariffs of the Municipality comply with the applicable legislation; and
- Tariffs should take into consideration relief to the indigent

E. Indigent Support

The objective of the Indigent Support Policy is to ensure the following:

- The provision of basic services to the community in a sustainable manner;
- This objective will, however, only be possible within the financial and administrative capacity of the Council;
- The Council recognises the fact that the community has a right of access to basic services;
- To provide procedures and guidelines for the subsidisation of basic service charges to its indigent households, using the Council's budgetary provisions/Equitable Share of National Revenue received from Central Government, according to prescribed policy guidelines.

F. Credit Control and Debt Collection

What is Credit Control and Debt Collection?

Credit control and debt collection policy refers to the administrative mechanisms, processes and procedures established by the Municipality to collect the revenues due and payable to it for services rendered and for rates and levies it has raised.

Services rendered include inter alia water, electricity, refuse and sewerage removal, municipal roads, etc.

Legal Requirements

Municipalities must adopt, maintain and implement a credit control and debt collection policy, which is consistent with rates and complies with the provisions of the Municipal Systems Act No. 32, 2000.

In terms of section 98 of the Municipal Systems Act, 2000, the Municipality must adopt and implement affective credit control and debt collection methods, in order to deal with non-payment of services, while ensuring methods, in order to deal with non-payment of services, while ensuring that the genuine indigents receive the target relief. The Credit control and debt collection policy may differentiate between different categories of users, debtors, service providers, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination.

Objectives of Credit Control and Debt Collection Policy

The objectives of credit control and debt collection are to ensure the following:

- All monies due to the Council are collected;
- A sound customer management system that aims to create a positive and reciprocal relationship between persons liable for these payments and the Municipality itself is established.
- Establish mechanisms for users of services and ratepayers to provide feedback to the Municipality or other service provider regarding the quality of the services and the performance of the service provider;
- Users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from the service are utilised;
- Persons liable for payments, receive regular and accurate accounts and indicate the basis for calculating the amounts due;
- Credit control and debt collection procedure of the Municipality comply with the applicable legislation; and
- Credit control and debt collection procedures take into consideration relief to the indigent.

4. CONTACT DETAILS

The contact details of the information Officer and Deputy Information Officer are listed below.

Information Officer: Mr T Botha Municipal Manager
Tel: 044 – 801 9065
Cell: 083 6441291

Deputy Information Officer: Mr T Craak (in respect to PAIA request and Records Management)
Tel: 044 – 801 9388
Fax: 044 – 873 3776
Cell: 082 4594522
E-mail: timothy@george.org.za

Deputy Information Officer: Mr M Cupido (in respect of financial matters)
Tel: 044 – 801 9030
Fax: 044 – 801 9175
Cell: 082 8887174
E-mail: magda@george.org.za

Deputy Information Officer: Dr EM Rankwana (in respect of Administration)
Tel: 044 – 801 9363
Fax: 044 – 873 3776
E-mail: eddie-r@george.org.za

5. GUIDE ON HOW TO USE THE ACT (ACT 2/2000)

The Human Rights Commission will within 18 months after commencement of section 10 of Act 2 of 2000 compile in each official language a guide containing information on how to use Act 2 of 2000. This guide will be made available to the public once available.

6. REQUEST FOR ACCESS TO A RECORD OF THE GEORGE COUNCIL (SECTION 14(1)(D) OF ACT 2 OF 2000.

George Municipality keeps a record of all correspondence, agenda resolutions, building plans, town planning maps and other additional information relating to all services listed above under part 2. Records are kept under the following categories:

- Legislation
 - Policy, rulings, instructions and circulars
 - Routine enquiries
 - Drafting and amendment
 - Acts of Parliament and Regulations
 - Provincial Acts and Regulations
 - Council Regulations and By-Laws

- Organisations and Emblems
 - Organisations
 - Branch organizations
 - Delegations of Authority
 - Emblems of the councilors
- Record Control
 - Filing System
 - Disposal of Archives
- Elections
 - Policy, rulings, Instructions and circulars
 - Routine enquiries
 - Declaration of gifts and pecuniary interests
 - General and By-Election (Independent Electoral Commission)
- Own Council and Committee Meetings
 - Main files
 - Council meetings
 - Main Committee meetings
 - Agendas and minutes
- Staff and Councillors
 - Staff strength and grading
 - Main files
 - Enquiries and furnishing of information
 - Sections
 - Determination of Councillors of Service
 - Full time staff
 - Temporary staff
 - Councillors
 - Vacancies and appointments
 - Sections
 - Training and qualifications
 - Financial
 - Payment of Allowances
 - Deductions
 - Loans
 - Pension Funds
 - Insurance
 - Medical funds
 - Retirement & Resignations
 - Staff Control
 - Outgoing
 - Staff evaluations and performance management
 - Performance reports of Departments and Sections
 - Staff returns and statistics
 - Trade unions and Labour Relations

- Finance
 - Estimations
 - Valuations
 - Valuations Appeals Court
 - Appeals
 - Taxes
 - Land and Property Rates
 - Internal loans
 - Tariffs
 - Determination of water/electricity rates
 - Subsidies received
 - Individual subsidies
 - Determination rates
 - Loans
 - Borrowing Powers
 - External loans
 - Long term loans
 - New Authorities
 - Deposits
 - Fund and levies
 - Investments by the council
 - Claims
 - Settlement of accounts
 - Payment of allowances
 - Collection of money
 - Insurances
 - Cases
 - Accounting responsibility
 - Reports
 - Enquiries
 - Financial assistance
 - Funds
 - Loans to public
 - Losses
 - Banking accounts
 - Returns

- Domestic supplies, services, accommodation and grounds
 - Domestic Supplies
 - Purchasing and maintenance
 - Furniture and equipment
 - Domestic services
 - Transport
 - Communications
 - Domestic accommodation and grounds
 - Accommodation
 - Grounds
 - Acquisition
 - Alienation
 - Maintenance

- Tenders and contracts
 - Main files
 - Specific tenders and contracts
- Reports and returns
 - Policy, rulings, instructions and circulars
 - Reports
 - Reports of Sections and Heads
 - Returns
 - Monthly returns
- Publicity and information
 - Own transport and information
 - Enquiries
 - Publicity: Private sector and institutes
 - Advertising media
 - Contract information
 - Marketing of the Forum
 - Tourism
- Festival and Social matters
 - Main files
 - Festivals
 - Social matters
 - Own receptions and functions
 - Other receptions and functions
 - Awards
- Composition of and meetings of boards, Councils, institutions, societies, Committees and other boards
 - Policy, rulings, instructions and circulars
 - Routine enquiries
 - Arrangements
 - Agendas, minutes and reports
 - Boards and Councils
 - Institutes
 - Societies and associations
 - Committees
- Legal matters
 - Policy, rulings, instructions and circulars
 - Claims: By the council
 - Claims: Against the Council
 - Prosecutions
 - Contraventions: Cases

- Licences
 - Policy, rulings, instructions and circulars
 - Applications and issues
 - Vehicle licences
 - Trade licences

- Planning Development and Control
 - Main files
 - Municipal boundaries
 - Reservation of sites
 - Town Planning Schemes
 - Establishment of Township
 - Control of Township
 - Strategic Development and Planning
 - Development Planning
 - Regional Development Plans
 - IDP Planning Strategies and interventions
 - Integrated Development Plan
 - IDP Planning Strategies and interventions
 - Integrated Development Plan
 - Local Economic Development Plans
 - Specific LED interventions and strategies
 - Environmental management plans
 - Environmental Impact Assessment

- Essential Services
 - Water supply
 - Distribution of water
 - Electricity
 - Meters
 - Distribution of electricity
 - Roads and streets
 - Planning and comments
 - Construction and maintenance
 - Surfaces
 - Stormwater drainage
 - Bridges and subways
 - Sewerage
 - Establishment and maintenance of sewerage works/farms
 - Erection and maintenance of sewerage pumping stations
 - Installation and maintenance of natural
 - Permits in terms of the Water Act
 - Removal of vacuum/conservancy tank contents
 - Rubbish removal services and sanitation
 - Refuse removal services
 - Maintenance of dumping sites
 - Solid waste management
 - Sanitation services
 - Cemetery
 - Development and maintenance of facility

- Community services

- Health
- Diseases
- Inspections
- Education
- Consultation in respect of establishment of facilities\
- Traffic control
- Applications for permission
- Allocation of parking places and loading zones
- Parking places
- Library services
- Buildings
- Acquisition of books and magazines
- Housing
- Economic and sub-economic letting/selling schemes
- Civic centre, parks, gardens and open spaces
- Provision and maintenance
- Sport and recreation
- Sport complex
- Provision of additional facilities
- Provision and maintenance of Fire Brigade Services
- Pounds
- Welfare
- Welfare organizations
- Street collections
- Religion and churches
- Museums and memorials
- Disaster management Association
- Service groups
- Rendering of Services during emergencies

7. METHOD TO GAIN ACCESS TO INFORMATION

In the event of a member of the public requiring information from George Municipality in terms of Act 18 of the provisions of the promotion of Access to Information Act, 2 of 2000, the following procedure should be followed:

7.1 The request must be made in writing on the prescribed form addressed to:

The Municipal Manager
P O Box 19
George
6530

7.2 The application should state clearly what information is required in order that the official delegated to provide the information can identify:

The records requested
The requester

7.3 The application form must be accompanied by the prescribed search fee – see fee schedule.

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

7.5 If a request for access is made for information which George Municipality is not in possession of, of the information is more closely connected to another public body, the request will be transferred as soon as reasonably possible but in any event within 14 days after the request is received to the other body/institution/organization who could provide the information.

7.6 If information is no longer available and all reasonable steps have been taken to find a record requested, the information officer will, provide an affidavit of affirmation inform the requester accordingly giving full reasons.

7.7 Requests made by deferred until information becomes available. The requester will be notified accordingly and requested to make representation written 30 days why the information is required prior to it becoming public.

8. DESCRIPTION OF SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM GEORGE MUNICIPALITY AND HOW TO GAIN ACCESS.

A comprehensive list depicting department officers, office hours and contact details are attached as annexure “B”.

Contact may be made at any of the above offices but to ensure immediate attention it is recommended that the Deputy Information Officer be contacted directly. See paragraph 4 above for names and contact details.

9. REFUSAL OF ACCESS TO RECORDS

The information Officer or Deputy Information Officers may refuse access of records under certain circumstances as provided for in chapter 4 of the Promotion of Access to Information Act, 2 of 2000.

10. REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY GEORGE MUNICIPALITY

- 10.1 A requester may lodge an internal appeal with the George Municipality against the Information Officer if:
- A request for access is refused.
 - The fees charged are unacceptable
 - If the period within which information hat to be disclosed is extended by the Information Officer
 - Information is given in another form that has been requested

- 10.2 A third party may lodge an internal appeal with the George Municipality against a decision by the Information Officer to disclose information.

11. MANNER OF AN INTERNAL APPEAL AND APPEAL FEES.

- 11.1 An internal appeal must be lodged on the prescribed form.
- 11.2 The appeal must be lodged within 60 days.
- 11.3 If a notice to a third party is required, within 30 days after notice is given to the appellant of the decision to appeal.
- 11.4 It must be posted, faxed or sent by electronic mail to the Information Officer.
- 11.5 Identify the subject matter and state reasons for appeal.
- 11.6 State manner in terms of how the reply is required, in addition to a written reply.
- 11.7 Prescribed fee to accompany the appeal form.
- 11.8 Later appeals, upon good cause shown, can be allowed.
- 11.9 The Information Officer must within 10 working days submit the appeal to the Municipal Council for consideration.

GENERAL INFORMATION

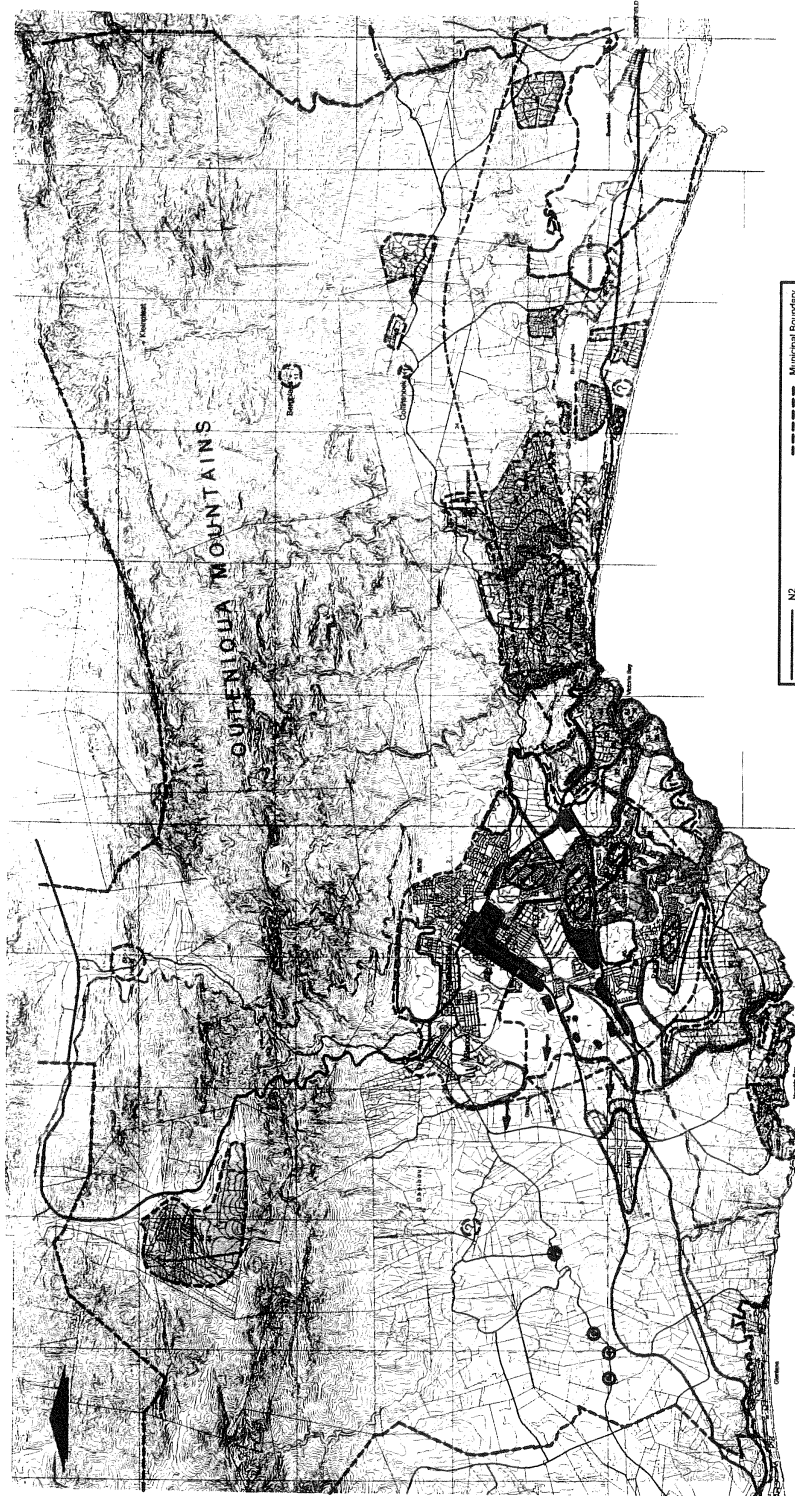
The Information Officer or any Deputy Information Officer may be contacted for further information not contained in this manual.

APPLICABLE FEES (as prescribed in Regulations 7278 dated 15/02/2002)

- | | |
|------------------------------------|-----------------------|
| 1. Application for information | R 15 .00 |
| 2. General information (copies of) | R 1 .00 per page (A4) |
| 3. General information (copies of) | R 1 .50 per page (A3) |
| 4. Appeals | R 20.00 |
| 5. IDP Documents (excluding maps) | R 20.00 |
| 6. Development Profile | R 20.00 |
| 7. Agendas and minutes of meetings | R 1.50 per page (A4) |

PLEASE NOTE:

IDP Documents and Development Profile will, if requested by e-mail to Rleflaur@george.org.za and will be e-mailed in return at no charge.



Plan



GEORGE IDP
SPATIAL DEVELOPMENT
FRAMEWORK

0km 5km
Prepared by Nel & De Kock Town and Regional Planners

