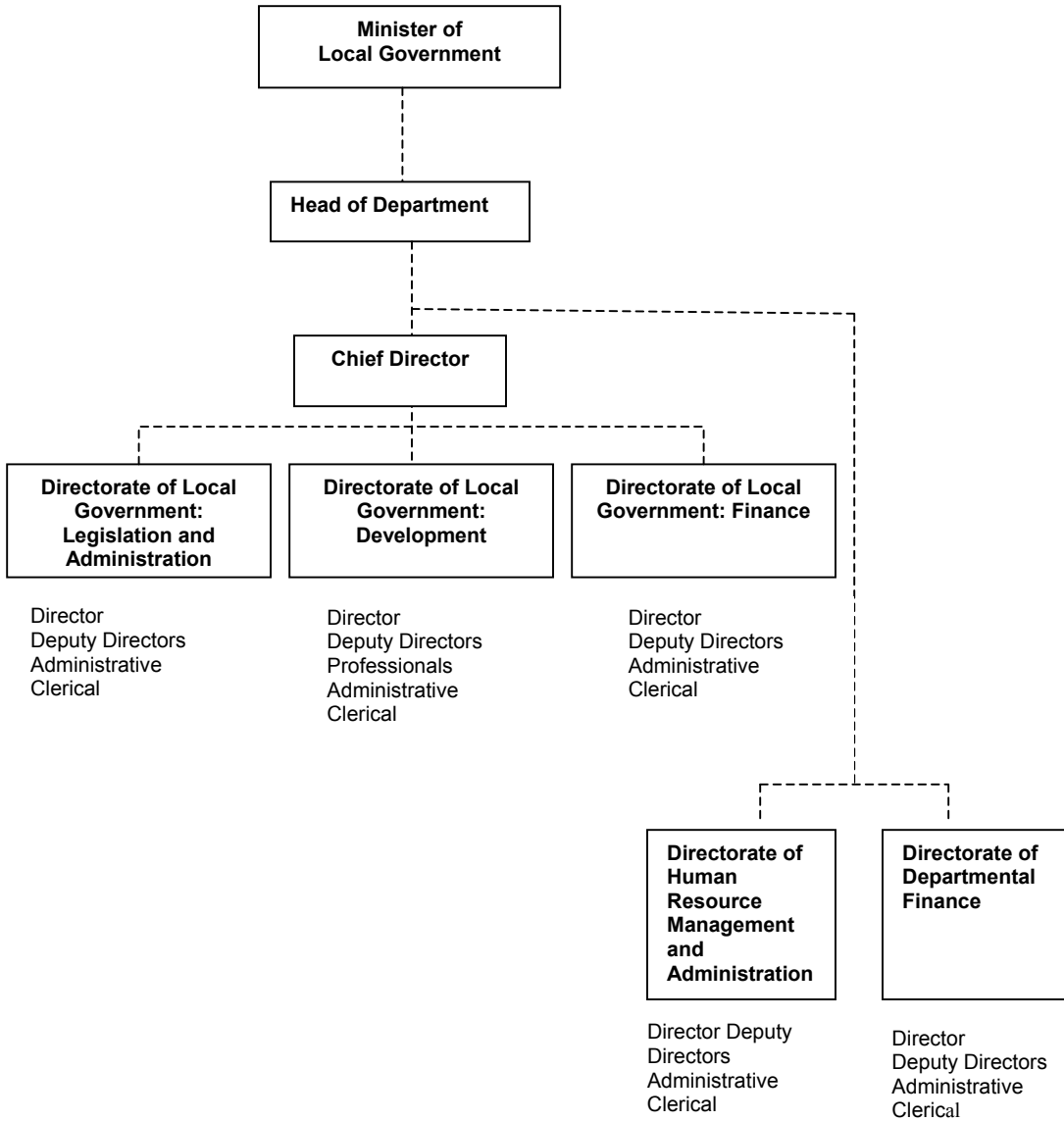


**DEPARTMENT OF LOCAL GOVERNMENT
WESTERN CAPE PROVINCIAL ADMINISTRATION**

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1. STRUCTURE OF THE DEPARTMENT
SECTION 14(1)(a)



2. FUNCTIONS OF THE DEPARTMENT

- Rendering assistance to municipalities to function according to applicable legislation
- Promoting developmental local government
- Rendering management support to municipalities and monitoring the financial viability of municipalities
- Initiating capacity building programmes for municipalities regarding the creation and maintenance of infrastructure in accordance with the Consolidated Municipal Infrastructure Programme

DIRECTORATE OF LOCAL GOVERNMENT: LEGISLATION AND ADMINISTRATION

- Rendering assistance to municipalities to function within applicable legislation
- Rendering assistance to municipalities regarding the administration of legislation
- Drafting provincial legislation related to local government

DIRECTORATE OF LOCAL GOVERNMENT: DEVELOPMENT

- Managing institutional development
- Co-ordinating risk management and fire prevention
- Monitoring and assisting with property valuations
- Researching local government development
- Monitoring and assisting with integrated development plans and performance management

DIRECTORATE OF LOCAL GOVERNMENT: FINANCE

- Monitoring high level financial indicators of municipalities and submitting a report to the provincial Minister of Local Government on their financial status
- Providing management support programmes to municipalities and/or co-ordinating the implementation thereof
- Monitoring the Auditor-General's reports on annual audits of financial statements of municipalities
- Granting specific financial approvals to municipalities as required in terms of local government legislation

3. CONTACT DETAILS OF DEPUTY INFORMATION OFFICER SECTION 14(1)(b)

Mr C.O. du Preez
27 Wale Street/Private Bag X9076
CAPE TOWN
Tel.: (021) 483-2587
Fax: (021) 483-8789
E-mail: cdupreez@pawc.wcape.gov.za

4. GUIDE BY THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT SECTION 14(1)(c)

The guide on how to use the Promotion of Access to Information Act, 2000, will be available from the South African Human Rights Commission by no later than August 2003. Queries can be made at:

South African Human Rights Commission
PAIA Unit
The Research and Documentation Department

Postal address: Private Bag 2700
HOUGHTON
2041

Tel.: (011) 484-8300

Fax: (011) 484-1360

Website: www.sahra.org.za

E-mail: PAIA@sahra.org.za

5. RECORDS

SECTION 14(1)(d)

5.1 DESCRIPTION OF SUBJECTS ON WHICH THE DEPARTMENT HOLDS RECORDS

- Legislation
- By-laws
- Legal opinions in respect of local government
- Councillor remuneration
- Code of Conduct for Councillors
- Commissions/Committees of investigation
- Litigation
- Questions in the Legislature
- Disaster Management
- Civil Protection Organisation
- First Aid and Evacuation Emergency Plans
- Emergency Planning
- Fire Prevention
- Valuation Courts/Boards
- Valuation Appeal Boards
- Legal actions against or by a Valuation Appeal Board
- Interim Valuations
- Monitoring and Reporting: Valuation Quality
- Levy on Property Tax
- Local Government Development
- Integrated Sustainable Rural Development
- Urban and Renewal Development
- National Strategy for Capacity Development
- Transformation
- Municipal Demarcation
- Local Government Elections

- Performance Management
- Research
- Local Economic Development Fund
- Communication
- Social Development Funds
- Equitable Share
- Project Viability
- Budget
- Audit Enquiries
- Revolving Fund
- Consolidation Fund
- Financial statements of local government

5.2 RECORDS AUTOMATICALLY AVAILABLE

SECTION 14(1)(e)

No formal notice has been published regarding the categories of records within the Department that are automatically available to the public without a person having to request access in terms of the procedures provided for in the Promotion of Access to Information Act. Herewith a list of such records:

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS
DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING OR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii)	
(a) Index list of municipal by-laws (b) Provincial policy documents	Copies of these records may be obtained on payment of the prescribed fee from the Director: Legislation and Administration, 27 Wale Street, Private Bag X9083, Cape Town.

<hr/> <p>(c) Budget speech</p> <hr/>	<hr/> <p>Copies of these records may be obtained on payment of the prescribed fee from the Ministerial Liaison Officer, 27 Wale Street, Private Bag X9083, Cape Town.</p> <hr/>
<hr/> <p>(d) Annual report of the Department of Local Government (e) Strategic Plan (f) Budget (Gazetted)</p>	<hr/> <p>Copies of these records may be obtained on payment of the prescribed fee from the Director: Finance, 27 Wale Street, Private Bag X9083, Cape Town.</p>

5.3 REQUEST PROCEDURE

- A requester must use Form A as prescribed in the regulations published in terms of the Promotion of Access to Information Act (Government Notice R223 of 9 March 2001).
- A request fee in the amount of R35,00 is payable before the request will be processed.
- Provision is made on the afore-mentioned form for the requester to indicate whether he/she wants a copy of the record or merely wants to look at it.
- The form also provides for a requester to indicate in which language the record is required, although there is no obligation on the department to translate it.

- A requester may also indicate in what form (i.e. paper copy, electronic copy, etc.) access to the record must be provided. This will be adhered to unless doing so will unreasonably interfere with the running of the Department or for practical reasons access cannot be given in the required form or medium.
- A request fee is payable should the requester for instance need copies of the requested record. In certain instances, a requester may also be requested to pay a deposit. A requester may lodge an internal appeal against the payment of these fees. The fee payable with regard to an internal appeal is R50,00. Should a requester want to lodge an internal appeal, Form C (as prescribed in Government Notice R223 of 9 March 2001) must be completed.
- In the event that the internal appeal procedure be exhausted and the requester is still not satisfied with the outcome, a court may be approached for an appropriate order.
- Access to a record will be withheld until all applicable fees have been paid.
- Information may be requested on behalf of another person, but the capacity in which the request is made must be indicated.
- If a requester is unable to read or write, or cannot complete the form because of a disability, the request can be made orally. The information officer, or a person so delegated, must then fill in the form on behalf of such requester and give him/her a copy of the completed form.

6. SERVICES AVAILABLE TO THE PUBLIC
SECTION 14(1)(f)

None

7. ARRANGEMENT ALLOWING INVOLVEMENT IN THE FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS

SECTION 14(1)(g)

In most instances legislation prescribes the procedures for making matters known and for public participation.

- Notification in the media, such as the Provincial Gazette, provincial newspapers and local/community newspapers
- The radio, especially local or community radio stations
- Workshops and meetings with municipalities and organised local government
- Notification on the Department's website
- Manuals and guideline documents (sometimes)

8. REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURE TO ACT

SECTION 14(1)(h)

Legislation applicable to the Department may provide for an internal review or appeal procedure. Should this procedure be exhausted, or should no provision be made for such procedure, a court may be approached for an appropriate order.