



Vaal River City, the Cradle of Human Rights

OFFICE OF MUNICIPAL MANAGER

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Date: 20 July 2017

Attention: Mr. Sthenjwa Ngcobo

Per E-mail : Sthenjwa.ngcobo@gauteng.gov.za

The Gauteng Department of Human Settlement

Evaton Development/Renewal

Lisbon House

Johannesburg

RE: REQUEST FOR INFORMATION IN TERMS OF PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ON EVETON RENEWAL

The Emfuleni Local Municipality has received a request for information in the terms of the above –mentioned Act from the South African History Achieves (SAHA). From the 10th of July several e-mails were sent to your office for your response which was supposed to be accompanied by that of the Emfuleni Local Municipality bur unfortunately we received no response from your side.

The Emfuleni Local Municipality is not in possession or control of the record requested and does not fall within the jurisdiction of the Municipality but yourselves. We therefore transfer the said requests to yourselves as provided for in section 20 of the Act.

Section 20 of PAIA. provides as follows:

- 1) If a request for access is made to the information officer of a public body in respect of which-
 - a) the record is not in the possession or under the control of that body but is in the possession of another public body;
 - b) the record's subject matter is more closely connected with the functions of another public body than those of the public body of the information officer to whom the request is made; or
- 2) Subject to subsection (4), the information officer to whom a request for access is transferred, must give priority to that request in relation to other requests as if it were received by him or her on the date it was received by the information officer who transferred the request.
- 3) If a request for access is transferred, any period referred to in section 25 (1) must be computed from the date the request is received by the information officer to whom the request is transferred.
- 4) Upon the transfer of a request for access, the information officer making the transfer must immediately notify the requester of-
 - a) The transfer;
 - b) The reasons for the transfer and
 - c) The period within which the request must be dealt with.

The Act further provides that the information officer to whom the request is made, must as soon as reasonably possible, but in any event within 14 days after the request is received, transfer the request to the information officer of the public body by or for which the record was created or which received it first, as the case may be. Emfuleni Local Municipality received the request on the 6th of July 2017.

Having said the above, both the projects mentioned under the subject matter falls within the function and duties of the Gauteng Human Settlement and we believe that you are in possession of the records requested. You have thirty (30) days to respond to the request.

Take further notice that when public meetings or Izimbizo are called by the Emfuleni Local Municipality loud hailing will be made by the Office of the Speaker calling the stakeholders/residents of the area targeted to attend a meeting which has a bearing on them. There are no attendance register nor minutes taken at such meetings by the municipality.

Attached is the said requests.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P.R. Maseko', is written over a circular stamp. The signature is fluid and cursive.

Ms. THOKOZILE KONYANA

ACTING CHIEF OPERATION OFFICER

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18 (1) of the Promotion of Access to Information
Act, 2000
(Act No. 2 of 2000)
[Regulation 2]

FOR DEPARTMENTAL USE

Reference number: _____

Request received

by: _____

(state rank, name and surname of information officer/deputy information officer) on
_____ (date) at _____ (place).

Request fee (if any): R _____

Deposit fee (if any): R _____

Access fee: R _____

SIGNATURE OF INFORMATION
OFFICER/DEPUTY
INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer: Mr Yunus Chamda
Emfuleni Local Municipality

C /O Klasie Havenga & Frikkie Meyer

Vanderbijlpark
1911

Telephone: 27169505428
Fax: 27169505392
Email: anitas@emfuleni.gov.za

B. Particulars of person requesting access to the record

- *The particulars of the person who requests access to the record must be recorded below.*
- *Furnish an address and/or fax number in the Republic to which information must be sent*
- *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: South African History Archive (SAHA)

Identity/Passport number: Non-Profit Trust No. 2522/93

Postal address: P.O.Box 31719, Braamfontein, 2017

Fax number: +27866491491

Telephone number: +27117182563

E-Mail Address: foip@saha.org.za

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:
Identity number:

D. Particulars of record

Thabile Shange.

(011) 355-4213/082 873 5503

~~Sthenjwa~~

Sthenjwa.Ngcobo@gauteng.gov.za.

- Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

- Description of record or relevant part of the record:

Copies of any and all records relating to public participation in the Evaton development programme within the Emfuleni Local Municipality from January 2011 to present date, including but not limited to:

- i. Reports on sports and recreation facilities, roads and other infrastructural developments from year 2011 to year 2017;
- ii. Minutes of public participation meetings and attendance registers with local community members or community representatives; and
- iii. Invitations sent to local community members in the form of text messages, public notices or emails.

- Reference number, if available:
- Any further particulars of record:

E. Fees

- A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- You will be notified of the amount required to be paid as the request fee.
- The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

Chris Pretorius - 0823353869.

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

Disability: _____ Form in which record is required: _____

Mark the appropriate box with an "X".

NOTES:

- Your indication as to the required form of access depends on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a

case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in printed form:

☒ Copy of record* ☐ Inspection of record

2. If record consists of visual images:

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc).

☐ view the images ☒ copy of the images* ☐ transcription of the images*

3. If record consists of recorded words or information which can be reproduced in sound:

☐ Listen to the soundtrack (audio cassette) ☒ transcription of soundtrack* (written or printed document)

4. If record is held on computer or in an electronic or machine ? readable form:

☐ Printed copy of record* ☒ Printed copy derived from the record* ☐ copy in computer readable form*(stiffy or compact disc)

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES NO

☒

A postal fee is payable.

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? ENGLISH

- **G. Notice of decision regarding request for access**

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

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

IN WRITING via email to foip@saha.org.za

Signed at this 18th of May 2017.

A handwritten signature in black ink, appearing to read 'Nkhumalo', with a large circular flourish at the end.

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

Ms Nonhlanhla Khumalo (FOIP Intern)

South African History Archive (SAHA)