

**MANUAL IN TERMS OF SECTION 14 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT,  
ACT NO. 2 OF 2000**

**FOR  
THE SOUTH AFRICAN LOCAL GOVERNMENT  
ASSOCIATION (“SALGA”)**

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Prepared in accordance with section 14 of the Promotion of Access to Information Act, No. 2 of 2000 (“the Act”)

## **1. PARTICULARS IN TERMS OF SECTION 14**

### **1.1. The mandate of the South African Local Association (SALGA)**

South African Local Government Association is an autonomous association of all 257 South African local governments, comprising of a national association, with one national office and nine provincial offices. Membership of the association is voluntary. SALGA accounts to its members in terms of the SALGA Constitution (as amended in 2016) and it’s Governance Framework regulating its structures and mandating processes<sup>1</sup>. The organisation has a National Executive Committee comprised of elected councillors (primarily mayors and office bearers in municipalities) that is responsible for the affairs of the organisation between National Conferences and Members’ Assemblies, which are the highest and second highest decision making bodies of the association respectively. Its administration is headed by a Chief Executive Officer.

SALGA is listed as a Schedule 3A public entity and is therefore accountable for its revenue and expenditure in terms of the Public Finance Management Act of 1999. It is called to account to Parliament annually on its performance and expenditure as a consequence of its listing in terms of this Act.

### **1.2. The function and objectives of SALGA**

Within the framework of its mandate, SALGA’s impact is felt in four broad focus areas:

- Strategically building the profile and image of local government domestically and internationally.
- Supporting municipalities with policy analysis, research and monitoring, and knowledge sharing.

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<sup>1</sup> See also: Constitution 108 of 1996 as it was amended

- Stakeholder engagement, lobbying and advocacy, and effective employer representation for members.
- Strengthening its own corporate governance structures and programmes as a foundation for all other activities.

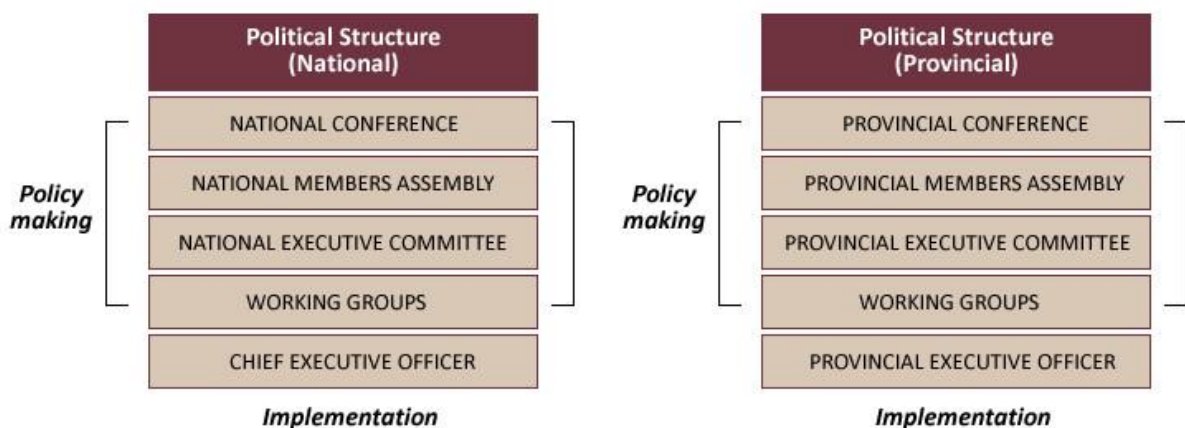
Furthermore, SALGA supports sustainable development and economic growth in the context of South Africa’s national priorities and global challenges. SALGA’s mission acknowledges that global challenges have become its challenges, that relationships with its partners, clients and stakeholders are integral to its success and that licensing intellectual property and establishing ventures are the key areas of future growth.

In terms of the Spatial Data Infrastructure Act, 54 of 2003, SALGA, as a data custodian of data relating to the content, quality, condition and other characteristics of information about spatial objects or features and their attributes (hereinafter referred to as “metadata”), ensures that metadata is available to users by making its metadata available to the Department of CoGTA for inclusion in the electronic metadata catalogue.

### 1.3. The structure of SALGA

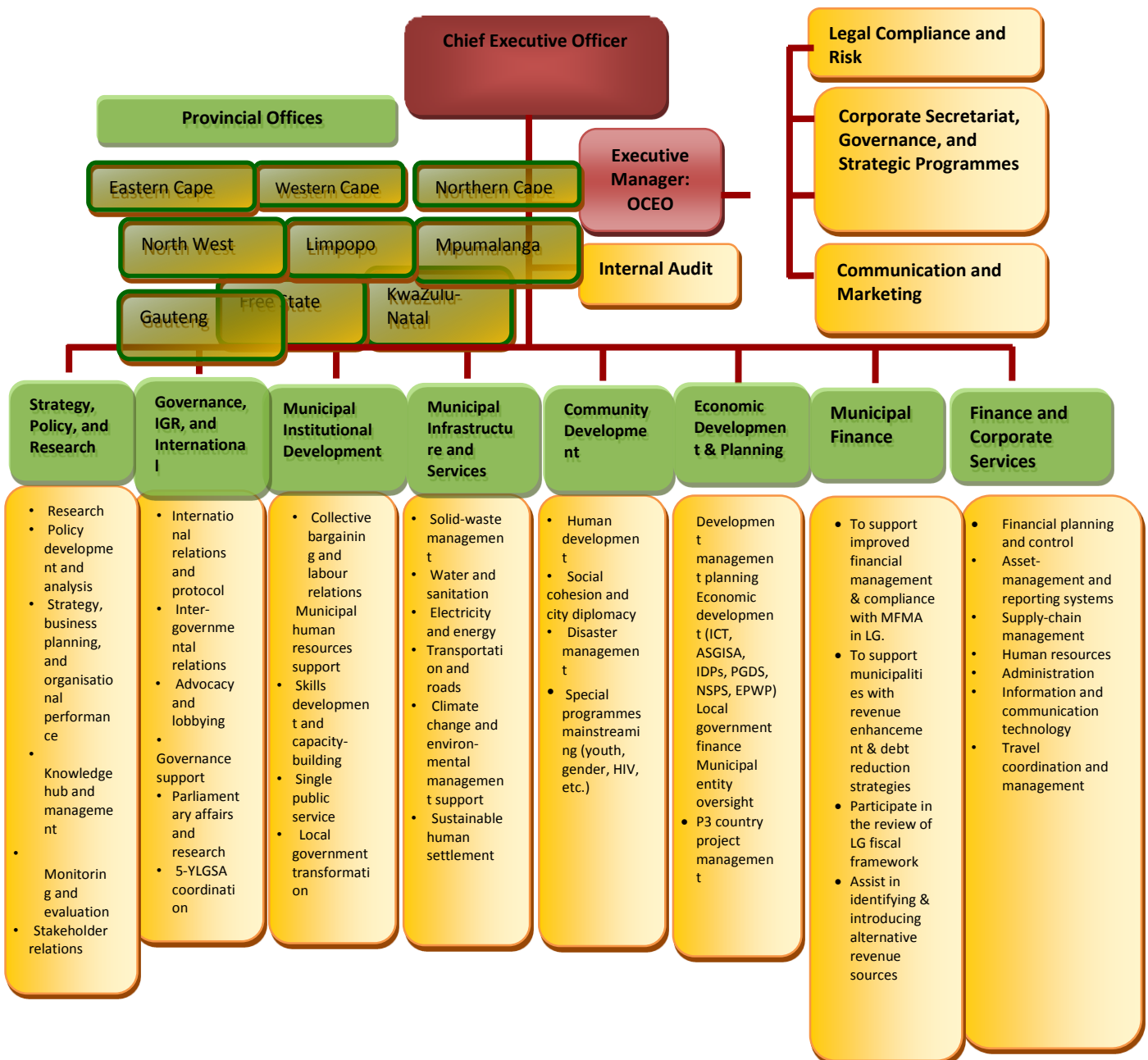
#### A schematic diagram of the structure of SALGA

Political Structure



## Administrative Structure

In order to fulfil its mandate, SALGA has 17 business units (inclusive of SALGA’s provisional offices) at National level within which it operates from as depicted above.



## **2. CONTACT DETAILS (Section 14(1)(b) of the Act)**

### **Information Officer:**

The CEO, Mr Xolile George  
Tel: (012) 369 8000  
Fax: (012) 369 8001

### **Deputy Information Officer:**

Nceba Mqoqi  
Tel: (012) 369 8000  
Fax: (012) 369 8001

### **Street Address:**

Menlyn Corporate Park, Block B  
175 Corobay Avenue  
Cnr Garsfontein and Corobay  
Waterkloof Glen, Ext 11  
0001

### **Postal Address:**

P O Box 2094,  
PRETORIA,  
0001

## **3. GUIDE ON HOW TO USE THE ACT (Section 14(1)(c) of the Act)**

A guide referred to in terms of section 10 of the Act is available from the South African Human Rights Commission (“SAHRC”). Please direct any queries to:

The South African Human Rights Commission (PAIA Unit)

### **Postal address:**

Private Bag 2700  
Houghton  
2041

Tel: (011) 877 3600  
Fax: (011) 403 0625  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## **4. ACCESS TO THE RECORDS HELD BY SALGA**

### **4.1 Voluntary disclosures (Section 14(1)(e) of the Act)**

All information available on the web-site [www.salga.org.za](http://www.salga.org.za) is voluntarily disclosed including the current Annual Report (annual financial statements, Report by the Auditor-General, Report on Corporate Governance and Executive Report).

### **4.2 Subjects on which SALGA holds records and the categories of records held (Section 14(1)(d) of the Act)**

- **Operational Information and Agreements** relating to the following categories: -
  - Documents relating to the policy, objectives and governance of SALGA.
  - Directives, resolutions and instructions of the NEC of SALGA.
  - Joint Venture Agreements with subsidiaries and/or agreements with any person, government or administration.
  - Rental agreements, title deeds, mortgage bonds and notarial bonds relating to movable and immovable property.
  - Company records relating to companies established by SALGA or in association with joint venture partners and/or any person for the purpose of developing or exploiting an invention or technological expertise.
  - Memorandums of Understanding.
  - Metadata and spatial information.
  
- **Finances and Accounting** records relating to the following categories: -
  - Bank account records.
  - Books of Account and financial statements.
  - Auditor's annual report.
  - Audited financial statements.
  - Annual report, including balance sheet and statement of income and expenditure certified by the Auditor-General.
  - Annual budget and Annual Performance Plan as provided for in the SALGA Constitution.
  - VAT, SITE and PAYE records.

- **Human Resources** records relating to the following categories:-
  - Policies and procedures.
  - Personnel files.
  - Contracts, conditions of service and other agreements.
  - Pension fund records of the pension fund established under the Associated Institutions Pension Fund Act, 1963.
  - Medical Scheme Records.
  
- **Intellectual property** information relating to the following categories: -
  - Rights in discoveries and inventions and improvements in respect of processes, apparatus and machines made by employees of the SALGA in the course of their employment as employees of the SALGA.
  - Rights in a discovery, invention or improvement made by the SALGA in the course of an investigation for or on behalf of another person, government or administration.
  - Patents and patent applications.
  - Licence Agreements.

## **5. THE REQUEST PROCEDURES (Section 14 (1)(d) of the Act)**

### **5.1. Disclosure of records**

A requester must be given access to a record of a public body if the requester complies with the following –

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal provided for in the Act.

### **5.2. Nature of the request**

- A requester must use the prescribed form to the information officer of SALGA at his/her address or fax number or electronic mail address.
- The forms of access to a record in respect of which a request of access has



been granted - s 29(2).

- The requester must indicate whether the request is to obtain a copy of the record or whether inspection of the record at the offices of the public body is requested. Alternatively, if the record is not a document, it can be viewed in the requested form – s 29(2).
- Access should be provided in the particular form and manner requested unless such manner would interfere unreasonably with the running of the public body concerned or damages the record, or infringes a copyright owned by the state. If for practical reasons access cannot be given in the required form, but in an alternative manner, the fee must be calculated in accordance with the manner of disclosure first requested by the requester – s 29(3) and (4).
- If, in addition to a written reply to the request for the record, the requester requires to be advised of the decision in any other manner, e.g. by telephone, this must be indicated – s 18(2)(e).
- If a requester requests the information on behalf of somebody else, the capacity in which the request is made must be indicated – s 18(2) (f).
- If the requester is unable to read or write, or has a disability, the request may be made orally. In such event, the Information Officer must complete the form on behalf of the requester and provide the requester with a copy – s 18(3).

### **5.3. Fees payable (Section 22 of the Act)**

- There are types of fees required to be paid in terms of the Act, being the request fee and the access fee.
- The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- After the Information Officer has made a decision on the request, the requester must be notified of such decision in the manner requested by the requester.

## 6. SERVICES AVAILABLE (Section 14(1)(f) of the Act)

SALGA is governed by its constitution as adopted in May 2000. The objectives and principles are in the context of the Constitution of the Republic, Act 108 of 1996, and the White Paper on Local Government and within the parameters of the Organised Local Government Act 52 of 1997.

SALGA is obliged to transform the local government sector to one that has the required capacity to make a meaningful contribution to poverty alleviation, economic development & all socio-economic opportunities that the government has geared itself to provide for its people.

SALGA has set out its role to represent, promote and protect the interests of local governments and to raise the profile of local government, amongst other objectives.

### Summary of services provided by SALGA



## **7. ARRANGEMENT ALLOWING FOR SALGA MEMBER INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER (Section 14(1)(g) of the Act)**

The National Executive Committee (NEC) exercises authority of SALGA in between the National Conferences and National Members Assemblies. The NEC consists of the president, three deputy presidents and 6 additional members elected separately by National Conference and provincial chairpersons who are ex-officio members of the NEC.

The NEC meets quarterly, ad hoc and/or when the need arises allowing SALGA to engage with member municipalities in provinces. The NEC develops and reviews the organisations strategic priorities and activities also adopting SALGA's administrative policies.

SALGA is governed by primary legislation, which legislation, depending on the nature and complexity thereof, may be preceded by a discussion paper setting out a proposed approach and calling for member comment through various structures. This step may be followed or replaced by the release of draft legislation for member comment.

## **8. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH (Section 14(1)(h) of the Act)**

SALGA does not have an internal appeal procedure in place to facilitate appeals against decisions of the Information Officer or Deputy Information Officer.

An aggrieved party may by way of application apply to Court for appropriate relief. On hearing such application the Court may grant any order that is just and equitable including:

- Confirming, amending or setting aside the decision that is the subject of the application;
- Requiring the Information Officer to take some action or to refrain from taking such action as the Court considers necessary within the period mentioned in the order;
- Granting an interdict, interim or specific relief, a declaratory order or compensation; or costs.

**9. ANY OTHER INFORMATION AS MAY BE PRESCRIBED (Section 14(1)(i) of the Act)**

None.

**10. UPDATING OF THIS MANUAL (Section 14(2) of the Act)**

This manual will be updated whenever amendments to the current information need to be reflected and/or annually.

**11. REQUEST TO THE MINISTER FOR COMPILATION OF ONE MANUAL (Section 14(4)(a))**

This manual is compiled solely on behalf of SALGA and no requests for combined manuals with other constitutional or public bodies have been submitted to the Minister.

**12. EXEMPTION FROM THE MINISTER FROM ANY PROVISION OF SECTION 14 OF THE ACT (Section 14(5))**

SALGA is not exempt from any provision of this section.