



HOUSING COMPANY TSHWANE
affordable housing solutions

(A state-owned entity in terms of Section 8 (2)(a) of the Companies Act)

Registration number: 2001/029821/08

**MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**



APPROVAL		
SIGN - OFF	DATE	SIGNATURE
Chief Executive Officer (O. Nyundu)	06 November 2024	
Board Chairperson (Ms. P. Tau-Sekati)	15 November 2024	

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1. MISSION STATEMENT OF THE HOUSING COMPANY TSHWANE (HCT)

To sustainably deliver and manage quality, accessible and affordable rental housing in Tshwane thereby transforming the City's landscape to become integrated, dignified, and inclusive.

2. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

- 2.1. Designated Information Officer of HCT: Office of the Chief Executive Officer
E-mail: obakengny@tshwane.gov.za
- 2.2. Delegated official: Paralegal & Compliance Officer, Ngwako Mathabathe:
Email: NgwakoMatha@tshwane.gov.za
- 2.3. Street Address: 310 Pretorius Street, 1st Floor ABSA (SKG) Building, Pretoria,0001
- 2.4. Tel.: +27 (0) 12 358 4469
- 2.5. Persons delegated to deal with requests pertaining to the Company information is the designated Information Officer and the Paralegal & Compliance Officer only. Other employees of HCT are not mandated to address such requests other than the nominated information officers.

3. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

- 3.1. Basic Conditions of Employment Act, No. 75 of 1997
- 3.2. Broad-Based Black Economic Empowerment Act, No. 53 of 2003 and 2014
- 3.3. Companies Act, No. 71 of 2008
- 3.4. Consumer Protection Act, N.68 of 2008
- 3.5. Electronic Communications and Transactions Act, No. 25 of 2002
- 3.6. Financial Intelligence Centre Act, No. 38 of 2001
- 3.7. Income Tax Act, No. 58 of 1962
- 3.8. Medical Schemes Act, No. 131 of 1998
- 3.9. National Credit Act, No. 34 of 2005
- 3.10 Pension Funds Act, No. 24 of 1956
- 3.11. Employment Equity Act, No. 55 of 1998
- 3.12. Housing Act, No. 107 of 1997.
- 3.13. Labour Relations Act, No. 66 of 1995
- 3.14. Local Government Municipal Finance Management Act-Municipal Regulations on Debt Disclosure
- 3.15. Local Government Municipal Finance Management Act - Municipal Regulations on Minimum Competency Levels
- 3.16. Local Government Municipal Finance Management Act -Municipal Supply Chain Management Regulations
- 3.17. Local Government Municipal Finance Management Act, No. 56 of 2003

- 3.18. Local Government Municipal Systems Act, No. 32 of 2000
- 3.19. Occupational Health and Safety Act - Construction Regulations
- 3.20. Occupational Health and Safety Act - Environmental Regulations for Workplaces, October 1987
- 3.21. Occupational Health and Safety Act - Facilities Regulations, August 2004
- 3.22. Occupational Health and Safety Act - General Administrative Regulations, June 2003
- 3.23. Occupational Health and Safety Act - General Safety Regulations, May 1986
- 3.24. Occupational Health and Safety Act, No. 85 of 1993
- 3.25. Preferential Procurement Policy Framework Act. No. 5 of 2000
- 3.26. Promotion of Access to Information Act, No. 2 of 2000 - Public Bodies
- 3.27. Protection of Personal Information Act, No. 4 of 2013
- 3.28. Rental Housing Act, No. 50 of 1999
- 3.29. Social Housing Act, No. 16 of 2008
- 3.30. Skills Development Act, No. 97 of 1998
- 3.31. Skills Development Levies Act, No. 9 of 1999
- 3.32. Unemployment Insurance Act, No. 63 of 2001
- 3.33. Value Added Tax Act, No. 89 of 1991.

4. RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 15(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA herein after referred to as "the Act".

5. RECORDS NOT FOUND

5.1 If a record cannot be found or if the records do not exist, the Information Officer shall notify the requester (providing full details of steps taken to find the record or determine its existence) that it is not possible to give access to the requested record.

5.2 If the record in question should later be found, the requester shall be given access to the record unless access is refused by HCT.

6. SUBJECTS AND CATEGORIES OF RECORDS HELD BY HCT

Information about HCT can be accessed via the internet on <https://hct.tshwane.gov.za> which is available to all persons who have access to the internet.

The subjects on which the public body holds records and the categories on each subject in terms of Section 15(1)(a) are as listed below. Information that cannot be accessed through the internet can be requested in terms of Section 15(1)(a). Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 33 to 46 of the Act:

6.1. Compliance

- 6.1.1. Legislation compliance
- 6.1.2. Membership with industry bodies

6.2. Corporate Governance

- 6.2.1. Annual reports
- 6.2.2. Quarterly reports
- 6.2.3. Business Plans
- 6.2.4. Company directorships

6.3. Finance

- 6.3.1. Annual Financial Statement

6.4. Supply Chain

- 6.4.1. Request for Quotations
- 6.4.2. Advertised Tenders
- 6.4.3. Bids received
- 6.4.4. Bids awarded
- 6.4.5. Bid tender application documents
- 6.4.6. Expression of interest

6.5. Corporate Services

- 6.5.1. Vacancies
- 6.5.2. Media enquiries
- 6.5.3. Project Launches

6.6. Housing Management

- 6.6.1. Community Development
- 6.6.2. Community building initiatives and outreach
- 6.6.3. Tenant support services

6.7. Revenue Management

- 6.7.1. Leasing administration
- 6.7.2. Customer surveys

6.8. Housing Developments

- 6.8.1. Greenfield and Brownfield developments

7. PURPOSE OF PROCESSING OF ORGANISATIONAL INFORMATION

- 7.1. To support engagement with the Shareholder "City of Tshwane"
- 7.2. To support engagement with funders and donors
- 7.3. To support engagement the media
- 7.4. To support engagement with service providers
- 7.5. To support engagement with the general public
- 7.6. To support engagement with industry bodies
- 7.7. To support recruitment and management of staff
- 7.8. To support relationships with statutory and other authorities
- 7.9. To support servicing tenant requirements

8. PLANNED RECIPIENTS OF ORGANISATIONAL INFORMATION

- 8.1. Shareholder
- 8.2. Financial institutions
- 8.3. Funders and donors
- 8.4. Industry bodies
- 8.5. Law enforcement
- 8.6. Operators (service providers)
- 8.7. Statutory authorities

9. SECURITY MEASURES TO PROTECT ORGANISATIONAL INFORMATION

Access to records will be managed through and in compliance to ICT Security Policy, User Account Management Policy, which covers and includes the following but not limited to:

- 9.1. Access controls
- 9.2. Internal security controls
- 9.3. Cyber security measures
- 9.4. Training on information security 'key staff
- 9.5. Comprehensive coverage of all IT-related issues

10. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete **Form A** and submit this form together with a request fee, to the person delegated to deal with requests (for "the designated Information Officer"). The form must be submitted using any of the methods mentioned in Clause 2 of this manual.

Form of request:

- 10.1. The requester must use the prescribed form, (form A) of this manual, to make the request for access to a record. This must be made to the designated Information Officer. This request must be made to the address, fax number or electronic mail address of the body concerned [s 18(1)].

- 10.2. The requester must provide sufficient detail on the request form to enable the designated Information Officer to identify the record and the requester.
- 10.3. The requester should indicate which form of access is required.
- 10.4. The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 18(2)(c) and (d) and (e)].
- 10.5. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated Information Officer of the public body [s 18(2)(f)].
- 10.6. A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- 10.7. Every other requester, who is not a personal requester, must pay the required request fee.
- 10.8. An individual who because of illiteracy or a disability is unable to make a request for access to a record of a public body in accordance with s (18) (1), may make that request orally. The information officer of that body must reduce that oral request to writing in the prescribed form and provide a copy thereof to the requester. (s1 8(3) (a)(b).
 - 10.8.1. After the designated Information Officer of the public body has decided on the request, the requester must be notified in the required form.
 - 10.8.2. Information Officer may assist the requester free of charge to make a request as contemplated in s19(1)(b).
 - 10.8.3. Grounds for refusing a request HCT has the right to reject any request for information submitted in terms of Sections 33 to 46 of Chapter 4 of the PAIA Act.

11. AVAILABILITY OF THE MANUAL

- 11.1. This manual is available for inspection free of charge at the office of HCT, and on the HCT website: hct.tshwane.gov.za, and on the City of Tshwane portal.
- 11.2. Publication date of this manual: **16 November 2024**
- 11.3. Next revision date of this document: revision of this documents shall be in terms of the amendments of PAIA Act.

12. DISPOSAL OF INFORMATION

- 12.1. Where access is granted -
 - 12.1.1. the Information Officer will advise the requester of:
 - (a) the access fee to be paid for the information prior to HCT being able to process the request and grant the access (section 54(1) of PAIA).
 - (b) the format in which access will be given; and
 - (c) the fact that the requester may lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted (section 56(2) of PAIA); and
 - 12.1.2 that access to the record requested will be given as soon as reasonably possible.

13. FEES IN RESPECT OF PUBLIC BODIES

The Act provides for two types of fees:

- a) A request fee, which will be a standard fee; and
- b) An access fee, which must be calculated by considering reproduction cost, search and preparation time and cost, as well as postal costs.
- c) When the request is received by the Information Officer, such Officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- d) If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for the purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted. The Information Officer shall withhold a record until the requester has paid the relevant fees as indicated below.
- e) A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required more than the prescribed hours to search for and prepare the record for disclosure, including making arrangement to make it available in the requested form.
- f) If a deposit has been paid in the respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.
- g) Request and Access fees payable in terms of Section 22 of the Act or exemption thereof:
- h) Electronic fee schedule in respect of public bodies

14. FEE SCHEDULE IN RESPECT OF PUBLIC BODIES

- 14.1. The fee for a copy of the manual as contemplated in regulation 5(c) is R1,10 for every photocopy of an A4-size page or part thereof.
- 14.2. The fees for reproduction referred to in regulation 7(1) are as follows: For every photocopy of an A4-size page or part thereof is R1,10 cents
- 14.3. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form the fee is R0,75 cents
- 14.4. For a copy in a computer-readable form on stiffer or compact disc the fee is R70,00
- 14.5. For a transcription of visual images, for an A4-size page or part thereof the fee is R40,00
- 14.6. For a copy of visual images, the fee is R60,00
- 14.7. For a transcription of an audio record, for an A4-size page or part thereof the fee is R40,00
- 14.8. For a copy of an audio record the fee is R30,00
- 14.9. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) the fee is R50,00.

14.10. The access fees payable by a requester referred to in regulation 7(3) are as follows:

- a) For every photocopy of an A4-size page or part thereof the fee is R1,10
- b) For every printed copy of an A4-size page or Part thereof held on a computer or in electronic or machine- readable form the fee is R0,75
- c) For a copy in a computer-readable form on stiffer/compact disc the fee is R70,00
- d) For a transcription of visual images, for an A4-size page or part thereof the fee is R40,00
- e) For a copy of visual images, the fee is R60,00 for a transcription of an audio record, for an A4-size page or part thereof the fee is R40,00
- f) For a copy of an audio record the fee is R30,00
- g) To search for and prepare the record for disclosure the fee R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation

14.11. For purposes of section 22(2) of the Act, the following applies:

- a) 48 hours as the hours to be exceeded before a deposit is payable; and
- b) one third of the access fee is payable as a deposit by the requester.
- c) The actual postage is payable when a copy of a record must be posted to a requester.

Signed by



Chief Executive Officer
Ms. O. Nyundu
Date: 30 October 2024



Board Chairperson
Ms. P. Tau-Sekati
15 November 2024

15. FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

In terms of Section 18 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

A. Particulars of public body

The Information Officer (name of body): _____

B. Particulars of person requesting access to the record

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

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

E-mail address: _____

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

- a) *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.*
- b) *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.

1. Description of record or relevant part of the record: _____

2. Reference number, if available: _____

3. Any further particulars of record: _____

E. Fees

- a) *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.*
- b) *You will be notified of the amount required to be paid as the request fee.*
- c) *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.*
- d) *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:

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: _____

NOTES:

- a) *Compliance with your request in the specified form may depend on the form in which the record is available.*
- b) *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.*

Mark the appropriate choice with an X

1. If the record is in written or 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 file)
- ✓ 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 of information
- ✓ derived from the record
- ✓ copy ` 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? Postage is payable.

- ✓ YES
- ✓ NO

G. Particulars of right to be exercised or protected

*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.*

1. Indicate which right is to be exercised or protected: _____
2. Explain why the record requested is required for the exercise or protection of the aforementioned right: _____

H. 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 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?

Signed at _____ on this _____ day of _____

**SIGNATURE OF REQUESTER / PERSON ON WHOSE
BEHALF REQUEST IS MADE**