



Promotion of Access to Information Act 2000 (Act 2 of 2000) (PAIA)



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www.joburg.org.za



What is PAIA?

PAIA is the freedom of information law in South Africa that affords all citizens of South Africa the right to access any information held by the State or private bodies to exercise and/or protect their right.

The purpose of PAIA

PAIA was enacted :

- to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and
- to give effect to the constitutional obligation of the State of promoting a human's right culture and social justice.

The objectives of PAIA

It promotes :

- transparency
- accountability, and
- effective governance of all public and private bodies

It educates and empowers everyone to understand their rights and to understand the functions and operations of public bodies so that they can:-

- effectively scrutinize and participate in decision making by public bodies that affect their rights
- ensure that the State takes part in promoting a human right culture and social justice.

Who can lodge a PAIA request?

Any person can request information (from a public or private body):-

- Personal requester: requests for information about themselves
- Requester requesting on behalf of another person.



Type of information that can be requested

- Private Information about the requester
- Information about any environmental hazards or serious violation of the law
- Details about the official functions of a public official or public body
- Any record that is already publicly available

How to lodge a PAIA request?

Information can be requested using Form A to lodge a formal request. Form A can be obtained from People's Centre in all Regions. Available on Jozinet – Customer Agents will assist walk-in clients – and also on City's website – www.joburg.org.za. Clients can also visit PAIA Office at Metro Centre.

- Form B is used to lodge an appeal against a decision of the Deputy Information Officer.
- It should be noted that when a request is made to a public body, a requester does not



PAIA REQUEST PROCESS

Summary on PAIA Process and Time-frames of a request.

- When a request for information is made to a public body, a Form A must be used. This form is obtainable from the City of Johannesburg's internal (Jozinet) and external (www.joburg.org.za) websites.
- The Form A must be clearly completed and submitted to the Deputy Information Officer.
- The information requester will be required to pay R35.00 PAIA request fee for further processing of the request. Information requester who wishes to be exempted from paying the request fee should provide reasons for exemption.
- In case of an illiterate person, a requester can make an oral request, which must then be reduced into writing by the person assisting the requester.
- The Deputy Information Officer has 30 days to process and respond to the requester from the date of the receipt of the request.
- The Deputy Information Officer may ask from the requester an extension of another 30 days if the deadline is not met, but only for the reasons that are provided by the Act.
- A requester may lodge an internal appeal if the response is not received after 30 days as it is regarded a deemed refusal.
- A requester may again lodge an internal appeal within 60 days if not satisfied with the information provided by the Deputy Information Officer.
- The relevant authority, in this case, the Speaker of Council, also has 30 days to respond to an appeal.
- The appellant has 180 days to lodge an appeal with a court if not satisfied with a decision made by the relevant authority.

Payable Fees

The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

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

- For every photocopy of an A4-size page or part thereof R0, 60
- For every printed copy of an A4-size page or Part thereof held on a computer or in electronic or machine-readable form R0, 40
- For a copy in a computer-readable form on: -
- compact disc R40, 00
- For a transcription of visual images, for an



A4-size page or part thereof R22, 00

- For a copy of visual images n R60, 00
- For a transcription of an audio record, for an A4-size page or part thereof R12, 00
- For a copy of an audio record R17,00
- To search for and prepare the record for disclosure R15, 00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.

Appeal Fees: The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in Section 75(3)(a) of the Act is R50.00.

Exemption: PAIA also caters for exemption where necessary.

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