

TOTAL GEO-SPATIAL INFORMATION SOLUTIONS (PTY) LTD

REGISTRATION NUMBER: 1999/007313/07

“TGIS”

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, 2 OF 2000 (“PAIA”)**

VERSION 1 – PAIA01 // COMPILED 25 FEBRUARY 2021

Approved: EXCO / CEO Date: 8 March 2021

Signature: CEO:  _____

DOCUMENT USERS: INTERNAL AND EXTERNAL

**PERSON RESPONSIBLE FOR KEEPING DOCUMENT CURRENT: LEGAL,
GOVERNANCE DEPARTMENT**

1. COMPANY OVERVIEW:

The core business of TGIS is the operation and management of Geographic Information Systems, Digital Software and management of Information Systems for its clients. The services rendered by TGIS are more specifically: -

1.1 Asset Registers

TGIS has been working with Asset Registers for over 10 years ranging from local to district municipalities. A recognition by National Treasury to participate in the MFIP (G-TAC) programme in 2016 proves a dedicated and excellent contribution by TGIS in the asset management sphere.

The complexity and range of infrastructure assets to be contained in the Fixed Asset Register demands a multi-disciplinary team with substantial infrastructure experience and knowledge.

The Team of experts work together with the Municipality in providing a Fixed Asset Register that meets the requirements of GRAP and aligns to mSCOA reporting while still adhering to the Asset Management Policy and Accounting Policy.

1.2 3D Mobile Mapping

TGIS utilises state-of-the-art technology by means of three TOPCON IP-S2 3D Mobile devices in the field to assist with the compilation of asset registers, land use management and valuation management.

1.3 Data Cleaning

TGIS has been using the methods described below for more than 11 years in serving South African Municipalities. We have cleaned the data for 46 Municipalities and currently maintain the data in 31 Municipalities.



There are two approaches to cadastral data, the first is we will supply the data to the client in an easier to use and understandable format than it is available at its source, no cleaning or verification takes place, the data is compiled and delivered, the data as well as a discrepancy report will be delivered, the client may then request the corrections of errors at a later stage. The second approach will involve TGIS utilising its intellectual property and methodology to not only supply the data but to also verify and correct the errors. This method is the recommended one as you can be assured that the data is clean and reliable, where errors have been rectified.

At TGIS we have worked, adapted, cleaned and delivered all of the datasets to a variety of clients. From experience, we have found some clients to possess outdated and incorrectly cleaned datasets that they assume are correct, which can lead to a variety of errors in making decisions.

1.4 Revenue Security

TGIS couple quality checked and updated cadastral data to an organisation's financial system and its consumer database, to highlight non-corresponding entities and to correct such, to enable correct billing and the identification of consumers not previously billed.

1.5 Support and Consulting

Our expert skills and competencies, together with our wealth of experience and knowledge, enable us to consult in a variety of fields, including Land Management, Land Use and Rights, Information Technologies, GIS Technologies, Software and Projects Management.

2. CONTACT PERSON

In accordance with Section 51(1)(a) of the Act, the contact details and contact person for TGIS, in relation to the Act, are as follows:

2.1 GAUTENG (HEAD OFFICE)

Street Address: Boardwalk Office Park, Block 5, cnr. Eros and Midas Roads, Faerie Glen, Pretoria, South Africa

CONTACT PERSON// INFORMATION OFFICER: LENTE ADA POTGIETER

EMAIL: lente@tgis.co.za

Tel: +27 12 991 3624

Fax: +27 12 991 6998

E-Mail: info@tgis.co.za

Website address: www.tgis.co.za

2.2 NORTHERN CAPE

Street Address: 13 Church Street, Uptington, South Africa

Tel: +27 54 331 3898

Fax: +27 54 331 6064

E-Mail: upt@tgis.co.za

2.3 WESTERN CAPE

Street Address: 89 Lang Street, Piketberg, South Africa

Tel: +27 22 913 1245

Fax: +27 22 913 1245

E-Mail: wc@tgis.co.za

2.4 DIRECTORS AND OFFICE BEARERS

Johannes Gerhard Engelbrecht – Director and Acting Chief Executive Officer

Joseph Khumalo – Director

Lance Nel – Director and General Manager

Lente Ada Potgieter – Company Secretary and Information Officer

3. DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT GUIDE

In accordance with Section 51(1)(b) of the Act, it is confirmed that a guide on how to use the Act, as compiled by the Department of Justice and Constitutional Development in terms of Section 10 of the Act, is available from the Human Rights Commission, located at Braampark Forum 3, 33 Hoofd Street, Braamfontein. The Regulations promulgated in terms of the Act, published in Government Gazette No. 23119 under Notice No. R187 of 15 February 2002 as amended from time to time, set forth how the South African Human Rights Commission should make the Guide available.

The guide is available from the Information Regulator. Any queries should be directed to:

The Information Regulator (South Africa):

33 Hoofd Street, Forum III, 3rd Floor Braampark

Braamfontein, Johannesburg

Pretoria: Telephone No (012) 406 4818

Fax No: 086 500 3351

Website: www.justice.gov.za/infoereg

E-mail: infoereg@justice.gov.za

Complaints email: complaints.IR@justice.gov.za

4. AUTOMATIC DISCLOSURE

Section 52(1) of the Act makes provision for the voluntary submission by a private body to the Minister of Justice, of a description of the categories of documents that may be available to the public without any need for a request of access to such, i.e. Records automatically available to the public. Such a submission has not been made to date. However, see item 6 (iii) below for details of TGIS' website.

5. LEGISLATIVE RECORDS

In accordance with Section 51(1)(d) of the Act – (Records Held in Accordance With Legislation): records are kept in accordance with such legislation as is applicable to TGIS, which includes but is not limited to, the following legislation as amended from time to time:

- 5.1 Act 108 of 1996 (Constitution of the Republic of South Africa)
- 5.2 Act 71 of 2008 (Companies Act)
- 5.3 Act 98 of 1978 (Copyright Act)
- 5.4 Act 55 of 1998 (Employment Equity Act)
- 5.5 Act 4 of 2000 (Promotion of Equality and Prevention of Unfair Discrimination Act)
- 5.6 Act 95 of 1967 (Income Tax Act)
- 5.7 Act 66 of 1995 (Labour Relations Act)
- 5.8 Act 89 of 1991 (Value Added Tax Act)
- 5.9 Act 7 of 1998 (Skills Development Act)
- 5.10 Act 9 of 1999 (Skills Development Levy Act)
- 5.11 Act 53 of 2003 (Broad Based Black Economic Empowerment Act)
- 5.12 Act 75 of 1997 (Basic Conditions of Employment Act)
- 5.13 Act 85 of 1993 (Occupational Health and Safety Act)
- 5.14 Act 130 of 1993 (Compensation for Occupational Injuries and Diseases Act)
- 5.15 Act 69 of 1984 (Close Corporations Act)
- 5.16 Act 25 of 2002 (Electronic Communications and Transactions Act)
- 5.17 Act 2 of 2000 (Promotion of Access to Information Act)
- 5.18 Act 26 of 2000 (Protected Disclosures Act)
- 5.19 Act 30 of 1996 (Unemployment Insurance Act)

- 5.20 Act 2 of 2013 (Protection of Personal Information Act)
- 5.21 Act 117 of 1998 (Municipal Structures Act)
- 5.22 Act 5 of 2000 (Preferential Procurement Policy Framework Act)
- 5.23 Act 27 of 1998 (Municipal Demarcation Act)
- 5.24 Act 32 of 2000 (Municipal Systems Act)
- 5.25 Act 56 of 2003 (Municipal Finance Management Act)
- 5.26 Act 6 of 2004 (Municipal Property Rates Act)
- 5.27 Act 12 of 2007 (Municipal Fiscal Powers and Functions Act)
- 5.28 Act 12 of 2004 (Prevention and Combating of Corrupt Activities Act)
- 5.29 Act 3 of 2000 (Promotion of Administrative Justice Act)
- 5.30 Act 89 of 1998 (Competition Act)
- 5.31 Act 38 of 2001 (Financial Intelligence Centre Act)
- 5.32 Act 68 of 2008 (Consumer Protection Act)
- 5.33 Act 4 of 2013 (Protection of Personal Information Act)

6. RECORDS HELD

In accordance with Section 51(1)(e) of the Act, categories of records that may be requested, and for which access may be provided or refused in accordance with relevant provisions of the Act, are the following:

- i. Operational Information: Such information as is required for the overall governance of TGIS, and for the day to day running of TGIS. For instance: shareholder information, constitutional and statutory documents, director information, minutes of meetings, accounting and financial records, legal and compliance records, company secretarial and administrative records, information technology records, marketing material, internal phone lists; address lists; company policies; employee records; permits; licences; authorizations; approvals and general “housekeeping” information.
- ii. Communications: Correspondence between persons within and without TGIS relating to matters of business within the course and scope of their employment with TGIS, which are recorded in the communication system of TGIS, such as computer records and telephone records.
- iii. Website: TGIS website address is www.tgis.co.za and is accessible to anyone who has access to the Internet. The website contains various categories of information relating to TGIS which is publicly available.

7. ACCESS REQUESTS

In accordance with Section 51(1)(e) of the Act (PAIA), the request procedures are as set out below: It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain qualifications (in that the requested record must be required for the exercise or protection of a right), and may be refused by TGIS if the requested record falls within a certain category as specified in Part 3, Chapter 4 of the Act. If it is reasonably suspected that the requester has obtained access to TGIS' records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

i. Form of Request

- The requester must use the prescribed form attached to this manual as Annexure A, to make the request for access to a record. This must be made to the person listed at item 2.1 above, as the Head of the Private Body (who has been duly authorized by the Chief Executive Officer as contemplated in the Act). A request must be made to the address, fax number or electronic mail address of TGIS, provided at item 2.1 above – **Information Officer**.
- The requester must provide sufficient detail on the request form to enable the Head of the Private Body (contact person) to identify the record/s requested, and the requester. The requester should also indicate which form of access is required and specify a revert address or fax number in the Republic of South Africa where any response to such request or such record may be sent. The requester should also indicate if, in addition to a written reply, any other medium is to be used to communicate with the requester, and state the necessary particulars for such purpose.
- The requester must identify the right that is sought to be exercised or protected, and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the Head of the Private Body.

ii. Fees

A requester who seeks access to a record containing the requester's personal information is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The Head of the Private Body (contact person) must by notice, require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request;
- The fee that the requester must pay to TGIS will be calculated in accordance with the access and request fee structure prescribed by the Department of Justice and Constitutional Development. The requester may lodge an application to the court against the tender or payment of the request fee;
- After the Head of the Private Body (contact person) has made a decision on the request, the requester must be notified in writing unless specified otherwise; and

- If the request is granted, then a further access fee must be paid for reproduction and for search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- The prescribed forms, and fee structure prescribed under the Act in respect of private bodies, are available on the website of the Department of Justice and Constitutional Development (www.justice.gov.za), under the PAIA “regulations” section. The fees in respect of private bodies can also be found in Part III of Annexure A to the Regulations made in terms of the Act.

8. ADDITIONAL INFORMATION

The Minister of Justice and Constitutional Development has made regulations in terms of the Act, which regulations do not obligate TGIS to make available Additional Prescribed Information in this manual.

9. AVAILABILITY OF THE MANUAL

In accordance with Section 51(3) of the Act, this manual is available on TGIS’ website (www.tgis.co.za) and is also available for inspection by the general public upon request, during office hours and free of charge, at the offices of TGIS.

10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF CHAPTER 4 OF THE ACT

The main grounds for refusal of a request for records would be:

- The mandatory protection of the privacy of a third party who is a natural person, where disclosure of the records would involve the unreasonable disclosure of personal information of that natural person.
- The mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that party.
 - Financial, commercial, scientific or technical information disclosure of which could likely cause harm to the financial or commercial interests of that party.
 - Information disclosed in confidence by a third party, to TGIS, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- The mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- The mandatory protection of the safety of individuals and the protection of property.
- The mandatory protection of records which could be regarded as privileged in legal proceedings.
- The protection of information relating to the commercial activities of TGIS, where such information may include:
 - Trade secrets of TGIS;
 - Financial, commercial scientific or technical information disclosure of which could likely cause harm to the financial or commercial interests of TGIS.

11. REMEDIES AVAILABLE TO AN AGGRIEVED REQUESTER OR THIRD PARTY

A requester aggrieved by a decision of the Head of the Private Body, and such decision was:

- to refuse a request for access to records; or
- taken in terms of Section 54, 57(1) or 60 of the Act,

may, by way of an application, within 180 days apply to a court for appropriate relief in terms of Section 82 of the Act.

A third party aggrieved by a decision of the Head of the Private Body in relation to a request for access to a record of TGIS, may, by way of an application, within 180 days apply to a court for appropriate relief in terms of Section 82 of the Act. In terms of Section 82 of the Act, the court hearing an application may grant any order that is just and equitable, including orders—

- confirming, amending or setting aside the decision which is the subject of the application concerned;
- requiring from the Head of the Private Body to take such action or to refrain from taking such action as the court considers necessary within a period mentioned in the order;
- granting an interdict, interim or specific relief, a declaratory order or compensation;
- as to costs; or
- condoning non-compliance with the 180 day period within which to bring an application, where the interests of justice so require.

.FOR REQUEST FORMS SEE ANNEXURE A BELOW

ANNEXURE A: ACCESS TO INFORMATION REQUEST FORM

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
[Regulation 10]

1. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail or e-mail, and should be addressed to the relevant contact person as indicated below:

Name of Body: Total Geo-spatial Information Solutions (Pty) Ltd
Street Address: Boardwalk Office Park, Block 5, cnr. Eros and Midas Roads, Faerie Glen, Pretoria, South Africa

Post Office Box 74388, Lynnwood Ridge 0040

Information Officer / Contact Person: Lente Potgieter / lente@tgis.co.za

Tel: +27 12 991 3624 Fax: +27 12 991 6998

E-Mail: info@tgis.co.za Website address: www.tgis.co.za

2. PARTICULARS OF REQUESTER (If a Natural Person)

- (a) Particulars of the person who requests access to the record must be recorded below.
- (b) Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

FULL NAMES AND SURNAME	IDENTITY NUMBER
POSTAL ADDRESS & CODE	EMAIL ADDRESS
PHONE NUMBER	FAX NUMBER

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PARTICULARS OF REQUESTER (If a Legal Entity)

- (a) Particulars of the entity that requests access to the record must be recorded below.
- (b) Furnish a postal address and/or an email address and/or fax number in the Republic to which information must be sent
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Name of entity: _____

Registration
number: _____

Postal
address: _____

Postal
code: _____

Phone
number: _____

Fax
number: _____

Email
address: _____

3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

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

Full names and surname: _____

Identity number: _____

4. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it 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.

Description of record or relevant part of the record: _____

REFERENCE NUMBER IF AVAILABLE:
ANY FURTHER PARTICULARS OF RECORDS:

5. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a non-refundable request fee of R50-00 has been paid per request.
- (b) 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 the record.
- (c) You will be notified of the required amount to be paid as the access fee.
- (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:

6. FORM OF ACCESS TO RECORD

Form in which record is required. Mark the appropriate box with an X

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 under certain circumstances. In such a case you will be informed whether access will be granted in another form.

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

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 the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack ☐
(compact disc)

Transcription of soundtrack* ☐
(written or printed document)

4. If the 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 in computer readable form ☐
(Memory stick 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? (NB: Postage is payable)

Yes ☐

No ☐

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be e-mailed to you? (NB: depending on the volume, e-mail transmission may not be possible)

Yes ☐

No ☐

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. (Cost of translation may be payable)
In which language would you prefer the record?

7. IN THE EVENT OF DISABILITY

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for above, state your disability and indicate in the form in which the record is required.

State form of Disability:

Form in which record is required: _____

8. 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 exercise or protection of the aforementioned right:

9. 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 _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

SIGNED AND APPROVED ON THIS THE 8th DAY OF March 2021

A handwritten signature in black ink, appearing to read 'Engelbrecht', is written above a horizontal line.

JOHANN ENGELBRECHT (ACTING CEO) TGIS