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GAUTENG***



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GAUTENG***

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30 MARCH 2016
30 MAART 2016

No. 105

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DEPARTMENT OF HEALTH

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Government Printing Works

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Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website www.gpwonline.co.za to familiarise yourself with the new deadlines.

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Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

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AMENDMENTS TO NOTICES

take note!

With effect from 01 October, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

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GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to submit.egazette@gpw.gov.za, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 470 OF 2016**EKURHULENI METROPOLITAN MUNICIPALITY
OMBUDSMAN BY-LAW**

NOTICE IS HEREBY GIVEN in terms of the provisions of section 7 of the Gauteng: Rationalization of Local Government Affairs Act, 1998 (Act 10 of 1998), read with sections 11, 12 & 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Ekurhuleni Metropolitan Municipality at a meeting held on 28 January 2016 under item A-CORP (31-2015) resolved to pass the Ombudsman By-law as set out hereunder.

The said By-law comes into operation on the date of publication in the Gauteng Provincial Gazette.

**K Ngema, City Manager, Ekurhuleni Metropolitan Municipality, 4th Floor,
Head Office Building, corner Cross and Rose Streets, Private Bag X1069,
Germiston, 1400**

30 March 2016

Notice No 10/2016



EKURHULENI METROPOLITAN MUNICIPALITY

OMBUDSMAN BY-LAW

To provide for the establishment of the Office of the Municipal Ombudsman within EMM and to provide for all matters incidental to such office, including the power to investigate any complaint lodged and related to lack of/or poor service delivery; improper and/or unfair conduct by an official which results in prejudice to the complainant/s; disputes involving staff that are not subject to the CCMA and labour court processes; disputes with service providers which have not been referred to alternative dispute resolution processes or the courts and failure to comply with any by-law, council resolution, policy or decision of any recognized structure of the municipality with the area of jurisdiction of EMM.

Preamble

WHEREAS the EMM has aligned itself to and is progressing towards the Ekurhuleni Growth and Development Strategy 2055 with an emphasis on growth by preparing for the growing population, generating more wealth and investment and expanding the Municipality and by developing to cope effectively with new risks and opportunities and transforming to a more inclusive society;

AND WHEREAS EMM is required to be and strives to be a responsive, effective, productive, accountable and efficient arm of government;

AND WHEREAS EMM seeks to ensure that its staff, customers, service providers and residents feel acknowledged, recognized and appreciated, thus affording them an effective and efficient avenue of addressing complaints;

AND WHEREAS section 43(c) of the Constitution vests legislative authority in respect of the local sphere of government in municipal councils as provided for in section 156 of the Constitution;

AND WHEREAS section 156 subsections (2) and (5) of the Constitution provides that a Municipality may make and administer by-laws for the effective administration of matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS EMM has identified the need to establish an independent office of the Ombudsman with powers vested upon him/her in terms of this by-law with a view to effectively, efficiently and speedily resolving matters referred to him or her;

AND WHEREAS there is a need for the establishment of a mechanism to provide for the effective, efficient and speedy resolution of disputes as provided for in this by-law;

BE IT THEREFORE ENACTED by the Council of EMM as follows:-

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1. Definitions

In this by-law, unless the context otherwise indicates-

“**administration**” means the administration of the municipality as contemplated in section 51 of the Municipal Systems Act, 2000 (Act No. 32 of 2000);

“**Alternate Forum**” any appropriate Organ of State to which the Ombudsman may refer a complaint;

“**City Manager**” means the municipal manager appointed in terms of section 57 of the Municipal Systems Act, 2000 (Act No 32 of 2000) and section 82 of the Municipal Structures Act, 1998 (Act No. 117 of 1998);

“**complainant**” means any resident of EMM who has lodged a complaint with the office of the Ombudsman as provided for in this by-law;

“**Constitution**” means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“**council**” means the Municipal Council of the EMM as contemplated in section 18 of the Municipal Structures Act, 1998 (Act No. 117 of 1998);

“**councillor**” means a member of the Municipal Council;

“**Customer Care Area**” means a walk-in facility where communities have access to government information and all municipal services rendered by EMM;

“**Customer Relations Manager**” means a person responsible for managing complaints of unresolved customer service delivery issues by residents and clients of EMM, to ensure quality customer delivery services;

“**EMM**” means Ekurhuleni Metropolitan Municipality;

“**employee**” means any staff member of the EMM or any of its municipal-owned entities;

“**municipality**” means the EMM established in terms of Section 12 of the Municipal Structures Act 117 of 1998;

“**Ombudsman**” means a person appointed as the Ombudsman in terms of section 6;

“**Organ of State**” means any institution as provided for in section 239 of the Constitution of the Republic of South Africa, 1996;

“**service provider**” means any person in a business relationship with EMM;

“**Speaker of Council**” means the a person elected in terms of section 36 of the Municipal Structures Act, 1998 (Act No. 117 of 1998);

“**prescribed forms**” means forms prescribed in terms of this by-law.

2. Objects of By-Law

The objects of this by-law are-

- (a) to establish the Office of the Municipal Ombudsman;
- (b) to prescribe the powers and responsibilities of the office of the Ombudsman;
- (c) to provide a mechanism to residents, staff, and service providers for fast and effective complaint and dispute resolution;
- (d) to support existing complaints infrastructure such as the Customer Care Areas and the Customer Relations Managers; and
- (e) to enhance service delivery and social development imperatives placed on the Municipality by the provisions of the Constitution of the Republic of South Africa Act, 1996 together with other National and Provincial legislation.

3. Establishment of Office

- (1) The office of the Ombudsman for EMM is hereby established.
- (2) The office of the Ombudsman is an institution of the municipality accountable to Council and subject to the provisions of the Constitution of the Republic of South Africa and this by-law.
- (3) The office of the Ombudsman is also accountable administratively to the Accounting Officer, but reports to the Office of the Speaker of Council.
- (4) In exercising his or her authority, the Ombudsman must:
 - (i) act without fear, favour or prejudice;
 - (ii) act honestly, independently and with the highest degree of objectivity;
 - (iii) act with fairness and equity whilst upholding all principles enshrined in the Constitution of the Republic of South Africa, Act 1996;
 - (iv) balance the rights of all persons, natural or juristic, appearing before the Ombudsman; and
 - (v) prepare a written report, make recommendations and implement measures to address the findings.

4. Application

This by-law is applicable to all departments and entities of EMM.

5. Qualifications for appointment

The Ombudsman must-

- a) be a South African citizen;
- b) be a fit and proper person to hold such office;
- c) possess a first degree plus at least ten (10) years' experience in a field of law, finance or public administration.

6. Appointment of Ombudsman

- (1) The Speaker of Council must in consultation with the Executive Mayor and Council, appoint a suitably qualified and experienced person as Ombudsman.
- (2) The Speaker of Council must, before appointing the Ombudsman in terms of subsection (1), by notice in the Gazette and in two or more nationally circulating newspapers in the Republic, invite applications from suitably qualified persons.
- (3) The Ombudsman:-
 - (a) must be appointed to serve for a term of five years, provided that a person may be re-appointed to the position of Municipal Ombudsman, but may serve no more than two consecutive terms; and
 - (b) must be assisted by persons employed, designated and/ or seconded by EMM in terms of section 7 of this by-law.
 - (c) must not hold any political office, at any level, in a political party.
- (4) The Ombudsman must devote himself or herself exclusively to the duties of the Ombudsman's office and must not hold any other office in EMM or any of its entities nor engage in any other form of employment during his or her term as Ombudsman.

- (5) The Speaker of Council, with the concurrence of the Member/s of the Mayoral Committee responsible for Finance and Human Resources, must from time to time determine the remuneration and other terms and conditions of service of the Ombudsman.
- (6) The Ombudsman may at any time resign by submitting a written notice to the Speaker of Council at least 90 days prior to the intended date of vacation of office, unless the Speaker after consulting the Executive mayor and Council allows for a shorter notice period.
- (7) The Speaker of Council may terminate the employment of the Ombudsman on the account of serious misconduct, incapacity or incompetence, after affording him or her reasonable opportunity to be heard and such termination must be subject to applicable legislation.
- (8) The Speaker of Council must, during a vacancy or when the Ombudsman is unable to fulfill any of his or her functions, appoint a person on a temporary basis, for a period not exceeding six (6) months, in accordance with subsection (1) to act in the position until a permanent person is appointed or until the Ombudsman is able to continue functioning fully.

7. Staff of Office of the Ombudsman

- (1) The Ombudsman must, subject to his or her directions and control, in the performance of his or her functions under this by-law, be assisted by suitably qualified and experienced persons, appointed by the EMM after consultation with the Ombudsman for the purpose of assisting the Ombudsman in the performance of all financial, administrative and clerical functions pertaining to the office of the Ombudsman.
- (2) The persons appointed to assist the Ombudsman must receive -such remuneration, allowances and other employment benefits and must be appointed on such terms and conditions and for such periods, as the Municipality may determine.
- (3) In the appointment of the officials referred to in subsection (1) above, the Ombudsman must consult with the Member of the Mayoral Committee responsible for Finance and Human Resources.
- (4) A document setting out the remuneration, allowances and other conditions of employment of the Ombudsman in terms of this section must be tabled in the Council within 14 days after such determination for approval by Council.
- (5) A member of the office of the Ombudsman must-
 - (a) serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;
 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office, except for persons seconded to the office of the Ombudsman;
 - (c) not have any pecuniary interest or any other interest which might preclude him or her from performing his or her functions in a fair, unbiased and proper manner;
 - (d) not hold political office at any level in a political party;
 - (e) disclose any interest in a matter under investigation and not conduct any investigation or render any assistance with regard to an investigation while having an interest in the matter being investigated; and

- (f) not be liable in respect of anything reflected in any report, finding, point of view or recommendation made or expressed in good faith and submitted to the Speaker of Council, Executive Mayor and/or Council or made known in terms of this by-law.

8. Finances and accountability

The provisions of the Municipal Finance Management Act, 2003 (Act 53 of 2003) that are applicable to the other officials of the EMM, other than the Accounting Officer and the Chief Financial Officer, must equally be applicable to the Ombudsman.

9. Customer Relations Managers and Customer Care Areas

- (1) Subject to subsection (3), the Ombudsman may refuse to investigate a matter reported to him or her, if the person purportedly prejudiced has not taken all reasonable steps to lodge his/her complaint with the Customer Relations Manager and/or the Customer Care Area from which the complaint arose; or
- (2) After having reported such a complaint as contemplated in subsection (1) above, the complainant must allege that a period of at least thirty (30) days has elapsed without any satisfactory progress.
- (3) Where a complaint concerns the Customer Relations Manager and/ or Customer Care Area, then the Ombudsman may proceed with such investigation without delay.
- (4) The Customer Relations Manager must comply timeously and completely with all lawful requests made by the Ombudsman in the exercise of his/ her duties.

10. Jurisdiction

- (1) The Ombudsman must be competent to investigate any complaint lodged which is related to:
 - (a) lack of/ or poor service delivery within EMM;
 - (b) improper and/ or unfair conduct which results in prejudice to the complainant/s;
 - (c) failure to comply with any by-law, council resolution, policy or decision of any recognized structure of the municipality as such may relate to service delivery;
 - (d) a dispute with or between EMM staff and which is not subject to the CCMA process and the labour courts; and
 - (e) a dispute with any service provider which is not subject to the alternative dispute resolution mechanisms provided for in the contract or which has not been referred to a court of law.

11. Matters beyond Jurisdiction

The Ombudsman must have no jurisdiction to investigate any complaint related to the following:

- (a) any act of corruption or corrupt activity as provided for in the Prevention and Combatting of Corrupt Activities Act 12 of 2004 or any other national or provincial legislation;

- (b) any political decision;
- (c) any decision pertaining to any matter in respect of the Constitution of the Republic of South Africa Act, 1996;
- (d) any decision of National, Provincial or Local Government;
- (e) any judicial decision;
- (f) any decision made by another Municipality;
- (g) any dispute between private persons;
- (h) the conduct of Councillors within EMM;
- (i) complaints that are frivolous, and/ or vexatious;
- (j) labour – related matters involving EMM which have been referred to the CCMA or to the labour courts; and
- (k) complaints about gross financial irregularities, fraud or corruption.

12. Process of Investigation by Ombudsman

- (1) Subject to the provisions of section 9 ,the Ombudsman must investigate and report on matters provided for in section 10 (1) (a) to (e) after receiving a complaint either on oath or upon affirmation and which complaint had already been referred to the relevant Customer Care Area.
- (2) Upon receipt of such complaint and without undue delay, the Ombudsman must commence with the investigation in the manner and form that he/ she may deem just.
- (3) In conducting the investigation, the Ombudsman may-
 - (a) request evidentiary material to be supplied from any department within EMM;
 - (b) request a schedule and copies of any documents (in the form prescribed herein) related to the investigation, from any department within EMM;
 - (c) request any employee of EMM to attend (in the form prescribed) to provide evidence and/ or for purposes of interrogation in respect of the investigation. In such instance, the Ombudsman may administer the prescribed oath or receive evidence upon affirmation; and
 - (d) enter into any department within EMM and then and there inspect any book, record and remove such book.
- (4) The Ombudsman may, on receipt of a written or verbal complaint relating municipal service delivery by the EMM and/or any of the Ekurhuleni Municipal Entities consider, investigate and dispose of the complaint in a fair, effective, efficient, economical and expeditious manner.
- (5) A complaint referred to in subsection (1) may involve an act or omission by a person in the employ of the EMM or any of the Municipal Entities.
- (6) In conducting an investigation, the Ombudsman may, subject to the provision of subsection (8)-
 - (a) be assisted by any person appointed or seconded to assist in the Office of the Ombudsman;

- (b) obtain an affidavit or a declaration from any person;
 - (c) direct any person to appear before him or her;
 - (d) direct any person to give evidence or produce any document in his or her possession or under his or her control which has a bearing on the matter under consideration or being investigated;
 - (e) interrogate such person;
 - (f) request an explanation from any person whom he or she reasonably suspects of having information which has a bearing on a matter under consideration or which is being or to be investigated; and
 - (g) require any person appearing as a witness to give evidence under oath or after having made an affirmation.
- (7) A direction contemplated in subsection (6)(c) may be by way of a **Notice to appear (Form 2)** containing particulars of the matter in connection with which the person receiving such notice is required to appear before the Ombudsman and served on the person either by a registered mail sent through the post; sent via electronic mail, subject to confirmation from the respondent or by delivery by a person authorized thereto by the Ombudsman.
- (8) If it appears to the Ombudsman that any person is being implicated in the matter being investigated, the Ombudsman must afford such person an opportunity to be heard in connection therewith by way of the giving of evidence, and such person is entitled, through the Ombudsman, to question other witnesses, determined by the Ombudsman, which have appeared before the Ombudsman in terms of this section.
- (9) The Ombudsman may, when considering or investigating a complaint in terms of this section, require the assistance of a department/s within EMM or an authority established in terms of legislation or any other appropriate and suitable body or entity to investigate similar complaints.
- (10) The Ombudsman enter into a Service Level Agreement with all EMM Heads of Department on, but not limited to, turn-around time, responsibility for and quality of response, submission of relevant documents and other matter that the Ombudsman may find necessary to regulate and will sign such agreement.
- (11) No self-incriminating answer given or statement made by any person to the Ombudsman exercising powers in terms of this by-law, is admissible as evidence against that person in criminal proceedings against that person instituted in any court, except in criminal proceedings for perjury or in which that person is tried for an offence contemplated in this by-law, and then only to the extent that the answer or statement is relevant to prove the offence charged.
- (12) (a) After each investigation, the Ombudsman must make a recommendation, finding on whether -
- (i) the complaint is found to be justified;
 - (ii) there is insufficient evidence to support the complaint;
 - (iii) the complaint is without merit;

- (iv) the complaint is vexatious or frivolous; or
 - (v) The complaint falls outside his or her jurisdiction as defined in this by-law.
- (b) Where the Ombudsman finds a complaint:-
- (i) to be justified, he or she must submit a report together with his or her recommendations on appropriate action to the Speaker of Council and thereafter submit same to the City Manager for action;
 - (ii) to be without sufficient evidence or merit or where the complaint is frivolous or vexatious, he or she must inform the complainant and the respondents concerned accordingly;
 - (iii) to be outside his or her jurisdiction as defined by this by-law, he or she must inform all the parties and terminate any further proceedings or refer the matter to an alternate forum as prescribed in section 17.
- (13) Where the City Manager fails to act in accordance with the findings and recommendations of the Ombudsman, the Ombudsman may request the intervention of the Speaker of Council.
- (14) The Ombudsman must, after the conclusion of an investigation, inform the complainant and the respondent of his or her findings and recommendations.

13. Standing

The Ombudsman may receive and investigate complaints lodged by the following person/ s:

- (a) any natural person acting in his or her own interest and who resides or owns immovable property within EMM;
- (b) any juristic person, the principal place of business of which falls within EMM;
- (c) any person, natural or juristic, acting on behalf of another who cannot act in his or her own name;
- (d) any person acting as a member of, or in the interest of, a group or class of persons;
- (e) any person acting in the public interest; and
- (f) an association acting in the interest of its members.

14. Independence, impartiality and accountability of Ombudsman

- (1) The expenditure connected with the appointment and functions of the Ombudsman is paid out of funds appropriated by Council for that purpose, as part of the budget of the Office of the Ombudsman.
- (2) When dealing with any complaint in terms of this by-law, the Ombudsman, including any person rendering assistance and support to the Ombudsman;
 - (a) is independent and impartial; and
 - (b) must perform his or her functions in good faith and without fear, favour bias or prejudice.
- (3) The Speaker of Council, Executive Mayor, EMM and its Entities must afford the Ombudsman such assistance and support as may be reasonably necessary for the Ombudsman to perform his or her functions effectively and efficiently.

- (4) The Council, its political structures and administration must not interfere with the functioning of the office of the Ombudsman.
- (5) The Ombudsman must, within one month after the end of each quarter, submit a report on the affairs and functions of the Ombudsman, to the Corporate and Shared Services Committee.
- (6) The Ombudsman must, within one month after the end of the financial year, prepare a report on the affairs and functions of the ombudsman during the financial year in question, and submit such report to the Speaker of Council for tabling to the Council.

15. Responsibility of EMM Heads of Department

The relevant Head of Department within EMM must be responsible for ensuring responses are provided to the Ombudsman in the manner and form required, and within the time stipulated in the request.

16. Alternative Dispute Resolution

The Ombudsman must apply any alternative dispute resolution measures available to him/her including mediation, conciliation and restoration in the conduct of and the suggestion of remedial action pursuant to an investigation.

17. Alternate Forum

The Ombudsman may of his or her own accord or on the request of the complainant refer any investigation to an Organ of State for further investigation and finalization.

18. Additional Functions

The Ombudsman must at all times act in promotion of his or her office and must do all things necessary to raise awareness, maintain the integrity of and set high ethical standards for the office.

19. Offences

- (1) Any official or employee of EMM or its entities who fails to comply with any lawful instruction or request for information by the Ombudsman acting in terms of the provisions of this by-law must be guilty of unprofessional conduct and may be charged as such, in accordance with the Municipality's Disciplinary Procedure and Code of Collective Agreement, or applicable regulations for senior managers, whichever may be applicable.
- (2) No person may-
 - (a) insult or abuse the investigating officer or the Ombudsman; or
 - (b) do anything in connection with an investigation that would constitute contempt of court had the matter been brought before a court of law.
- (3) any person found guilty of an offence in terms of section 19(2) of this by-law will be liable on conviction to a fine or imprisonment for a period not exceeding three months, or to both such fine and imprisonment

20. Delegation

(1) The Ombudsman may as and when necessary delegate any power or function conferred on him or her in terms of this by-law on any person employed in the Office of the Ombudsman.

(2) In acting in terms of subsection (1), the Ombudsman must impose such conditions or limitations or give such direction as he or she considers necessary.

(3) The Ombudsman may, in writing, at any time withdraw any delegation given in terms of subsection (1).

21. Short Title and Commencement

This by-law must be called the Ekurhuleni Metropolitan Municipality Ombudsman By-law and must commence on the date of publication in the Government Gazette.

Schedule

The forms contained in this schedule must be used in all matters lodged with the Office of the Ombudsman.

FORM 1:**COMPLAINT INITIATING FORM TO EKURHULENI METROPOLITAN MUNICIPAL OMBUDSMAN****NOTE:**

1. Affidavits of other persons or other documentary evidence in support of the matter must be attached.
2. Your attention is drawn to the fact the Ombudsman may refer the matter to an Alternate Forum and the administration officer at the Office of the Ombudsman must inform you accordingly.

[If the space provided is inadequate, submit information as an Annexure to this form and sign each page.]

PART A: PARTICULARS OF COMPLAINANT

Surname:											
Full names											
ID. No./Date of birth:										/	/
Residential address:											
	Code ()										
Residential telephone number:											
Cellular telephone number:											
Work address:											
	Code ()										
Work telephone number:											
Fax number:											
Physical address (where documents can be served):											
	Code ()										
E-mail address:											
Preferred method in which the form is to be served:	Registered post	E-mail	Fax	Sheriff	Peace Officer						
Correspondence contact details (In terms of above)											
Other relevant information (such as financial position, availability of transport, socio-economic status, if an interpreter will be needed and if special requirements are needed e.g. wheelchair access) which may assist the Ombudsman to make a decision regarding the forum which must deal with the complaint in terms of this by-law.											

PART B: PARTICULARS OF RESPONDENT																												
Surname:																												
Full names																												
ID. No./Date of birth:																										/		/
Head of Department																												
Registration number of Employee																												
Residential address:																												
																											Code (
Residential telephone number:																												
Cellular telephone number:																												
Work address:																												
																											Code (
Work telephone number:																												
Fax number:																												
Physical address (where documents can be served):																												
																											Code (
E-mail address:																												
Preferred method in which the form is to be served:	Registered post							E-mail							Fax					Sheriff					Clerk			
Correspondence contact details (In terms of above)																												
Name and Address of EMM Department:																												
																											Code (

PART C: PARTICULARS OF COMPLAINT AND RELIEF SOUGHT	
Nature of complaint: <i>(Please give full details of the complaint, the date of the incident(s) and the particulars of possible witnesses. Also indicate the nature of the act or omission complained of and the name of person or responsible department within EMM.</i>	

How has it affected you?	
Documents: Are there any documents to substantiate your complaint (e.g. pay slips, references, records of conversations) to substantiate your claim? (If so please attach):	
Relief sought: <i>(Please indicate what assistance you require in order for the Ombudsman to consider same.</i>	

PART D: PARTICULARS OF APPROACH TO CUSTOMER CARE CENTRE

Area of Customer Care Centre and Person approached.	
The response of the Customer Care Centre mentioned above:	

Form 2 – NOTICE TO PARTIES TO APPEAR BEFORE OMBUDSMAN

FORM 2

NOTICE TO PARTIES TO APPEAR BEFORE OMBUDSMAN

File No:.....

[If the space provided is inadequate, submit information as an Annexure to this form.]

OFFICE OF OMBUDSMAN	Room No.	Date of Hearing	Complaint
.....
.....
.....			

NOTICE TO APPEAR BEFORE OMBUDSMAN

Full names and surname of Complainant																																		
ID No./Date of birth/Registration No.:																															/		/	
Physical address:																																		
	Code ()																																	

Full names and surname of Respondent(s)																																
ID No./Date of birth/Registration No.:																													/		/	
Physical address:																																
	Code ()																															

- (i) to appear in person before the above-mentioned office at on the date stated above;
(ii) to remain present until excused by the Ombudsman; and

TO THE PERSONS WHO ARE HEREBY GIVEN NOTICE OF THE ABOVE PROCEEDINGS

- (i) You must ensure that all your witnesses are present at the proceedings of the inquiry.
- (ii) The attention of the respondent is also drawn to the fact that should he or she fail to appear before the Ombudsman as specified above, the Ombudsman may order that the proceedings continue in the respondent's absence.
- (iii) The attention of the complainant is also drawn to the fact that should he or she fail to appear before the Ombudsman as specified above, the Ombudsman may dismiss the complaint .

MANNER OF SERVICE OF NOTICE TO APPEAR

I,, certify that I have -

* delivered a copy of the notice to personally;

or

* offered a copy of the notice for delivery to personally;

or

* sent by e-mail/ fax to a person
(attach proof)

OTHER MANNER OF NOTIFICATION

.....
.....

Signed atthis.....day of.....20.....

.....

EMM Administration Officer/Other

*Delete whichever is not applicable

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