



**arts, culture,
sports & recreation**

Department:
Arts, Culture, Sports and Recreation
North West Provincial Government
REPUBLIC OF SOUTH AFRICA

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POLICY TITLE : PAIA MANUAL

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PAIA MANUAL

In terms of

Section 14 of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000) (PAIA)

AREA OF APPLICABILITY

ACROSS ALL OFFICES OF THE DEPARTMENT OF ARTS, CULTURE, SPORTS AND
RECREATION

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1. INTRODUCTION

1.1 Purpose of the Manual

- a) Section 32(1) (a) of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) provides that everyone has the right of access to "*any information held by the state*" and section 32(2) of the Constitution creates an obligation on the State to enact national legislation to give effect to this right.
- b) In compliance with section 32(2) of the Constitution, the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (to be referred hereinafter as "the Act") was enacted in order to give effect to the constitutional right of access to information. The Act details the procedures to be followed when making such request for information held either by a public body or private body.
- c) Section 14 of the Act makes it imperative on each and every governmental entity to prepare a manual that would give guidance to the members of the public on how they can access records held by it.
- d) This manual has been prepared in compliance with the provisions of section 14 of the Act in order to give guidance to the members of the public on how they can obtain access to any information that is held by the Department of Arts and Culture (to be referred to hereinafter as "the Department").
- e) This manual sets out to provide the requester, invoking "the Act", with the necessary contact details and procedures to obtain specific information from the Department.
- f) The manual also endeavors to supply the requester with a clear overview of the structure, functions, services and index of information of the Department to enable the requester to identify the area of possible existence of the required information. The manual also provides the required forms and fees applicable to the request.
- g) Exclusion: This manual only provides for the records of the Department and not for any of its agencies or linked entities. Any requests for access to information from any of the agencies must be directed to the Information Officer of the relevant organisation.

1.2 Mandate of the Department

1.2.1 Vision

- a) Empowered and unified people of the North West Province.

1.2.2 Mission

- a) To create, promote and develop programmes for unified and sustainable communities.

1.2.3 Values

- a) Our values are informed by the Batho Pele (People First) principles of the South African Public Service and are as follows:
 - i. Good Governance
 - ii. Participation
 - iii. Accountability
 - iv. Consensus oriented
 - v. Transparency
 - vi. Responsive
 - vii. Effectiveness and Efficiency
 - viii. Equity and inclusiveness
 - ix. Rule of law
 - x. Innovation
 - xi. Patriotism

1.3 Definitions

Access fee: means a fee prescribed for the purposes of section 22(6) or 54(6).

Data subject: means the person to whom personal information relates.

Deputy Information Officer: means the designated individual in the public or private body who is responsible for assisting the Information Officer with the PAIA Request.

Guide: means the guide on how to use PAIA by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA.

Information Officer: In relation to, a public body –

- a) in the case of a national department, provincial administration or organisational component –
 - (i) mentioned in Column 1 of Schedule 1 or 3 to the Public Service Act, 1994 (Proclamation 103 of 1994), means the officer who is the incumbent of the post bearing the designation mentioned in Column 2 of the said Schedule

1 or 3 opposite the name of the relevant national department, provincial administration or organisational component or the person who is acting as such; or

- (ii) not so mentioned, means the Director-General, head, executive director or equivalent officer, respectively, of that national department, provincial administration or organisational component, respectively, or the person who is acting as such.

Information Regulator: means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013.

Internal appeal: means an internal appeal to the relevant authority in terms of section 74.

Minister: means the Cabinet member responsible for the administration of justice.

Person: means a natural person or a juristic person.

Personal information: means information relating to an identifiable natural person, including, but not limited to –

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person.
- b) information relating to the education or the medical, financial, criminal or employment history of the person.
- c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person.
- d) the biometric information of the person.
- e) the personal opinions, views or preferences of the person.
- f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
- g) the views or opinions of another individual about the person; and

- h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person, but excludes information about an individual who has been dead for more than 20 years.

Political party means –

- a) any entity that accepts donations principally to support or oppose any registered political party or its candidates, in an election as defined in section 1 of the Electoral Act, 1998 (Act No. 73 of 1998);
- b) any registered political party as defined in the Electoral Act, 1998; or
- c) a natural person who is an independent candidate.

Private body means –

- a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity.
- b) a partnership which carries or has carried on any trade, business or profession.
- c) any former or existing juristic person; or
- d) a political party but excludes a public body.

Public body means –

- a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- b) any other functionary or institution when:
 - i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - ii) exercising a public power or performing a public function in terms of any legislation.

Record of, or in relation to, a public or private body, means any recorded information:

- a) regardless of form or medium.
- b) in the possession or under the control of that public or private body, respectively; and

- c) whether or not it was created by that public or private body, respectively.

Request for access, in relation to –

- a) a public body, means a request for access to a record of a public body in terms of section 11; or
- b) a private body, means a request for access to a record of a private body in terms of section 50.

Responsible party: means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

Third party: in relation to a request for access to –

- (a) a record of a public body, means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than-

The Act: means the Promotion of Access to Information Act 2 of 2000 as amended, and includes any regulation made and in force in terms of section 92.

2. STRUCTURE OF THE DEPARTMENT

- a) The Department provides various services to the members of the public at large through a few programmes and specialised components.
- b) The services provided by each programme or component of the Department are briefly described below. Further, this section of the manual also seeks to provide the public with details on how these services could be accessed.

2.1 The organisational structure of the Department

The approved organisational structure of the Department is as follows:

2.1.1 Office of the Member of Executive Council (MEC)

- a) The purpose of the Office is to provide executive authority to the Department.
- b) The Office of the MEC performs the following functions:
 - i. Ensures implementation of provincial legislation in the Department;

- ii. Ensures implementation of national legislation within the functional area of the Department;
- iii. Developing and implementing provincial policy related to the Department;
- iv. Co-ordinating the functions of the Department in line with the relevant prescripts;
- v. Performs any other functions assigned by the Provincial Executive in terms of the Constitution or an Act of Parliament;
- vi. Provide parliamentary services; and
- vii. Manage and support Public entities.

c) Contact Details:

Manager in the Office of the MEC

Tel: 018 388 2903

Contact Details of the Department

Physical Address

760 Dr. James Moroka Drive
Gaabomotho Building
Mmabatho
2735

Postal Address

Private Bag X90
Mmabatho
2735

2.1.2 Office of the Head of Department

- a) The purpose of the Head of Department is to ensure the implementation of the Department's strategic plan, to manage and sustain an environment that fosters the development and to preserve all art forms and culture in the province.
- b) Serve as Accounting Officer of the Department in accordance with the provisions of the PFMA.
- c) Oversee the development, implementation and monitoring of organisational programmes in line with organisational policies.
- d) The Head of Department is responsible for performing the following functions:
 - i. Provide strategic leadership for the transformation of service delivery regarding Arts, Culture, Sports and Recreation.
 - ii. Provide strategic leadership.

- iii. Ensure sound financial management and application of good corporate governance principles 65432.

e) **Contact Details:**

Manager in the Office of the Head of Department

Tel: 018 388 2809

2.1.3 Directorate: Strategic Management

- a) The purpose of the Directorate is to provide corporate governance services in the Department.
- b) The Directorate performs the following functions:
 - i. Provide administrative, entity and institutional support.
 - ii. Facilitate strategic operational plans and ensure monitoring and evaluation of the Department's performance.
 - iii. Manage security services.

c) **Contact Details:**

Director for Strategic Management

Tel: 018 388 2851

2.1.4 Chief Directorate: Financial Management Services

- a) The Chief Directorate's purpose is to render financial management services in the Department.
- b) It is also responsible for the following functions:
 - i. Implement and maintain effective financial management.
 - ii. Ensure internal control and risk management.
 - iii. Ensure Supply Chain Management.

c) **Contact Details:**

Chief Financial Officer

Tel: 018 388 3781

2.1.5 Directorate: Human Capital Management

a) The Directorate's purpose is to provide corporate services in the Department.

b) It is responsible for the following functions:

- i. Provide a strategic human resource function.
- ii. Provide Human resource support services.
- iii. Provide auxiliary support services

c) **Contact Details:**

Director for Human Capital Management
Tel: 018 388 2763

2.1.6 Chief Directorate: Arts Culture Libraries and Archives

a) The Chief Directorate's purpose is to develop policies and programmes to protect, develop, promote and manage arts, culture, heritage, museums, language, Libraries and Archives in the Province.

b) It is responsible for performing the following functions:

- i. Manage the protection, development and promotion of arts and culture
- ii. Ensure that multi-culturalism/cultural diversity is upheld through the advancement of all cultures
- iii. Manage the development of languages
- iv. Manage the development of museums
- v. Manage the development of libraries
- vi. Manage the development of Archives and Records Services.

c) **Contact Details:**

Chief Director
Tel: 018 388 2794

2.1.7 CHIEF DIRECTORATE SPORTS AND RECREATION

a) The purpose of the Chief Directorate is to promote sports and recreation programmes in the province.

b) The Chief Directorate performs the following functions:

- i. To enhance the development of sports and recreation in the province.

c) **Contact Details:**

Director

Tel: 018388 2791

2.1.8 DISTRICT MANAGEMENT

a) The purpose of the District Management is to manage operations in the district offices of the Department.

b) It is responsible for executing the following functions:

- i. Ensure access and integration of arts and culture services to all communities.
- ii. Facilitate synergy and monitor progress of the districts in delivering on its strategy and continuously improving quality of operations.
- iii. Provide administration support services in the regions.

c) The Department has four district offices in the Province and their management contact details are as follows:

DISTRICT OFFICE	CONTACT PERSON	POSTAL / PHYSICAL ADDRESS
Bojanala	Director Tel: 0145948500	Old Herald building 28 Steen Street Rustenburg (300)
Ngaka Modiri Molema	Director Tel: 018 397 8211	Savera Building 4086 Aerodrome Road Industrial Site, Mafikeng
Dr Kenneth Kaunda	Director Tel: 018 294 6860	34A James Moroka Avenue 3 rd floor AJR Building Private Bag x1211 Potchefstroom (2531)
Dr Ruth Segomotsi Mompati	Director Tel: 053 9280161	Mini Garona Government Complex CNR Noord & Molopo Street Vryburg 8600 P/Bag 15 Vryburg 8600

3. INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER [Section 14(1) (b)]

3.1 The Head of Department, Mr Itumeleng Mogorosi, is the Information Officer of the Department of Arts, Culture, Sports and Recreation.

3.2 The following table contains contact details of the Information Officer and designated Deputy Information Officers:

DESIGNATION	NAME & SURNAME	PHYSICAL ADDRESS	CONTACT
Information Officer	Mr Itumeleng Mogorosi	760 Dr James Moroka Gaabomotho Building Mmabatho	018 388 2811
Deputy Information Officer	Adv. Portia Mokoroane	760 Dr James Moroka Gaabomotho Building Mmabatho	018 388 3938
Deputy Information Officer	Ms Tinyiko Sempe	760 Dr James Moroka Gaabomotho Building Mmabatho	018 388 3966

4. SECTION 10 GUIDE ON HOW TO USE THE ACT [section 14(1) (c)]

4.1 According to section 10 of the Act, the South African Human Rights Commission (SAHRC) is responsible for compiling a guide in an easily comprehensible form and manner to assist a person who wishes to exercise any right contemplated in the Act.

4.2 This guide has been compiled and is available in all official languages and can be obtained from the SAHRC's, website (www.sahrc.org.za). Any further enquiries with regard to this guide can be directed to SAHRC at –

Postal Address : PAIA Unit: The Research & Document Department
Private Bag 2700
Houghton
2041

Physical Address : PAIA Unit: The Research &
Document Department
Boundary Road, Isle of Houghton
Wild View, Entrance 1
Houghton
Johannesburg

Telephone : +27 11 484 8300
Fax : +27 11 484 7149
E-mail address : PAIA@sahrc.org.za
Website : www.sahrc.org.za

5. RECORDS HELD BY THE DEPARTMENT

5.1 Description of subjects on which the Department holds records:

SUBJECT	RECORDS HELD
HEAD OF DEPARTMENT	
Strategic Management	<ul style="list-style-type: none"> • Analysis of SONA /SOPA • Strategic Plan and Annual Performance Plans • Annual Reports • Quaterly reviews • Security Documents • Special Projects plans and reports • Minutes of site meetings • Expenditure Reports • Policies
Legal Services	<ul style="list-style-type: none"> • Legislation • Departmental contracts • Litigation files • Legal opinions provided
CHIEF DIRECTORATE: FINANCIAL MANAGEMENT SERVICES	
Budget & Accounting Services	<ul style="list-style-type: none"> • Budget Statements • Budget submissions • Expenditure Reports • Financial Delegations • Annual Financial Statements • Vouchers • Audit queries • Appointment of Responsibility and Programme Managers • Records of revenue received • Bank Statements

	<ul style="list-style-type: none"> • Tax recons • Audit Reports.
Supply Chain Management	<ul style="list-style-type: none"> • SCM Monthly Reports • Bids / Tender Documents • Audit queries • Asset Management Policy • Asset Management Monthly Reports • Requisition forms • Sub-car applications • Itineraries and Log books • First Auto Reports • Inspection report • Fuel claims and itineraries • Circulars • Invoices and statements • Needs analyses • Monthly reports
DIRECTORATE: HUMAN CAPITAL MANAGEMENT	
Human Resources	<ul style="list-style-type: none"> • Workplace Skills Plan • Personal Development Plans • Training Reports • Vocational Training Programmes • Bursary Contracts • SDEEC minutes • EAP Records • Disciplinary and Grievance Procedure • Records of grievances • Audit Queries • Monthly Reports • Submissions • Advertisement of posts • Applications for employment • Shortlisting & Interview records • Letters of appointment • Personnel files • Persal reports • Leave records • HR Plan • PILIR records • Employment Equity Plan • Performance Agreements • Records of Job Descriptions • Financial Disclosures • Records of Job Evaluations

Communication	<ul style="list-style-type: none"> • Internal Newsletters • Brochures • Speeches • Media Releases • Newspaper Clippings
CHIEF DIRECTORATE: ARTS ,CULTURE,LIBRARIES AND ARCHIVES	
Culture Development	<ul style="list-style-type: none"> • Minutes • Project Plans • Project Reports
Arts Development	<ul style="list-style-type: none"> • Business plans • Quarterly Reports • Grants in aid adverts • Grants in aid application forms • Terms of reference
Language Services	<ul style="list-style-type: none"> • Records of all requests for translation, interpreting and editing services • Term lists • Creative writing guides
DIRECTORATE: LIBRARY, INFORMATION AND ARCHIVE SERVICES	
Library Services	<ul style="list-style-type: none"> • Library material • Publications
Archives	<ul style="list-style-type: none"> • Archavalia
Museums	<ul style="list-style-type: none"> • Collections • Museum material

5.2 Automatic Disclosures

- a) Section 15 of PAIA prescribes that the Department must by way of a notice in the Government Gazette publish the schedule (list) of records that are automatically available in the Department without the requester having to request access thereto in terms of the Act.
- b) The said notice has not yet been published; however, the following table contains the list of such records:

RECORDS AUTOMATICALLY AVAILABLE	MANNER OF ACCESS
<ul style="list-style-type: none"> • Strategic Plan and Annual Performance Plans • Service Commitment Charter (SCC) • Service Delivery Improvement Plan (SDIP) • Annual Reports • Midterm reviews • Legislation 	<ul style="list-style-type: none"> • Available on website • Available on request

<ul style="list-style-type: none"> • Policies • Financial Delegations • Circulars • NW Librarian newsletters • Internal Newsletters • Speeches • Media Releases, Newspaper Clippings 	
<ul style="list-style-type: none"> • Advertised, cancelled and awarded tenders 	<ul style="list-style-type: none"> • Available on website • Available on request
<ul style="list-style-type: none"> • Brochures 	<ul style="list-style-type: none"> • Available on website • Available on request at offices

6. ACCESS TO RECORDS HELD BY THE DEPARTMENT

- a) The records to be requested refers to any recorded information regardless of its form or medium which is in the possession of or managed by the Department.

6.1 Automatically available records

- a) Requests for the records, set out above, are not submitted by filling out the prescribed Form A that is utilised to request information.
- b) There is also no requestor fees payable for these records.
- c) Fees will only be payable if copies of the record are to be made, irrespective of the format (hard copy, compact disc, stiffy or cassette recording, etc).

6.2 Access to other records

6.2.1 Submission of Request for Access to Information / Record

- a) A request for access to a record held by the Department must meet the following requirements:
- it must be submitted in a prescribed form (which is attached to this manual as **Form A in Appendix 2**) that has been printed in the Government Gazette [Government. Notice R187 of 15 February 2002].
 - The requester must indicate whether the request is for a copy of the record or whether he or she wants to come in and look at the record at the offices of the Department. Alternatively, if the record is not a document, it can be viewed in the requested form, where possible.
 - If a requester asks for access in a particular form, he or she should be given access in the manner that has been asked for, unless doing so would interfere

- unreasonably with the running of the Department, damage the record, or infringe a copyright not held by the state. If for practical reasons access cannot be given in the required form but can be given in an alternative manner, the fee must be calculated according to the way originally indicated in the requester's request.
- iv. If a requester is unable to read or write, or has a disability, he or she can make the request for the record orally. The information officer or the deputy information officer must complete the form on behalf of such a requester and must give him or her a copy.
 - v. it must be submitted to the Information Officer of the Department or the Deputy Information Officer(s) at his or her contact details stipulated in this manual.
 - vi. The request must provide sufficient particulars to enable the official of the Department to identify the record or records requested and the identity of the requester.
 - vii. it must state whether the record concerned is preferred in a particular language.
 - viii. it must specify a postal address or fax number of the requester.
 - ix. if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, it must state that manner and the necessary particulars to be so informed and
 - x. if the request is made on behalf of a person, proof of the capacity in which the requester is making the request must be provided to the reasonable satisfaction of the Information Officer.
- 6.2.2 The Information Officer of the Department shall endeavour, in any means possible, to assist a requester to ensure that the requester's request conforms to the requirements mentioned above by –
- a) reducing oral requests into writing on behalf of those requesters who, as a result of illiteracy or disability, are unable to reduce their request in writing into the prescribed formats.
 - b) providing the requester with information that will enable the requester to make a proper request.

- c) assisting the requester to file his request with the relevant public body if it is apparent to the Information Officer that the request received should have been submitted to another public body; and
- d) transferring the request to the relevant public body if it is apparent to the Information Officer that the request received should have been submitted to another public body or to any of the Department's public entities.

6.3 Granting or Refusal of Requests

6.3.1 A requester must be granted access to the record of a public body if –

- (i) the requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- (ii) access to that record is not refused on any ground of refusal mentioned in the Act.
- (iii) Section 13 of the Protection of Personal Information Act, 2013 (Act No. 4 Of 2013) "herein referred "POPIA"" places a legal obligation on the Department to process personal information for a specific and lawful purpose only. The processing of personal information in terms of the POPIA includes, amongst others, the collection, storage, retrieval, dissemination or destruction of information.
- (iv) Chapter 3 of the POPIA outlines the minimum requirements for the lawful processing of personal information by the Department. These requirements may not be derogated from, unless specific exclusions apply.
- (v) Requests that include any personal information shall be subject to the POPIA and the Department's Policy.

6.3.2 If access to information has been granted the requester will be notified –

- a) that the request has been granted.
- b) of any outstanding access fee to be paid.
- c) of the form in which access will be given; and
- d) that he or she lodge an internal appeal against the access fee to be paid or the form of access granted and the procedure and period for lodging such an appeal.

6.3.3 A request for access to information held by the Department may be denied if the requested information falls within the category of information that cannot be disclosed in terms of section 34(1), 35(1), 36(1), 37(1), 38(a), 39(1), 40, 41(1), 41(2) and 45 of the Act. If the request for access to information has been denied, the Information Officer shall notify the requester that –

- a) the request has been refused and the reasons for the refusal; and
- b) the requester may lodge an internal appeal and may approach court for an appropriate relief.

6.3.4 If the Information Officer has not responded to the requester's request within 30 days of receipt of the said request, it must be deemed that the request has been refused but upon request they will be granted the decision and the reasons.

6.3.5 If all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in possession of the Department but cannot be found or does not exist, the Information Officer shall by way of an affidavit notify the requester that it is not possible to give access to the said record.

6.3.6 For the purposes of the Act, this notice will be regarded as a decision to refuse access. If the record is subsequently found, the requester concerned will be given access to it unless access thereto is refused in terms of the Act.

7. REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH

7.1 The following procedures exist for persons to report or remedy alleged irregular, improper or unlawful official acts or omissions by the Department or any of its employees:

a) Remedies in respect of acts or failures to act in terms of the PAIA, 2000:

- (i) The internal appeal authority (relevant authority) for purposes of this Act is the Member of the Executive Council. A requester may lodge an appeal using Form B. After exhausting the internal appeal remedy, an application may be lodged with a court (sections 78 – 82).
- (ii) A public service employee may lodge a grievance or complaint for investigation by the Public Service Commission concerning an official act or omission (section 35 of the Public Service Act, 1994 [Proclamation No. 103 of 1994]).

- (iii) A person may use labour remedies regarding official acts or omissions of a labour nature – namely, disputes of rights (the Public Service Act, 1994, and the Labour Relations Act, 1995 [Act No. 66 of 1995]). (4) A person may lodge a complaint with a labour inspector concerning any alleged contravention of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), section 78(1)(a), or the Employment Equity Act, 1998 (Act No. 55 of 1998), section 34(e).
- (iv) A person may lodge a complaint with the Public Protector concerning a suspected unlawful or improper official act or omission (the Constitution and the Public Protector Act, 1994 [Act No. 23 of 1994]).
- (v) A person may lodge a complaint with the SAHRC concerning an official act or omission that is suspected to constitute a violation of, or a threat to, any fundamental right (Human Rights Commission Act, 1994 [Act No. 54 of 1994]).
- (vi) In order to be protected from reprisals because of a disclosure regarding unlawful or irregular conduct by the employer or a fellow employee, the person in question may follow the disclosure procedures set out in the Protected Disclosures Act, 2000 (Act No. 26 of 2000).
- (vii) A person may use other legal remedies such as the institution of proceedings for the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

7.2. Other supportive remedies:

- a) A person may request reasons for an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (section 5).
- b) A person may request access to records of a government department or other public body in terms of the PAIA, 2000 (section 11).

7.3. Duty to report:

- a) The Code of Conduct for Public Servants, published by the Public Service Commission, states that, if, in the course of his or her official duties, a public service employee encounters fraud, corruption, nepotism, maladministration or any other act which constitutes an offence or which is prejudicial to the public interest, he or she must report such matter to the appropriate authorities. An employee who fails to do so is guilty of misconduct.

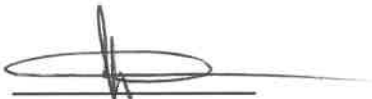
- b) The responsibility of every employer and employee to disclose criminal and any other irregular conduct in the workplace also underpins the Protected Disclosures Act, 2000 (Preamble).

8. UPDATING AND AVAILABILITY OF THIS MANUAL AS CONTEMPLATED IN SECTION 14(2) OF THE PAIA.

- 8.1 In terms of section 14(2) of PAIA, this Manual must, where necessary, be updated annually and must be made available as contemplated in section 14(2) of the PAIA, including posting it on the Department's official website and making copies of the Manual available on request from the Information Officer.

9. APPROVAL AND COMMENCEMENT

Signed December in Mmabatho on this 02 day of 2025.



MR. I. S. MOGOROSI
HEAD OF DEPARTMENT

Appendix 1

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

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

[Regulation 6]

FOR DEPARTMENTAL USE

Reference

number:

.....

Request received by..... Rank....., on this.....of20

At.....

Request fee (if any): R

Deposit (if any): R

Access fee: R

**SIGNATURE OF INFORMATION OFFICER/
DEPUTY INFORMATION OFFICER**

A. Particulars of the public body:

The Information Officer/Deputy Information Officer:

B. Particulars of the person requesting access to the record:

- (a) The particulars of the person who requests access to the record must be recorded below.
(b) Furnish an 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:.....

Fax number: Telephone number:.....

E-mail address:.....

Capacity in which request is made, when made on behalf of another person:.....

C. Particulars of the 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 therefore.

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:
-------------	-----------------------------------

Mark the appropriate box with an "X".

NOTES:

- (a) Your indication as to the required form of access depends 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.

1. If the record is in written or printed form

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
--------------------------	-----------------	--------------------------	----------------------

2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

3. If record consists of recorded words or information which can be reproduced in sound -

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	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 in 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?

YES

NO

A postal fee is payable.

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.

In which language would you prefer the record?

G. 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 thereof 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



Appendix 2

FORM C

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 8]

STATE YOUR REFERENCE NUMBER:

A. Particulars of the public body:

The Information Officer/Deputy Information Officer:

B. Particulars of requester / third party who lodges the appeal:

- (a) The particulars of the person who lodge the internal appeal must be recorded below.*
(b) Proof of the capacity in which the request is made, if applicable, must be attached.
(c) If the Appellant is a third party person and not the person who originally requested the information, the particulars of the requester must be given at C below.

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 requester:

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname:.....

Identity number:.....

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box.

<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding fees in terms of section 22 of the Act.
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act.
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester.



	Decision to grant request for access.
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E. Grounds for Appeal:

If the provided space is inadequate, please continue on a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of Decision on Appeal:

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the _____

Particulars of Manner: _____

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received by..... Rank....., on this.....of20

At.....

Appeal accompanied by the reasons for the information officer's / deputy information officer's decision and where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer / deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER

CONFIRMED /NEW DECISION SUBSTITUTED

NEW

DECISION _____

RELEVANT AUTHORITY _____

DATE _____

DATE RECEIVED BY INFORMATION OFFICER / DEPUTY INFORMATION OFFICER FROM THE RELEVANT AUTHORITYON:



Appendix 3

PRESCRIBED FEES:

(In terms of PAIA Regulations, No.R.187 15 February 2002)

The following fees are prescribed in terms of Part II of Notice 187 of the *Government Gazette* dated 15 February 2002:

1. The fee for a copy of the manual as contemplated in regulation 5(c) is **R0,60** for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00

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

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

	R
(1)(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00
(f) 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.	



- (2) For purposes of section 22(2) of the Act, the following applies:
- (a) six 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.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

