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No. 26586

MANUAL

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

INDEX

Company Name	Gazette No.	Date	Page No.
Manual of the South African Maritime Safety Authority (SAMSA)	26586	23-07-2004	3

ACCESS TO INFORMATION MANUAL OF THE SOUTH AFRICAN MARITIME SAFETY AUTHORITY (SAMSA)

This manual has been prepared in accordance with section 14 of the Promotion of Access to Information Act 2 of 2000 ("the Act"). It contains information about SAMSA and about how to request access to its records.

1. OUR STRUCTURE AND FUNCTIONS

The South African Maritime Safety Authority Act 5 of 1998 established SAMSA on 1 April 1998. We are responsible to the Minister of Transport, who appoints our Board and approves our annual business plan. The Board appoints our Chief Executive Officer (CEO), who is responsible for the general management of the organisation.

Our executive team consists of the CEO and the four Executive Managers responsible for the main organisational components, namely: operations; standards; human resources; and finance, IT and administration. Our head office is in Pretoria, where the CEO and the human resources, and finance, IT and administration divisions are based. The operations division is based in Cape Town; it has marine survey offices in Richards Bay, Durban, East London, Port Elizabeth, Mossel Bay, Cape Town and Saldanha. The standards division is based in Durban.

Our objectives are to ensure safety of life and property at sea, to prevent and combat pollution of the marine environment by ships, and to promote the Republic's maritime interests. In pursuance of these objectives, we are charged with the administration of several maritime statutes including the following:

- Merchant Shipping Act 57 of 1951
- Marine Traffic Act 2 of 1981
- Marine Pollution (Control and Civil Liability) Act 6 of 1981
- Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986
- Wreck and Salvage Act 94 of 1996

Typical examples of our functions include: ship registration and licensing; ship inspection and certification; seafarer training and certification; and pollution prevention and response.

2. OUR CONTACT DETAILS

Our head office is in Pretoria; its contact details are as follows:

HEAD OFFICE (Pretoria)

Physical address: Block E, Hatfield Gardens
333 Grosvenor Street
Hatfield
0083

Postal address: PO Box 13186
Hatfield
0028

Tel: +27 (0)12 342 3049
Fax: +27 (0)12 342 3160

Information officer: Mr SD Msikinya, Chief Executive Officer
E-mail: smsikinya@samsa.org.za

Deputy information officers: Mr S Mbatha & Mr C Briesch
E-mail: smbatha@samsa.org.za / cbriesch@samsa.org.za

3. OFFICIAL GUIDE ON HOW TO USE ACT

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of the Act. The Guide will contain the following information:

- The objects of the Act;
- Particulars of the information officer of every public body;
- Particulars of every private body, insofar as this is practicable;
- The manner and form of a request for access to information held by a body;
- Assistance available from both the information officers and the Human Rights Commission in terms of the Act;
- All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
- Schedules of fees to be paid in relation to requests for access to information;
- Regulations made in terms of the Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. You can obtain further information about this Guide from the SAHRC, the contact details of which are as follows:

Postal address: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Tel: +27 (0)11 484 8300
Fax: +27 (0)11 484 0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

4. OUR RECORDS

Below is a list of the subjects on which we hold records and of the categories of records held under each subject:

LEGISLATION

- Policy
- Routine enquiries
- Drafting and amendments
- Interpretation and legal opinions

ORGANISATION AND MANAGEMENT

- Delegation of authority
- Office procedures and prescriptions

- Record keeping
- Invitations received to visit/liase with other countries/organisations/potential clients and public
- ISO 9000 (International Standards Organization)

PUBLIC RELATIONS

- SAMSA corporate and public communications
- Routine enquiries
- Projects
- Exhibitions (National and International)
- Corporate publications
- Promotional items
- Media (television/newspaper/internet)
- Sponsorship
- Budget
- Speeches
- Social responsibilities
- Annual reports
- Circulars and publications
- Corporate identity

HUMAN RESOURCES

- Policies and procedures
- Remuneration and benefits
- HIV/AIDS
- Scholarships and bursaries
- Pension and provident funds
- Retirement Fund Management Committee
- Skills requirements
- Training
- Job grading
- Strategic planning
- Restructuring
- Applications, appointments and mobility
- Service conditions and benefits
- Performance management
- Labour relations
- Employment equity
- Resource planning
- Medical aid schemes
- Membership of professional bodies
- Occupational health and safety
- Social matters
- Long service awards
- Organised labour
- Staff loans and salary advances
- Trade union and non-trade union members

FINANCE

- Budget
- Accounting (financial and management)
- Auditing
- Agreements
- Taxation
- Revenues/charges
- Capital expenditure
- Annual financial statements
- Petty cash
- Debtors and creditors
- Collection of levies
- Banking arrangements
- Insurance

INFORMATION TECHNOLOGY

- Contracts
- Correspondence
- Help desk
- Procurement
- Management information system
- Database
- Disaster recovery
- Hardware
- Software
- Internet
- Procedures and standards
- Research
- Security
- System documentation
- Y2k
- User liaison

LOGISTICS

- Procurement and tenders
- Assets
- Access control
- Printing of forms/publications
- Lease agreements and hire-purchase agreements
- Transport and travel (internally and internationally)

COMMISSIONS, COMMITTEES, SEMINARS, BOARDS AND TASK GROUPS

- Commissions
- Committees
- Seminars
- SAMSA Board
- Task groups
- Conferences

CO-OPERATION WITH OTHER INSTITUTIONS

- Government departments
- Non-governmental organisations
- International institutions
- Maritime institutions

OPERATIONS

- Training and certification of seafarers
- Registration of ships and licensing of vessels
- HIV/AIDS projects
- Safety of life and property at sea
- Engagement, discharge, payments, repatriation and general treatment and welfare of seamen
- Shipping casualties and inquiries
- Offences, penal provisions and legal procedure

POLLUTION

- Oil pollution matters
- Offences, penal provisions and legal procedures

5. PROCEDURE FOR REQUESTING ACCESS TO ABOVE RECORDS

If you wish to request access to a record belonging to any of the above categories of records, you must complete the request form in the annex to this manual (but see section 7 of this manual). Forms can be obtained from:

- Our information officers (whose contact details are in section 2 of this manual)
- The SAHRC website (www.sahrc.org.za)
- The Department of Justice and Constitutional Development website (www.doj.gov.za)

You must submit the completed form, together with the request fee and deposit (if applicable), to our information officer at the postal address, fax number or e-mail address set out in section 2 of this manual. The completed form must contain enough detail to enable our information officer to identify:

- The record(s) you are requesting;
- Your identity;
- Which form of access you desire; and
- Your postal address or fax number.

If you are making the request on behalf of another person, you must submit satisfactory proof of the capacity in which you are making the request.

It is important to note that access to a record is not automatic and that you will be required to comply with all of the Act's requirements relevant to your particular request. You will be notified in the manner indicated by you on the request form whether your request has been granted or refused.

Anyone may make an oral request who is unable to read or write or who has a disability that prevents him/her from completing the request form. In such cases our information officer will complete the request form and give the necessary assistance.

6. FEES

The Act provides for two types of fees, namely:

- A request fee, which is a standard fee; and
- An access fee, which is calculated by taking into account reproduction costs, search and preparation time and costs, and mailing costs.

These fees are prescribed in regulations made under the Act (see Government Notice No. R. 187 of 15 February 2002).

When our information officer receives your request for access, he/she will by notice require you (if you are not a personal requester) to pay the prescribed request fee before further processing your request. Additionally, if your request is granted, you will be notified to pay an access fee: this fee covers search, reproduction and preparation, and time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the form you desire. In certain circumstances you may be required to pay a deposit before access is granted: this deposit is a portion of the relevant access fee and will be refunded if access is refused.

7. INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying, or are otherwise freely available. This means that you do not need to request this information in terms of the Promotion of Access to Information Act:

- Newsletters
- Marine Notices
- Annual Reports
- Advisory and promotional pamphlets / brochures / posters
- Other literature intended for public viewing

8. OUR SERVICES

We provide services to the public in accordance with our objectives and statutory responsibilities; these services include:

- Casualty response and investigation
- Ship inspection and certification
- Seafarer training and certification
- Ship registration and licensing
- Dangerous goods inspections
- Seafarer welfare

Enquiries about these and other services can be made at the following SAMSA offices:

SAMSA Pretoria

Physical address: Block E, Hatfield Gardens
333 Grosvenor Street
Hatfield
0083

Postal address: PO Box 13186
Hatfield
0028

Tel: +27 (0)12 342 3049
Fax: +27 (0)12 342 3160

SAMSA Durban

Physical address: 14th Floor, Kingsfield Place
30 Field Street
Durban
4001

Postal address: Private Bag X 54309
Durban
4000

Tel: +27 (0)31 307 1501
Fax: +27 (0)31 306 4983

SAMSA Cape Town

Physical address: 19th Floor
2 Long Street
Cape Town
8001

Postal address: Private Bag X 7025
Roggebaai
8012

Tel: +27 (0)21 421 6170
Fax: +27 (0)21 419 0730

SAMSA Richards Bay

Physical address: Gazi Centre
Small Craft Harbour
Newark Road
Richards Bay
3900

Postal address: PO Box 9561
Tuzi Gazi
Richards Bay
3900

Tel: +27 (0)35 788 0068/82
Fax: +27 (0)35 788 0067

SAMSA Saldanha

Physical address: Old Salcon Building
Harbour Area
Saldanha
7395

Postal address: PO Box 33
Saldanha
7395

Tel: +27 (0)22 714 1612
Fax: +27 (0)22 714 3635

SAMSA East London

Physical address: Law Court Building, Room 258
Buffalo Street
East London
5201

Postal address: PO Box 13
East London
5200

Tel: +27 (0)43 722 4120
Fax: +27 (0)43 722 2264

SAMSA Mossel Bay

Physical address: Plaza Aquda, Room 109
Merish Street
Mossel Bay
6500

Postal address: PO Box 4
Mossel Bay
6500

Tel: +27 (0)44 690 4201
Fax: +27 (0)44 691 1206

SAMSA Port Elizabeth

Physical address: 26 Havelock Street
Central
Port Elizabeth
6001

Postal address: PO Box 3914
Port Elizabeth
6056

Tel: +27 (0)41 585 0051/3
Fax: +27 (0)41 582 1213

9. PUBLIC PARTICIPATION ARRANGEMENTS

We do not have a standing public participation arrangement that allows members of the public to influence policy formulation, or the performance of functions, by SAMSA. However, section 11 of the South African Maritime Safety Authority Act 5 of 1998 requires SAMSA, in performing its functions, to consult affected parties where appropriate. We do this in various ways, for example by following appropriate notice and comment procedures in the case of proposed legislation. If anyone has views about a particular matter, they are welcome to contact our head office or any local office.

10. REMEDIES

Internal remedies

We do not have an internal appeal procedure. This means that if our information officer refuses your request and you are aggrieved by the decision, you will have to resort to an external remedy.

External remedies

If you are aggrieved by our information officer's refusal of your request, you may, within 30 days, apply to Court for relief. A third party who is aggrieved by our information officer's refusal of a request may do likewise. For the purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

11. AVAILABILITY OF MANUAL

This manual is available for inspection, free of charge, at all SAMSA offices. Copies of this manual will also become available on the SAHRC website: <http://www.sahrc.org.za>.

ANNEX

REQUEST FORM

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))

For departmental use

Reference number:

Request received by (State rank, name and
surname of information officer/deputy information officer) on (date)
at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/
DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

SOUTH AFRICAN MARITIME SAFETY AUTHORITY (SAMSA)

Physical address: Block E Hatfield Gardens, 333 Grosvenor Street, Hatfield 0083
Postal address: PO Box 13186 Hatfield 0028
Telephone No.: +27 (0)12 342 3049
Fax No.: +27 (0)12 342 3160

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number: E-mail address:

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

.....

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

- (a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
 (b) *If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

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

.....

2. Reference number, if available:

3. Any further particulars of record:

.....

.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself; will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, 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) Compliance with your request for access in the specified form may depend on the form in which the record is available.			
(b) Access in the form requested may be refused in certain circumstances. In such a case, you will be informed if access will be granted in another form.			
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.			
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"/>		<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? Postage is payable.				<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO					
<i>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.</i>						
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 in another manner, please specify the manner and provide the necessary particulars to enable compliance with our 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

REQUEST FORM

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))

For departmental use

Reference number:

Request received by

.....

..... (State rank, name and surname of information officer/

deputy information officer) on (date)

at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/
DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

SOUTH AFRICAN MARITIME SAFETY AUTHORITY (SAMSA)

Physical address: Block E Hatfield Gardens, 333 Grosvenor Street, Hatfield 0083

Postal address: PO Box 13186 Hatfield 0028

Telephone No.: +27 (0)12 342 3049

Fax No.: +27 (0)12 342 3160

SAMSA Form

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number: E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

- (a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
 (b) *If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

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

.....

.....

.....

2. Reference number, if available:

3. Any further particulars of record:

.....

.....

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself; will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, 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) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case, you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

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*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

SAMSA Form

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

listen to the soundtrack (audio cassette)	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?
Postage is payable.

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.

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 in another manner, please specify the manner and provide the necessary particulars to enable compliance with our 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

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