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MANUALS

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IMPORTANT NOTICE:

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Closing times for **ORDINARY BI-WEEKLY** **MANUALS GAZETTE** **2017**

*The closing time is **15:00** sharp on the following days:*

- **04 May**, Thursday for the issue of Thursday **11 May 2017**
- **18 May**, Thursday for the issue of Thursday **25 May 2017**
- **01 June**, Thursday for the issue of Thursday **08 June 2017**
- **22 June**, Thursday for the issue of Thursday **29 June 2017**
- **06 July**, Thursday for the issue of Thursday **13 July 2017**
- **20 July**, Thursday for the issue of Thursday **27 July 2017**
- **02 August**, Wednesday for the issue of Thursday **10 August 2017**
- **24 August**, Thursday for the issue of Thursday **31 August 2017**
- **07 September**, Thursday for the issue of Thursday **14 September 2017**
- **20 September**, Wednesday for the issue of Thursday **28 September 2017**
- **05 October**, Thursday for the issue of Thursday **12 October 2017**
- **19 October**, Thursday for the issue of Thursday **26 October 2017**
- **02 November**, Thursday for the issue of Thursday **09 November 2017**
- **23 November**, Thursday for the issue of Thursday **30 November 2017**
- **07 December**, Thursday for the issue of Thursday **14 December 2017**
- **19 December**, Tuesday for the issue of Thursday **28 December 2017**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
 9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
 10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
 11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
 12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the eGazette Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that the quotation number can only be used once to make a payment.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

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.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:

Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

NORTH WEST PROVINCIAL ADMINISTRATION

MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO INFORMATION ACT
(2/2000)**

**DEPARTMENT OF HUMAN SETTLEMENTS, PUBLIC
SAFETY AND LIAISON**

-Manual in terms PAIA – Department of Human Settlements, Public Safety and Liaison-



dlg&hs

Department:
Local Government & Human Settlements
North West Provincial Government
REPUBLIC OF SOUTH AFRICA

MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

2017-2019

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Appendix 1

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ACRONYMS

CD	: Chief Director
DDG	: Deputy Director-General
DFI	: Development Finance Institutions
DLGHS	: Department of Local Government and Human Settlements ("the Department")
DIO	: Deputy Information Officer (designated in terms of section 17 of the PAIA)
HS	: Human Settlements
HSDG	: Human Settlements Development Grant
HSS	: Housing Subsidy System
IO	: Information Officer (Deputy Director-General of the Department)
PAIA	: Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
PHP	: People's Human Settlement Process
SAHRC	: South African Human Rights Commission
SALGA	: South African Local Government Association
SLA's	: Service Level Agreements
USDG	: Urban Settlement Development Grant

DEFINITION OF TERMS

	Term	Definition/Description
1.	Access fee	Fee payable by a requester for search, preparation and reproduction of requested records, as prescribed in PAIA section 22(6).
2.	Act	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). Also referred to as the PAIA or "the Act".
3.	Department	The Department of Human Settlements. Also referred to as DHS.
4.	Deputy Information Officer (DIO)	A person designated by the Director-General to render the public body as accessible as reasonably possible for requesters of its records as prescribed in PAIA section 17(1).
5.	Guide	Document or book produced by the South African Human Rights Commission for the purposes of assisting any person who wishes to exercise any right in terms of the PAIA as prescribed in section 10.
6.	Information Officer (IO)	The Director-General of the Department of Human Settlements as defined in PAIA section 1.
7.	Internal appeal	An appeal against a decision to refuse access to information, as stipulated in PAIA section 74.
8.	Personal information	Information about an identifiable individual, including, but not limited to, information relating to 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 individual as defined in PAIA section 1.
9.	Personal requester	A person seeking access to information/records containing personal information about himself/herself as defined in PAIA section 1.
10.	Protected records	Records that contain sensitive information and cannot be made accessible to the public as per the provisions of PAIA sections 33 to 45.
11.	Public body	Any department of state or administration in the national or provincial sphere of government, any municipality in the local sphere of government or any institution performing a public function in terms of any legislation as defined in PAIA section 1. Also referred to as government body or department.
12.	Record	Any recorded information, in any form or medium under the custody of DHS as defined in PAIA section 1.
13.	Records automatically available	Records that can be accessed without a person having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.
14.	Records available on request	Records that can be accessed through following PAIA processes as stipulated in PAIA sections 11 and 18; access to these records may be refused on the basis of sections 33 to 45 of the Act.
15.	Relevant authority	Minister of Human Settlements or the person designated in writing by the Minister to deal with Internal Appeals as defined in PAIA section 1.
16.	Request fee	A non-refundable fee payable by a requester when submitting a request for access as per the provisions of PAIA section 22(1). (Personal requester excluded from paying request fee).
17.	Request for access	A request for access to a record or records held by the Department made in accordance with PAIA sections 8 and 11.

18.	Requester	Any person making a request for access to information or records of DHS or a person acting on behalf of the person requesting information as defined in PAIA section 1.
19.	Third party	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 requester concerned and a public body as defined in PAIA section 1.
20.	Working days	Any days other than Saturdays, Sundays or public holidays as defined in PAIA section 1.

FOREWORD

Our Constitution guarantees each and every citizen a right to access to information and further states that every public body should prepare a manual to guide members of the public on how to obtain access to records held by public bodies.

In response to that, the Department of Local Government and Human Settlements, has compiled this manual that we are presenting to you, the member of the public. This we do because we fully recognise the rights that citizens have been afforded and the importance of engaging the public as ours is a participatory democracy. This is as a result of the democratic dispensation that was brought about in this country in 1994.

In further entrenching our democracy, it is therefore important that public institutions are transparent in the way they conduct their business since they are charged with dispensing public funds. This is fundamental as these institutions are also charged with taking and implementing decisions that have a bearing on the lives of millions of people.

Information is also very empowering for ordinary citizens. They need to know what services we offer and how they can be accessed. They also need this information to scrutinise some of the decisions we are taking on their behalf. This is the only way our democracy can be strengthened and nurtured.

It is against this background that I am proud to present to you this manual. I hope you will make use of this information for the advancement of the lives of other people who are less fortunate as some of us are. In this way we will go a long way as a nation in nurturing our democracy and bring about a nation that fully understands its role in building a democratic society.

Deputy Director General: Local Government and Human Settlements

1. INTRODUCTION

1.1 Purpose of the Manual

Section 32(1)(a) of the Constitution 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.

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.

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.

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 Human Settlements, Public Safety and Liaison (to be referred to hereinafter as “the Department”).

1.2 GUIDE ON HOW TO USE PAIA (SECTION 10)

The South African Human Rights Commission (SAHRC) compiled a guide on the use of the PAIA as prescribed by section 10 of the Act. The guide is available at the offices of the SAHRC.

National Head Office
The South African Human Rights Commission
33 Hoofd Street
Forum III - Braampark
Braamfontein
Johannesburg, Gauteng
2014

Telephone number: +27 11 877 3600/3803
Fax number: +27 11 403 0625
Email address: paia@sahrc.org.za
Website: www.sahrc.org.za

1.3 LEGISLATIVE MANDATE INFORMING THE FUNCTIONS OF THE DEPARTMENT

- Constitution of the Republic of South Africa, 1996
- Housing Act, 1997 (Act No. 107 of 1997)
- Breaking New Ground: A Comprehensive Plan for the Creation of Sustainable Human Settlements
- Inclusionary Housing Bill (2007)
- Housing Consumers Protection Measures Amendment Act, 2007 (Act No. 17 of 2007)
- Housing Development Agency Act, 2008 (Act No. 23 of 2008)
- Public Finance Management Act, 1999 (Act No. 1 of 1999)
- Social Housing Act, 2008 (Act No. 16 of 2008)
- Division of Revenue Act, 2015 (Act No. 1 of 2015)
- Rental Housing Act, 1999 (Act No. 50 of 1999)
- *Rental Housing Amendment Act, 2007 (Act 43 of 2007)*
- Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000)
- Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011)
- Community Schemes Ombud Service Act, 2011 (Act No. 9 of 2011)
- Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005)
- *Prevention of Illegal Eviction From and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998)*
- Estate Agency Affairs Act, 1976 (Act 112 of 1976)
- National Development Plan

1.4 Mandate of the Department

Vision

A community transformed developmental local governance and integrated human settlements in a safe and dignified communities

Mission

To effectively plan, promote integrated and sustainable human settlements and ensure quality service delivery through cooperation and good governance with municipalities.

Strategic goals

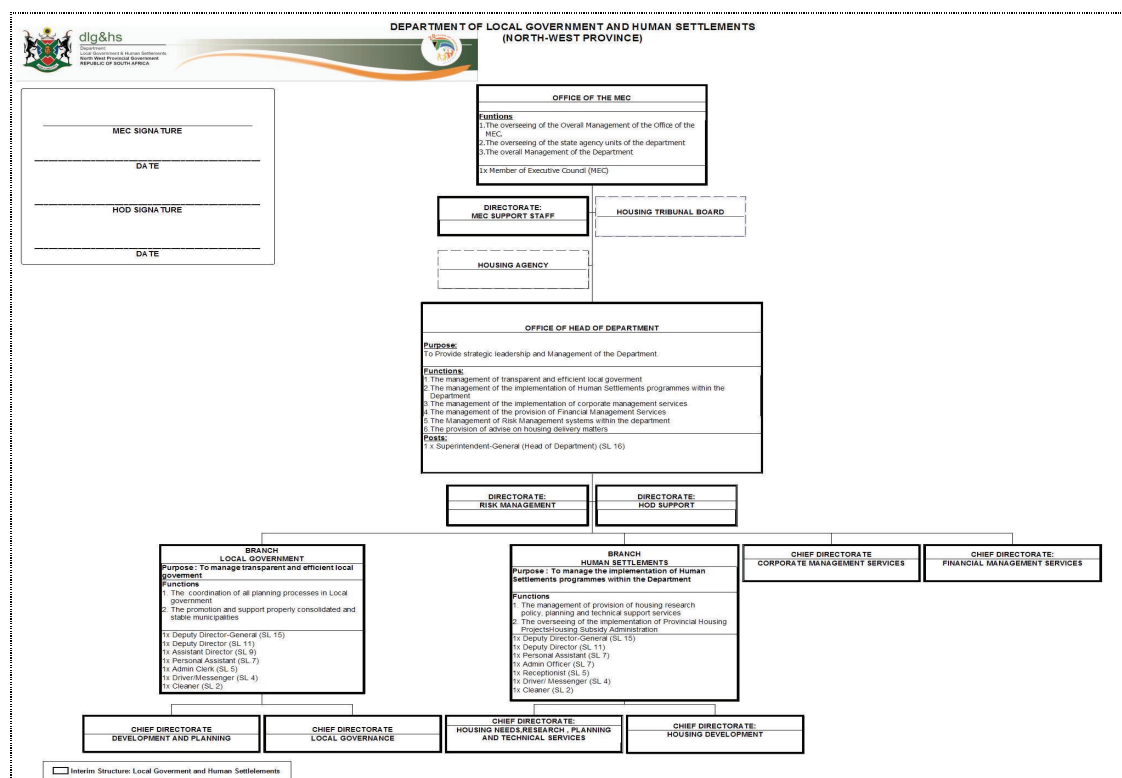
1. Ensure provision of the effective and efficient administrative support and direction to the department
2. Ensure effective and efficient research, policy development, planning, monitoring and evaluation
3. Ensure provision of habitable and sustainable human settlements

2. DESCRIPTION OF THE STRUCTURE AND FUNCTIONS OF THE DEPARTMENT

The Department provides housing to the members of public at large through a number of programmes and specialised components. 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:



2.2 OFFICE OF THE MEC

Purpose: Co-ordination and management of administrative and political support to the MEC

Functions:

1. Render parliamentary support
2. Render effective minimum information security standards
3. Render legal administration services

Contact Details:

Head of Office: Mr. Aubrey Tebogo Seleka

Tel: 018 388 2887

Fax: 018 388 4915

E-mail: aseleka@nwpg.gov.za

2.3 Head of Department

Purpose: Provide integrated and co-ordinated planning, monitoring and evaluation, administrative and secretarial support to the HOD. To ensure the utilization of financial resources allocated by Provincial Treasury and HSDG

Functions:

1. To coordinate the development of the departmental strategic and annual performance plans
2. To monitor and evaluate programme performance on an annual and quarterly basis

Contact Details:

Head of Department: Mr P. E. Motoko

Tel: 018 388 2890

E-mail: pmotoko@nwpg.gov.za

2.4. CHIEF DIRECTORATE: FINANCIAL MANAGEMENT SERVICES

Purpose: To develop a medium term expenditure framework as per the allocation letter ensuring that the Department plans as per the allocated budget over the 3 years

Functions:

1. Implement and maintain effective financial management
2. Ensure internal control and risk management
3. Ensure Supply Chain Management

Contact Details:

Chief Financial Officer: Mr M Magwetyana

Tel: 018 388 2372

Fax: 018 388 1113

E-mail: mmagwetyana.gov.za

2.4.1 Director Financial Management: Mr I Mokgwamme

Tel: 018 388 2971

Fax: 018 388 1022

E-mail: imokgwamme@nwpg.gov.za

2.4.2 Director SCM: Ms J Scholtz

Tel: 018 388 2118

E-mail: josys@nwpg.gov.za

2.5 DIRECTORATE: HUMAN RESOURCE AND DEVELOPMENT

Purpose: To assess the implementation of HRM Plan, HRD implementation plan, employment equity

Functions:

1. Render human resource management and development processes and strategies
2. Render organizational development and transformation services
3. Promote sound employee relations services and democratize the workplace

Contact Details:

Acting Director: MP Sepeng

Tel: 018 388 4788

E-mail: Msepeng@nwpg.gov.za

2.5.1 DIRECTORATE: LEGAL SERVICES

Purpose: To provide professional legal advice and assistance service to the Department to ensure compliance with its obligations.

Functions:

1. Render litigation management support
2. Render effective contract drafting and management support
3. Render legal advice and opinion formulation
4. Facilitate and coordinate conveyance services

Contact Details:

Senior Manager: Mr T. Lerefolo

Tel: 018 388 4832

Fax: 018 381 0323

E-mail: TLerefolo@nwpg.gov.za

2.5.2 DIRECTORATE: MEDIA AND COMMUNICATIONS

Purpose: Reflects how communication is going to unfold during the implementation of various departmental activities

Functions:

1. Develop and implement departmental communication strategy
2. Develop and implement departmental communication policy

Contact Details

Senior Manager: Mr B. Bole

Tel: 018 388 4826

E-mail: BenBole@nwpg.gov.za

2.6 CHIEF DIRECTORATE: HOUSING NEEDS, RESEARCH PLANNING AND TECHNICAL SERVICES**Purpose:**

To facilitate and undertake housing delivery research, facilitate the development of policies/ frameworks and guidelines as well as to close gaps that are identified in implementation of policies

Functions:

1. Facilitate the identification of policy gaps and provide intervention measures
2. Support integrated and sustainable Human Settlements planning
3. Support Human Settlement Programme/ Project development
4. To determine human settlement needs, development and maintenance of housing needs register

5. To monitor and evaluate the performance of departmental housing projects against the conditional grant business plan
6. To strengthen provincial and municipal capacity
7. To conduct research on the impact of housing programs on the beneficiaries and on housing needs

CONTACT DETAILS

Mr. F. Motsumi

Acting Chief Director: Housing Policy, Research & Database

Tel: 018 387 6002

Fax: 018 368 6038

E-mail address: FMotsumi@nwpg.gov.za

Ms. D. Moagi

Director: Housing Tribunal & Advisory Panel

Tel: 018 388 5407

E-mail address: DMoagi@nwpg.gov.za

Dr. L. Lebaka-Ketshabile

Director: Municipal Support

Tel: 018 388 5549

E-mail address: LLebaka@nwpg.gov.za

Mr. F. Motsumi

Director: Technical Services & Planning

Tel: 018 388 6002

E-mail address: FMotsumi@nwpg.gov.za

2.7. CHIEF DIRECTORATE: HOUSING DEVELOPMENT

Purpose:

To ensure the development of sustainable human settlements through the implementation of national and provincial housing programmes and policy in the North West province.

Functions:

1. Upgrading of informal settlements and other programmes
2. Align Finance linked individual subsidy programme to affordability challenges
3. Provision of affordable Rental Stock
4. To ensure effective management of Human Settlements beneficiary approvals and subsidy claims

Contact Details

Mr. V. Bidi

Acting Chief Director: Housing Development

Tel: 018 388 5510

E-mail address: VBidi@nwpg.gov.za

Mr. Peter Mokobane

Director: Dr. Kenneth Kaunda District

Tel: 018 388 6002

E-mail address: PMokobane@nwpg.gov.za

Mr. M. Keboneilwe

Acting Director: Dr. Modiri Molema District

Tel: 018 388 5473

E-mail address: MKeboneilwe@nwpg.gov.za

Ms. M. Jaards

Director: Dr. Ruth Segomotsi Mompati District

Tel: 018 388 5528

E-mail address: MJaards@nwpg.gov.za

Mr. M. Mashabane

Director: Bojanala District

Tel: 018 388 5486

E-mail address: Muzi@nwpg.gov.za

Ms. Keamogetse Maruping
Director: Subsidy Administration
Tel: 018 388 5403
E-mail address: Kmaruping@nwpg.gov.za

2.8 CHIEF DIRECTORATE: LOCAL GOVERNANCE

Purpose:

Compliance to financial legislations

Functions:

1. Support municipalities collecting revenue in line with prescribed financial ratios.
2. Assess and report municipalities' progress on the quality of Annual Financial Statements, AG's remedial plans in line with MFMA Sections 129, 131 [2] [b] and 133 [3] provision
3. Support and monitor the functionality of MPACS as prescribed by Legislation (MFMA Section 129)
4. Monitor and support municipalities to comply with all provisions of the MPRA
5. Ensure good governance by municipal councils as well as to promote political accountability
6. Enhance the quality of skills development and organizational structure processes and outcomes in municipalities
7. Strengthen the planning and administrative capacity of municipalities to deliver on their mandate to ensure that ward-based planning is credible and is done through public participation prescripts
8. Assist Municipalities to institutionalize the Governance of ICT as an Integral part of Corporate Governance within their Institutions in a Uniform and Coordinated Manner
9. Provide the status of performance of municipalities in the Province
10. To reduce incidents of unethical conduct in municipalities
11. To improve Spatial Planning and land Use Management Act (SPLUMA)
12. Ensure integrated development planning across all spheres of government
13. Ensure sustainable LED Projects

Contact Details

Ms. B. Mofokeng

Chief Director: Local Governance

Tel.: 018 388 2895/6

E-mail address: BMofokeng@nwpg.gov.za

Mr. D. Makhate

Director: Development and Planning

Tel: 018 388 3599

E-mail address: DMakhate@nwpg.gov.za

Mr. M. Monageng

Director: Integrated Municipal Infrastructure

Tel.: 018 388 3614

E-mail address: MMonageng@nwpg.gov.za

Mr. J. Mashigo

Director: MPRES

Tel.: 018 388 2312

E-mail address: JMashigo@nwpg.gov.za

Mr. Rikhotso

Director: Disaster Management

Tel.: 018 388 2386

E-mail: MRikhotso@nwpg.gov.za

Mr. P. Moipolai

Director: Municipal Administration

Tel.: 018 388 3615/ 3717

E-mail: PMoipolai@nwpg.gov.za

Dr. L. Lebaka-Ketshabile

Director: Municipal Support

Tel.: 018 388 5549

E-Mail: LLebaka@nwpg.gov.za

3. INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS**[section 14(1)(b)]**

The Head of Department, P.E. Motoko is the Information Officer of the Department of Local Government and Human Settlements. The following table contains contact details of the Information Officer and designated Deputy Information Officers:

DESIGNATION	NAME & SURNAME	PHYSICAL ADDRESS	CONTACT NO	E-MAIL/ WEBSITE
<i>Information Officer</i>	<i>Mr P. E. Motoko</i>	2 nd Floor Executive Block Garona Building Mafikeng 2745	Tel: 018 388 4838 Fax: 018 381 0352	www.nwpg/humansettlements.gov.za

Deputy Information Officer:

DESIGNATION	NAME & SURNAME	PHYSICAL ADDRESS	CONTACT NO	E-MAIL/ WEBSITE
<i>Deputy Information Officer</i>	<i>Mr B E Segwai</i>	Craft Press Building, James Watt Street. Mafikeng Industrial Site	Tel: 018 388 4779 Fax: 086 623 8195	bsegwai@nwpg.gov.za

Deputy Information Officer:

DESIGNATION	NAME & SURNAME	PHYSICAL ADDRESS	CONTACT NO	E-MAIL/ WEBSITE
<i>Deputy Information Officer</i>	<i>Mr T S Lerefolo</i>	Office no 22 Telkom Building, 3366 Bessemer St Mahikeng Industrial Site 2745	Tel: 018 388 4832 Fax: 086 628 9874	tlerefolo@nwpg.gov.za

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

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. 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
Corporate Strategy	<ul style="list-style-type: none"> • Analysis of SONA /SOPA • Cabinet indaba report • MEC's Budget Speech • Strategic Plan and Annual Performance Plans • Service Commitment Charter (SCC) and Service Delivery Improvement Plan (SDIP) • Annual Reports • Five local government strategic agenda • IDP reports • PGDS/PSEDS monitoring reports • GIS mapping • Minutes of EXCO/SMM/ESMM • Mid term reviews
Legal Services	<ul style="list-style-type: none"> • Legislation • Policies • Departmental contracts • Litigation files • Legal opinions provided • Legal updates
Security Services	Security Documents
Special Projects	<ul style="list-style-type: none"> • Project Reports • Monitoring & evaluation reports • Project plans

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 • Tax recons
Supply Chain Management	<ul style="list-style-type: none"> • SCM Monthly Reports • Bids / Tender Documents • Audit queries • Asset Management Policy • Asset Management Monthly Reports
Internal Control & Risk Management	<ul style="list-style-type: none"> • Audit Reports.
Auxiliary Services	<ul style="list-style-type: none"> • Requisition forms • Sub-car applications • Addendums • Itineraries and Log books • First Auto Reports • Inspection report • Fuel claims and itineraries • Invoices • Mail and correspondence • Circulars • Invoices and statements • Telephone and cell phone bills • Needs analyses

	<ul style="list-style-type: none"> • Floor plans • Monthly reports
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 employments • 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
Infrastructure Management	<ul style="list-style-type: none"> • Minutes of site meetings • Expenditure Reports
Communication	<ul style="list-style-type: none"> • Internal Newsletters • Brochures • Speeches • Media Releases

	<ul style="list-style-type: none"> • Newspaper Clippings
Local Governance	<ul style="list-style-type: none"> • Demarcation of boundaries and establishment of municipalities • Municipal Elections and Re-Elections • Municipal Services • Disaster Management (Relief Fund, Disaster Advisory Forum, Fire Services Forum, Disaster Risk Management Centres and plans, Fire and Emergency Services)

5.2 Automatic Disclosures

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. The said notice has not yet been published; however, the following table contains the list of such records:

RECORDS AVAILABLE	AUTOMATICALLY	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 • GIS mapping 		<ul style="list-style-type: none"> • Available on www.nwpg/humansettlements.gov.zaa

<ul style="list-style-type: none"> • Mid-term reviews • Legislation • Policies • Financial Delegations • Circulars • Internal Newsletters • Speeches • Media Releases • Newspaper Clippings 	
<ul style="list-style-type: none"> • Brochures 	<ul style="list-style-type: none"> • Free access via any of the regional offices of the Department.
Archivalia	<ul style="list-style-type: none"> • Free access via any of the Archives Repositories

6. ACCESS TO RECORDS HELD BY THE DEPARTMENT

6.1 ACCESS TO AUTOMATICALLY AVAILABLE RECORDS

Requests for the records, set out in sub-paragraph 5.2 above, are not submitted by filling out the prescribed Form A that is utilised to request information. There is also no requestor fees payable for these records. 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

6.2.1.1 A request for access to a record held by the Department must meet the following requirements:

- (a) it must be submitted in a prescribed form (which is attached to this manual as **Form A** in **Appendix 2**);
- (b) it must be submitted to the Information Officer of the Department or the Deputy Information Officer at his or her contact details stipulated in subparagraph 3.1 of this manual;
- (c) it must provide sufficient particulars to enable the official of the Department to identify the record or records requested and the identity of the requester;
- (d) it must state whether the record concerned is preferred in a particular language;
- (e) it must specify a postal address or fax number of the requester;
- (f) 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;
- (g) 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.

6.2.1.2 Notwithstanding subsection 6.2.1.1 of this manual, the Information

Officer of the Department shall endeavour, in any means possible, to assist a requester to ensure that the requester's request conforms with the requirements mentioned in section 6.2.1.1 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.

6.2.2 Validation and acknowledgment

Once the Information Officer has satisfied herself or himself that the request meets the requirements mentioned in 6.2.1 above, he or she shall within reasonable time, by notice to the requester acknowledge receipt of the application and indicate that the requester will be required to pay the following prescribed fees, namely –

- (a) a request fee of **R35,00** (a standard fee applicable to all requests for access to information, it can however be waived if the information requested relates to the requester's own personal information); and
- (b) an access fee (a fee comprising of reproduction and administrative costs. The amount payable as access fee shall vary from one request to the other depending on the volume of the information requested and time spent in preparing such information. Please see **Appendix 4** for the list of prescribed fees).

6.2.3. Processing of Requests

Subsequent to the notice mentioned in 6.2.2 above, the Information Officer shall finalise the processing of a request as soon as reasonably possible but not later than 30 days of receipt of the said request. The Information Officer may, depending on the circumstances of each application –

- (a) transfer the request to another public body;
- (b) defer access to a record;
- (c) extend the time period of dealing with the request;
- (d) call for representations from third parties;
- (e) grant access to the information; or
- (f) refuse access to the information.

6.2.3.1 Transfer of Request to another Public Body

(a) A request for access to information submitted to the Information Officer may be transferred to another public body if one or more of the following prevails:

- (i) if the information or record requested is not under in the possession or control of the Department but is in possession of another government department or government entity;
- (ii) if the information requested is more closely connected with the functions of another government department than to the functions of the Department; or
- (iii) if the information requested contains commercial information (to which access is prohibited in terms of section 42 of the Act) in which any other government department has a greater interest.

(b) If the requested information falls within the ambit of sub-paragraph (a) above, the Information Officer shall –

- (i) transfer the request to the relevant government department, as soon as reasonably possible but not later than 14 days after the request is received; and
- (ii) forward the requested information or record to the transferee department, if the Information Officer has possession of such a document and if he or she considers it helpful to do so.

- (c) Upon transfer of the request, the Information Officer of the Department shall immediately notify the requester of –
- (i) the transfer, including the identity and contact details of the transferee Information Officer to whom the request has been transferred to;
 - (ii) the reasons for the transfer; and
 - (iii) the period within which the request must be dealt with.

6.2.3.2 Deferral of Access to a Record

- (a) If the Information Officer decides to grant access to a record that –
- (i) will be published within 90 days of receipt of a request;
 - (ii) is required by law to be so published but is yet to be published;
- or
- (iii) has been prepared for submission to legislature or a particular person but is yet to be submitted, he or she may defer giving access to the said record for a reasonable period.
- (b) If access to a record has been deferred, the Information Officer shall give a notice to the requester concerned advising the requester:
- (i) that the requester may within 30 days of receipt of the said notice, make a presentation to the Information Officer why the information is required before the pending submission or publication; and
 - (ii) of the likely period for which access is deferred.
- (c) The Information Officer may grant access to a deferred record if, upon consideration of the representations made by the requester, he or she is satisfied that the requester will suffer substantial prejudice if access to a record is deferred.

6.2.3.3 Extension of a period to deal with a request

- (a) The Information Officer may extend the prescribed period of 30 days for dealing with a request to a further period not more than 30 days if the following circumstances exist –
- (i) if the request is for a large number of records or requires a search through a large number of records

and compliance with the original period would unreasonably interfere with the activities of the Department

- (ii) if the request requires a search for records in, or collection thereof from, an office of the Department not situated in the same town or city as the office of the Information Officer that cannot reasonably be completed within the original period;
 - (iii) if consultation among divisions of the Department or with another Government Department or Government Entity is necessary to decide upon the request that cannot reasonably be completed within the original period;
 - (iv) if more than one of the above-mentioned contemplated circumstances exist making compliance with the original period not reasonably possible; or
 - (v) the requester consents to the extension.
- (b) If any of the circumstances contemplated in sub-paragraph (a) above exist; hence the need to extend the original 30 days, the Information Officer shall as soon as reasonably possible but within 30 days of receipt of the request, issue a notice to the requester advising him or her –
- (i) of the period of extension;
 - (ii) of adequate reasons for extension; and
 - (iii) that the requester may lodge an internal appeal or an application with a court, as the case may be, against the extension and the procedure for lodging the internal appeal or the application.

6.2.3.4 Calling of Representations from Third Parties

The Information Officer considering a request for access to a record that might be a record concerning –

- (a) privacy of third parties;
- (b) certain records of South African Revenue Service;
- (c) commercial information of third parties;

- (d) confidential information of third parties; or
- (e) research information of third parties or of a public body, shall inform the third party to whom the information relates and shall call upon the third party to make written representations to the Information Officer on either of the following:
 - (i) why the request should be refused; or
 - (ii) give written consent for the disclosure of the record to the requester concerned.

6.3. Granting or Refusal of Requests

6.3.1 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.

6.3.2 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 Office 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 in terms of the appeal procedure mentioned in paragraph 7 of this manual or may approach court for an appropriate relief.

6.3.3 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.

- 6.3.4 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. 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

7.1 Internal Appeals

7.1.1 A requester may lodge an internal appeal to the MEC against a decision of the Information Officer —

- (a) to refuse a request for access to information held by the Department;
- (b) with regard to the payment of the request fee and access fee; or
- (c) with regard to the extension of time period described in subsection 6.2.4.3 above, or
- (d) with regard to the form of access if granted in a different form than requested.

7.1.2 A third party may also lodge an internal appeal against the decision of the Information Officer against his or her decision to grant a request for access.

7.1.3 An internal appeal must comply with the following requirements:

- (a) It must be lodged in the prescribed form (see **Appendix 3**).
- (b) It must be lodged within 60 days.
- (c) If notice to a third party is required, within 30 days after notice is given to the appellant of the decision appealed against, or if the notice to the third party is not required, after the decision was taken.
- (d) It must be delivered to the Information Officer as per the contact details set out in sub-paragraph 3 of this manual.
- (e) It must identify the subject of the appeal and state the reasons for the internal appeal and any other information known to the appellant.
- (f) If, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, it must state such manner and provide the necessary particulars to be so informed.

- (g) If applicable, it must be accompanied by the prescribed appeal fee.
- (h) It must specify a postal address or fax number (if available).

7.1.4 If an appeal is lodged after the expiry of the period referred to in sub-paragraph 7.1.3 above, the MEC must, on good cause shown, allow the late lodging of the appeal. If the MEC disallows the late lodging of the appeal, he or she shall give notice of that decision to the person who lodged the appeal.

7.1.5 A requester lodging the appeal against the refusal of his or her request for access must pay the prescribed appeal fee (if any). If the prescribed fee is payable in respect of an internal appeal, the decision on the appeal may be deferred until the fee is paid.

7.1.6 As soon as reasonably possible, within 10 working days of receipt of an internal appeal, the Information Officer must submit the following information to the MEC —

- (a) the internal appeal together with his or her reasons for the decision concerned; and
- (b) if the appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request.

7.1.7 If the MEC is considering an internal appeal against a refusal of a request for access to a record containing any of the following information —

- (a) privacy of third parties;
- (b) certain records of South African Revenue Service;
- (c) commercial information of third parties;
- (d) confidential information of third parties;
- (e) research information of third parties or of a public body, the MEC must, by way of a notice, as soon as possible but within 30 days after

the receipt of the appeal, inform the third party to whom the record relates.

- 7.1.8 A third party that is informed of an internal appeal may within 21 days after having been informed of the internal appeal, make written representations to the MEC as to why the request for access should not be granted.
- 7.1.9 If the MEC is considering an appeal against the granting of a request for access, the MEC must as soon as reasonably possibly but within 30 days after the receipt of the appeal, notify the requester of the appeal and state in the notice that –
- (a) the third party may within 21 days after notice is given make written representations to the MEC as to why that request should not be granted; and
 - (b) the requester may within 21 days after the notice is given, make written representations to the MEC as to why the request for access should be granted.
- 7.1.10 The MEC shall make his decision on the appeal as soon as reasonably possibly, however within 30 days of receipt of the appeal.
- 7.1.11 When deciding the internal appeal, the MEC may confirm the decision appealed against or may substitute the said decision.
- 7.1.12 The MEC, shall immediately after the decision on appeal, give notice to the appellant, third parties and to the requester if the appeal was lodged against granting of access. The said notice shall contain sufficient reasons for the decision including the provisions of the Act relied upon. The notice shall further advise the appellant, third party or a requester —
- (a) that they may lodge an application with a court against the decision on internal appeal;
 - (b) of the time period within which such an application may be lodged; and
 - (c) of the procedure for lodging the said application.

7.1.13 If the MEC does not give any notice of his decision on the appeal within 30 days of the receipt of the appeal, it must be deemed that the internal appeal was dismissed.

7.2 Applications to Court

7.2.1 A requester or third party may only apply to Court for an appropriate relief after he or she has exhausted the internal appeal procedure.

7.2.2 A requester or a third party who has been unsuccessful in the internal appeal must within 30 days of the decision of the MEC approach the appropriate court with jurisdiction for an appropriate relief. This application must follow the procedure stipulated in section 79 of the Act and /or any rules developed in terms thereof.

7.2.3 The court hearing an application may grant an order that is just and equitable including orders —

- (a) confirming, amending, or setting aside the decision of the Information Officer or the MEC;
- (b) requiring from the Information Officer or the MEC to take such action or refrain from taking such action as the court considers necessary within a period mentioned in the order;
- (c) granting an interdict or specific relief, a declaratory order or compensation; or
- (d) for costs.

7.3 Lodgement of Complaints with the Public Protector

Section 6 of the Public Protector Act 23 of 1994 as amended by section 91 of the Act enables the Public Protector on his or her own initiative or on receipt of a complaint relating to the operation or administration of the Act, or in his or her sole discretion to resolve any dispute by —

- (a) mediation, conciliation or negotiation;
- (b) advising, where necessary, any complainant regarding appropriate remedies; or

- (c) any other means that may be expedient in the circumstances.

7.4 Declaring a dispute under the Labour Relations Act

- 7.4.1 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);
- 7.4.2 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)9a)), or the Employment Equity Act, 1998 (Act No. 55 of 1998 – section 34(e)).

7.5 Lodgement of complaints with the South African Human Rights Commission (SAHRC)

A person may lodge a complaint with the SAHRC concerning an official act or omission that is suspected to constitute a violation or threat to any fundamental right (Human Rights Commission Act, 1994 (Act No. 54 of 1994)).

7.6 Other remedies

- 7.6.1 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);
- 7.6.2 A person may make use of 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);
- 7.6.3 A person may request reasons for an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (section 5);
- 7.6.4 A person may request access to records of government department or other public body in terms of the Promotion of Access to Information Act, 2000 (section 11).

8. PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND**EXERCISE OF POWER OR PERFORMANCE OF THE DEPARTMENT**

The members of public can influence the formulation of policy or legislation and the exercising of powers or performance of duties by the Department in that —

- (a) Before any bill is submitted to the Legislature for final debate and approval, hearings and workshops are conducted, where the public is given an opportunity to make representation on such bills;
- (b) Draft Bills are also published in the Government Gazette for public comment before they are introduced in Parliament;
- (c) Members of the public also get an opportunity to voice their opinion on the Department's service delivery and quality thereof through various forums such as workshops and Provincial Izimbizos.

3366 Besemmer Str Telkom building
Industrial Site Mafikeng, 2745
NWDC Cnr. University Drive
Private Bag X 2145, Mmabatho, 2735
Tel: +27 (18) 388 4779
Fax: +27 (18) 388 4912

ICT AND RECORDS MANAGEMENT

2nd Floor West Wing, University Drive,
Garona Building
Private Bag X2099, Mmabatho 2735
Tel: 018 388 2892

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 public body:

The Information Officer/Deputy Information Officer:

B. Particulars of 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 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:
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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

	copy of record*		inspection of record
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2. If record consists of visual images -

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

	view the images		copy of the images*		transcription of the images*
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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? A postal fee is payable.				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 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 B****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 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.

	Refusal of request for access.
	Decision regarding fees in terms of section 22 of the Act.
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act.
	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.

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.		

WARNING!!!

To all suppliers and potential suppliers of goods to the Government Printing Works

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 (Renny.Chetty@gpw.gov.za),

Anna-Marie du Toit (012) 748-6292 (Anna-Marie.DuToit@gpw.gov.za) and

Siraj Rizvi (012) 748-6380 (Siraj.Rizvi@gpw.gov.za)

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