



**small business
development**

Department:
Small Business Development
REPUBLIC OF SOUTH AFRICA

Promotion of Access to Information Act 2 of 2000

SECTION 14 PAIA Manual

APPROVED BY THE DIRECTOR GENERAL

Signature:

Date:

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Validity Period: This manual shall be reviewed after 2 years or amended by DSBD as and when required.

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B. ACRONYMS AND ABBREVIATIONS

ACRONYM	DEFINITION
AU	Author
AP	Approver
RE	Reviewer
BBSDP	Black Business Supplier Development Programme
CIPC	Companies and Intellectual Property Commission
CIS	Co-operatives Incentive Scheme
DDG	Deputy Director-General
SAHRC	South African Human Rights Commission
ICT	Information Communication and Technology
NEDP	National Exporter Development Programme
seda	Small Enterprise Development Agency
Stp	seda Technology Programme
DSBD	Department of Small Business Development
SBD	Small Business Development
BEE	Black Economic Empowerment
SMMEs	Small Medium and Micro-Sized Enterprises
SAWEN	South African Women Entrepreneurs' Network
NIBUS	National Informal Business Upliftment Strategy
APP	Annual Performance Plan
PAIA	Promotion of Access to Information Act
ODG	Office of the Director-General
IWF	Isivande Women's Fund
ISP	Incubation Support Programme
DBSA	Development Bank of Southern Africa
CEO	Chief Executive Officer
DIO	Deputy Information Officer

C. TERMS AND DEFINITIONS

Terms	Description
Access Fee	This is the fee paid by the requester to the public or private body from which you are seeking the information, to cover the costs of finding and copying the records you require.
Form A	Found on the DSBD website, South African Human Rights Commission's website, and the websites of various other public institutions. This form is used to request access to information held by a public body.
Guide	Refers to the PAIA Guide which has been compiled and published by the South African Human Rights Commission as provided for in Section 10 of PAIA, to assist individuals in using and understanding the Act.
Third-party	This relates to any natural or juristic person who is not the requester of the information, nor the body to whom the information request is made but is affected by the information that is being requested.
Requester	A person who requests access to a record of a public body, including a person acting on behalf of someone else.
Request fee	The fees are to be paid to the public body before further processing of the request.
Record	Any recorded information- (a) regardless of form or medium; (b) in the possession or under the control of that public or private body, respectively; and (c) whether or not it was created by that public or private body, Respectively
Public body	Also referred to as a public institution, department, or body, this is any department or institution of the national, provincial and local spheres of government.
Natural person	An individual who is not a legal or juristic person such as a corporation
Juristic person	Company or body which is recognized by law as a single entity or 'person' having rights and duties.
Information Officer	The Information Officer is the Director-General of the Department of Small Business Development.
Deputy Information Officer	It is a person designated by the Information Officer in question to handle PAIA requests.

Internal Appeal (Form B)	It is a PAIA form that the Requesters would use to appeal a decision made by the Information Officer – this form applies only to the national, provincial or municipal spheres of government regarding access to information
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1. INTRODUCTION

- 1.1 Section 32 of the Constitution of the Republic of South Africa, 1996 (No.108 of 1996) states that everyone has the right to access information held by public bodies and private bodies to protect any of their constitutional rights. Section 32 also describes regulations that must be enacted which would give effect to the right of access to information by describing how information from public and private bodies could be accessed and by providing further information on the grounds under which public and or private bodies could refuse access to information.
- 1.2 The Promotion of Access to Information (PAIA) Act, 2000 (Act No. 2 of 2000) was constituted to provide fulfilment of the Constitutional rights of access to information, to foster a culture of transparency and accountability, and to encourage an open democracy where individuals from all spheres of life are empowered to engage with government and to participate in decisions which affect their lives.
- 1.3 According to Section 14 of PAIA, every public body is required to produce a manual that contains information on how to use PAIA to access their records. The PAIA manual gives effect to section 32 by means of the following:
 - 1.3.1 Providing and describing the processes that must be followed to request information.
 - 1.3.2 Describing the structure and functions of the public body, from whom you have made a request.
 - 1.3.3 Description of PAIA Section 10 Guide compiled by South African Human Rights Commission and how to access it.
 - 1.3.4 Defining what mechanisms and procedures are available to you if your request for access to information is refused.
 - 1.3.5 Stating from whom you can make a request.
 - 1.3.6 Defining what information can be requested.
 - 1.3.7 Describing when the requested information must / may be refused.

2. PURPOSE

- 2.1. According to Section 14 of the Promotion of Access to Information Act, Number 2 of 2000 states that the Information Officer of the public body concerned is required to compile in at least three official languages a manual. The section 14 manual is intended to assist information seekers to make requests for information from the DSBD. This manual has been compiled in

accordance with Section 14 of the Promotion of Access to Information Act, No. 2 of 2000, as well as the requirements of the Protection of Personal Information Act, No. 4 of 2013.

- 2.2. This manual anticipates cultivating a culture of transparency and accountability within DSBD by offering effect to the right to information that is needed for the exercise and protection of an individual or organisation's rights. To promote effective governance of public bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of PAIA.
- 2.3. The manual provides anyone who wishes to invoke the Act with the contact details and procedures to obtain specific information from DSBD. It also affords that person a clear outline of the structure, functions, services, and index of information of DSBD to enable him or her to identify the required information if it is already available.
- 2.4. Included in the manual are also the required forms and fees that need to accompany any request for information; as well as forms required to object to the processing of personal information and to request the correction or deletion thereof. The PAIA Manual is required to the following useful information:

3. EXCLUSIONS

The DSBD relies on specialised, regulatory and financial development agencies in supporting its development. This manual provides for the records of DSBD only and not for those of its agencies. Any requests for access to information related to any of DSBD's agencies must be directed to the Information Officer of the relevant organisation.

4. STRUCTURE AND FUNCTIONS OF DSBD

4.1. Mandate

To lead and coordinate an integrated approach to the promotion and development of entrepreneurship, small businesses, and co-operatives, and ensure an enabling legislative and policy environment to support their growth and sustainability.

4.2. Vision

A transformed and inclusive economy driven by sustainable, innovative SMMEs and Co-operatives.

4.3. Mission

The coordination, integration and mobilisation of efforts and resources towards the creation of an enabling environment for the growth and sustainability of small businesses and co-operatives.

4.4. Values

Table 1: Values

VALUES	
Innovation	Living this value means that we will seek to: <ul style="list-style-type: none">▪ Display a commitment to being “radical” in what we do.▪ Foster innovative ideas and solutions to deliver exceptional results; and▪ Continuously seek new and better ways to serve our clients.
Integrity	Living this value means that we will seek to: <ul style="list-style-type: none">▪ Consistently honour our commitments.▪ Uphold ethical, honest behaviour.▪ Ensure open and transparent communication; and▪ Behave with integrity in all our actions, always acting in the best interest of the organisation.
Professionalism	Living this value means that we will seek to: <ul style="list-style-type: none">▪ Serve with the utmost respect, competence, and professional mannerism.▪ Display punctuality, reliability, dependability, and a commitment to meet deadlines; and▪ Cooperate with all role players.
Customer-Centric	Living this value means that we will seek to: <ul style="list-style-type: none">▪ Place customer service excellence at the centre of everything we do.▪ Create a nurturing environment by partnering with our clients and employees, and in the way in which we care and support them.▪ Always be available and accessible in providing public services to our society; and

VALUES	
	<ul style="list-style-type: none"> ▪ Understand customer needs and respond timeously, efficiently, and effectively to customer queries and requests.
Commitment	<p>Living this value means that we will seek to:</p> <ul style="list-style-type: none"> ▪ Do what is needed to get the work done. ▪ Be selfless, resolute, purposeful and steadfast. ▪ Be committed to efforts of job creation, alleviating poverty, and reducing inequality; and ▪ Display a solution-driven attitude and commitment to serve.
Caring Organisation	<p>Living this value means that we will:</p> <ul style="list-style-type: none"> ▪ Invest in the growth and development of our staff members. ▪ Invest in the well-being of our staff member; and ▪ Create a learning organisation

4.5. Strategic Goals

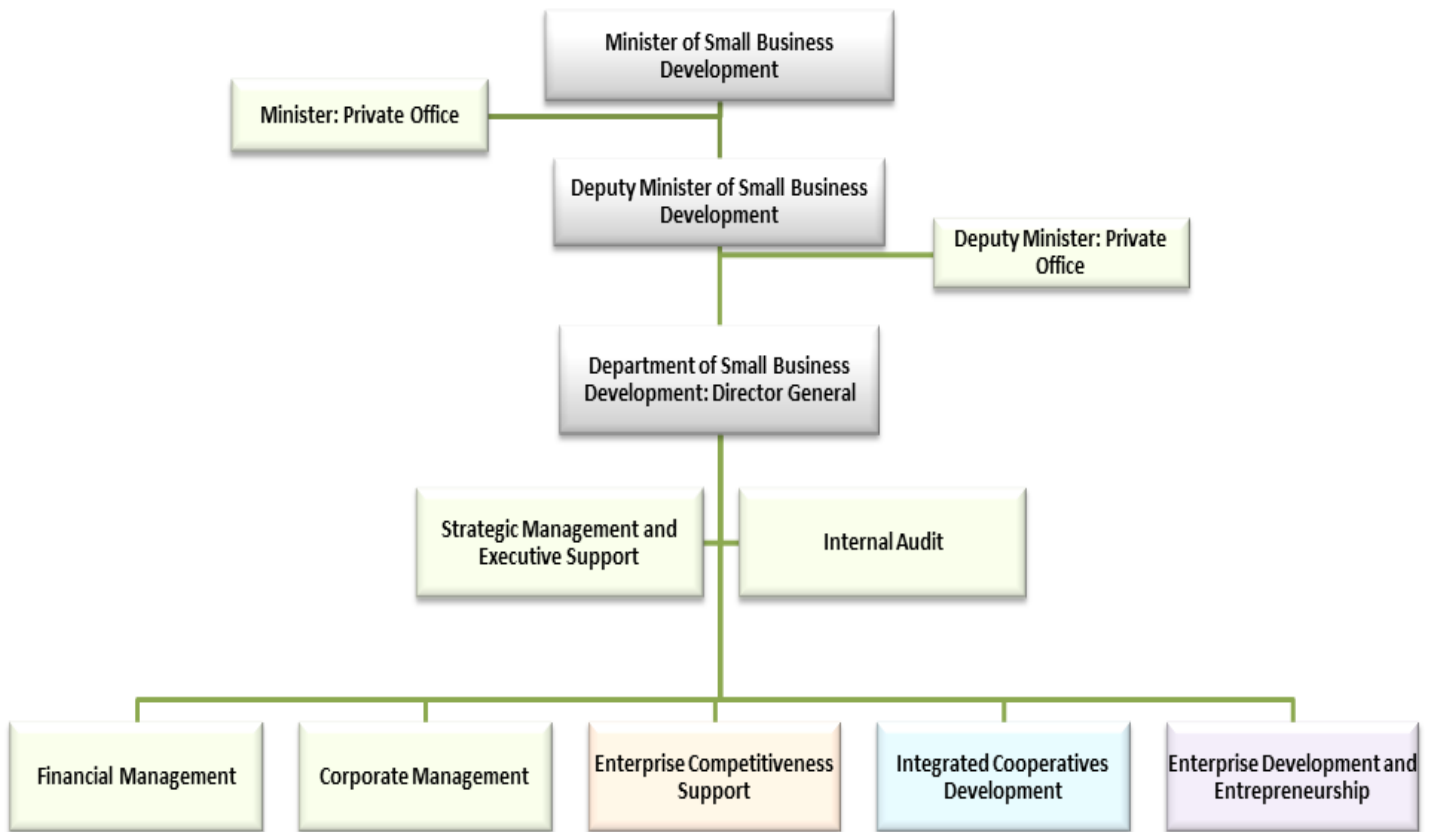
The five strategic goals then inform the alignment to the delivery programme structure of the DSBD and the development of strategic objective targets, performance indicators and annual and quarterly performance data.

Table 2: Strategic Goals

STRATEGIC GOALS	STRATEGIC OBJECTIVES
1. Policy and planning coherence in the sector, that promotes an enabling ecosystem for SMME's and co-operatives.	<p>1.1: Reduced regulatory burdens and a conducive legislative and policy environment for SMME's and co-operatives.</p> <p>1.2. a. An integrated approach to planning, monitoring and evaluation of the Co-operatives Sector, to inform policy decision making.</p> <p>b. An integrated approach to planning, monitoring and evaluation of the SMME's development sector, to inform policy decision making.</p> <p>1.3. A comprehensive research agenda on key areas of support for SMME's and co-operatives implemented.</p> <p>1.4. Strengthened efforts to place SMME's at the centre of the economic diplomacy agenda.</p>

STRATEGIC GOALS	STRATEGIC OBJECTIVES
<p>2. Equitable access to responsive and targeted products and services that enable the growth and development of SMME's and co-operatives.</p>	<p>2.1. a. Oversight and coordination of the design and implementation of targeted financial support programmes to support new and existing co-operatives.</p> <p>b. Oversight and coordination of the design and implementation of targeted financial support programmes to support new and existing SMME's.</p> <p>2.2. a. Oversight and coordination of the design and implementation of targeted non-financial support programmes to support new and existing co-operatives.</p> <p>b. Oversight and coordination of the design and implementation of targeted non-financial support programmes to support new and existing SMME's.</p>
<p>3. Sound governance and the optimal utilisation of available resources.</p>	<p>3.1: Compliance and good governance ensured.</p> <p>3.2. Sound institutional governance and oversight of the SBD Portfolio entities.</p> <p>3.3. Efficient, integrated and streamlined business processes and systems.</p>
<p>4. An enhanced contribution to socio-economic development outcomes by the sector.</p>	<p>4.1. Demonstrated progress towards sector-wide SMME's and co-operatives support achieving its intended socio-economic impact.</p> <p>4.2. a. Sustainable partnerships to support the co-operatives development agenda.</p> <p>b. Sustainable partnerships to support the SMME development agenda.</p> <p>4.3. Informed and empowered communities and a responsive department.</p>
<p>5. A professional and capacitated SBD Sector</p>	<p>5.1. Coordinated development of the skills pool across the sector</p> <p>5.2. Strengthened human resource capability and a high performing organisation.</p>

4.6. Organisational Structure



4.7. Services Rendered by DSBD

4.7.1. Programme 1: Administration

The programme is responsible for the provision of strategic leadership, management and support services to the Minister, Deputy Minister, Director-General, and the Department. This is to ensure the successful implementation of the Department's mandate through sustainable and integrated support services that are customer-driven. The Administration Programme covers the work of the following sub-programmes:

- I. **Ministry:** to provide for administrative and logistical support to the Minister and Deputy Minister, as well as support staff and make provision for their salaries.
- II. **Strategic Management and Executive Support:** To provide Executive Support, Cluster Oversight and promote good governance of DSBD agencies.
- III. **Internal Audit:** to ensure the provision of internal audit and risk management services.
- IV. **The Office of the Director-General (ODG):** to provide strategic leadership, management and support services to the Director-General and the Department.

- V. **Corporate Management:** to provide enterprise-wide support services comprising of human resources, legal services, learning and development and transformation policy and coordination.
- VI. **Financial Management:** To provide strategic leadership and advice on supply chain, financial and asset management related services to the department.

4.7.2. Programme 2: Enterprise Competitiveness Support

4.7.2.1. The programme is responsible to create an enabling environment for the development and growth of sustainable small businesses and co-operatives through commissioning research; the development and review of policy and legislation; the coordination and promotion of sound intergovernmental relationships; promoting the sector interests in the regional and global arena; and effective monitoring and evaluation of programmes to ensure the desired impact is achieved in contributing toward the creation of employment and economic growth. The Enterprise Competitiveness Support Programme covers the work of the following sub-programmes:

- I. **Research & Monitoring and Evaluation** - To create an enabling environment for the development and growth of sustainable small businesses so that they contribute to the creation of employment and economic growth.
- II. **Communication and Marketing** - to develop and review policies and legislation to create and promote sustainable growth opportunities for small businesses and co-operatives and to advance coordination and cooperation amongst the different spheres of government. Communication and Marketing.
- III. **Incentives, Grants and Loan** - To promote spatially balanced economic development and productivity improvements by developing policies, strategies and programmes that focus on small businesses and co-operatives in underdeveloped regions
- IV. **Local Economic Development and Inter-Government Relations** - To promote spatially balanced economic development and productivity improvements by developing policies, strategies and programmes that focus on small businesses and co-operatives in underdeveloped regions.

4.7.3. Programme 3: Integrated Co-operatives Development

4.7.3.1. The programme is responsible to create an enabling environment for the development and growth of sustainable small businesses and co-operatives through commissioning research; the development and review of policy and legislation; the coordination and promotion of sound intergovernmental relationships; promoting the sector interests in the regional and global arena; and effective monitoring and evaluation of programmes to ensure the desired impact is achieved in contributing toward the creation of employment and economic growth. The Integrated Co-operatives Development Programme covers the work of the following sub-programmes:

- (i) **Co-operatives Development:** To manage and support individual co-operatives with start-up support which will enable co-operatives members to run the co-operative on co-operatives principles.
- (ii) **Incubation Support and Supplier Development:** manage and provide support to private sector partnerships with Government to support incubators in order to develop Cooperatives and nurture them into sustainable enterprises that can provide employment and contribute to economic growth.
- (iii) **Market Access Support:** To forge partnerships with other spheres of government for the sustainable development of Co-operatives through ensuring access to markets.

4.7.4. Programme 4: Enterprise Development and Entrepreneurship

4.7.4.1. The programme is responsible to create an enabling environment for the development and growth of sustainable small businesses through the development and review of legislation and policy; the design, piloting and monitoring of the impact of support services and instruments; the promotion of local economic development and entrepreneurship; championing functional partnerships advocacy and thought leadership in advancing economic growth and job creation. The Enterprise Development and Entrepreneurship Programme covers the work of the following sub-programmes:

- (i) **Enterprise and Supplier Development:** To manage and facilitate the establishment of new and productive enterprises as well as the sustainability and growth of existing enterprises.
- (ii) **National Information Business Upliftment Strategy:** To manage and create a conducive business environment for informal businesses and to provide adequate skills and infrastructure to support informal businesses.
- (iii) **Entrepreneurship and Franchising:** to provide leadership and oversight on the conceptualisation, design and implementation of the entrepreneurship development framework, instruments, and programmes in support of enterprise development.

4.8. Access to Services Rendered by DSBD

4.8.1. DSBD's services are accessed by following the guidelines and evaluation of applications using the relevant committees respectively. Further details on how to access DSBD's services may be found on the DSBD website i.e. www.dsbd.gov.za or calling the customer contact centre on (+27) 861 843 384 or sending an email to info@dsbd.gov.za.

Furthermore, The DSBD's services are accessible from Monday to Friday from 7:30 am to 5 pm. The DSBD offices are situated at the following physical address: 77 Meintjies Street, Sunnyside, Pretoria, 0002.

5. SECTION 10 GUIDE ON HOW TO USE THE ACT

Section 10 of the Act imposes a duty on the South African Human Rights Commission (SAHRC) to "compile in each official language a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in the Act". The guide on how to make use of the PAIA manual has been made available by the South African Human Rights Commission and is obtainable from their website www.sahrc.org.za.

The SAHRC has published the guide as is prescribed by Section 10 of the Promotion of Access to Information Act. The guide is available at the offices of the SAHRC.

Any queries concerning the PAIA guide should be directed to the following contact details:

The PAIA Unit (Promotion of Access to Information) at the South African Human Rights Commission
The Research and Documentation Department
Private Bag X2700
HOUGHTON
2014

Telephone : +27 (0)11 877 3600
Website : www.sahrc.org.za
E-mail : PAIA@sahrc.org.za
Twitter : @SARHCommission
Facebook : SAhumanrightscommission
Youtube : SAHRC1

6. CONTACT DETAILS

6.1. Information Officer

Table 3: Contact Details for the Information Officer

Name	Mr. Lindokuhle Mkhumane
Designation	Director-General
Telephone Number:	+27 (0)12 394 5701
Email Address	dq@dsbd.gov.za
Preferred contact	dq@dsbd.gov.za

6.2. Deputy Information Officers

Table 4: Contact Details for the Deputy Information Officers

Name	Ms Priya Paideya
Designation	Director: Legal Services
Telephone Number:	+27 (0)12 394 1877
Email Address	PPaideya@dsbd.gov.za
Preferred Contact	paia@dsbd.gov.za

6.3. DSBD Contact Information

Table 5: DSBD Contact Details

POSTAL ADDRESS	PHYSICAL ADDRESS	WEBSITE
The Information Officer DSBD Private Bag X84 Pretoria 0001	The Information Officer DSBD 77 Meintjies Street Sunnyside Pretoria	www.dsbd.gov.za

7. ARRANGEMENTS FOR PUBLIC PARTICIPATION IN POLICY FORMULATION AS CONTEMPLATED IN SECTION 14(1)(g) OF PAIA

- 5.1. The Department may, from time to time, solicit public comments on draft legislation (Bills and Regulations) and other issues and the public are invited to provide their comments and input when these opportunities arise.
- 5.2. The Department is part of the executive arm of government. Although there may be no specific structures in place for public participation in policy formulation, members of the public can indirectly influence policy formulation by –
- 5.2.1. Participating in national elections.
 - 5.2.2. Communicating with their elected representatives.
 - 5.2.3. Involving themselves in the legislative and other public participatory processes of South Africa Parliament and its committee.
 - 5.2.4. Attending sessions of the Parliament; and
 - 5.2.5. The media accessing the Parliament and its committees.
 - 5.2.6. Contact the Department for names and contact details of Provincial and or District Champions who also serve as a point of contact between the public and the Department
 - 5.2.7. Nothing prohibits any person from submitting inputs, comments, or queries in writing to the Minister or Director-General of the Department.

6. ACCESS TO RECORDS HELD BY DSBD

6.1. Categories of Records Held by DSBD

6.1.1. Product and Market Information

This includes information that relates to products and market conditions and indicator measurements around which these products exist. This information category includes details of small enterprises producing products and providing services nationally and internationally.

6.1.2. Incentives and Grants

This includes information concerning incentives that DSBD provides to small enterprises and cooperatives. The information is categorised by products and industry type for which incentives are provided, applications received, details of companies

awarded incentives, incentive conditions and the performance of awarding incentives to companies against these conditions.

6.1.3. DSBD and Programme Administration

This category mainly deals with information relating to the administration and internal documents of DSBD and its divisions. The type of information included in this category is business plan/s, divisional expenditure and progress reports, processes, procedures and the existing DSBD internal policy information.

6.1.4. Contact Management and Stakeholders

The contact management information includes information about key stakeholders and clients and their relationship and interactions with DSBD. Requests, status requests and complaints raised by a stakeholder or client will also be retained as part of contact information.

6.1.5. Financial and Human Resource Administration

This includes the DSBD financial information such as budgets, financial expenditure against budgets, and financial position of budgeted incentives against actual incentives/grants issued by DSBD. This information directly relates to both salaries and procurement activities. Human resources information relates to salary scales, leave, skills and development plans for individuals, as well as objectives for individuals and their performance against these (the individual performance is it public accessible information).

6.1.6. Supplier and Skills

This category includes information about suppliers of skills and services to DSBD as well as the BEE status of such organisations or individuals. This information forms part of the procurement information.

6.1.7. Programme/Project Management

This information relates to DSBD programmes and projects that vary from donor-funded development to programme events organised by DSBD. This includes planning, budgeting, monitoring, deliverables, and outcome details.

6.1.8. Investigation / Inspection

The DSBD is anticipated to start conducting investigations and inspections as a result of policy analysis issues, consumer complaints and industry sector requests received. Information that forms part of this category includes investigation/inspection type, procedures by investigation/inspection type, assigned inspector and findings.

6.1.9. Policies

There are policies related to the development of small businesses and cooperatives that give direction to the activities and interventions of the DSBD. These policies are revised and enhanced regularly and form part of the central framework for the related regulatory and incentive information. These policies are made available to the DSBD officials to familiarise themselves with them as well as to know the procedures and processes that they should adhere to.

6.1.10. Industry and Sector

All companies are classified into industry and sector groups to assimilate economic intelligence. The provincial stakeholders, agencies and the DSBD officials will submit information pertaining to the industries and sectors of small businesses and cooperatives.

6.2. Categories of Records Automatically Available from DSBD

6.2.1. Publications Available

Table 6: Publications Available

Category	Description
Strategic Plans	Strategic Plan 2015 to 2019
	Strategic Plan 2015 – 2019 – Part 1
	Strategic Plan 2015 – 2019 – Part 2
	Strategic Plan 2020 - 2025
Annual Performance Plan	Annual Performance Plan 2017/2018
	Annual Performance Plan 2018/2019
	Annual Performance Plan 2019/2020
	Annual Performance Plan 2020/21 (let's check, this is supposed to be removed from available information)

Category	Description
	Annual Performance Plan 2021/2022
	Final DSBD Revised 2020/21 Annual Performance Plan
	Annual Performance Plan 2017/2018
Procurement Plans and other Plans	DSBD 2018/2019 Revised Procurement Plan
	Procurement Plan 2021-2022
	Service delivery improvement plan 2015 to 2018
Reports	Annual report 2015/16 vote 31
	DSBD 2016/17 Annual Report No. 31
	DSBD 2016/17 Annual Report No. 31 Part 2
	DSBD 2017/18 Annual Report – final
	2017/18 Quarterly Performance Reports
	DSBD Quarter 1 2018/19 Performance Report
	DSBD Annual Report 2019-20
	DSBD Annual Report 2020-21
	2017/18 Monthly Financial Report
Acts and Regulations	National Small Business Act No. 102 of 1996 as Amended in 2003 and 2004
	Guidelines to Co-Ops Act
	Co-operatives Act 2006
	Co-operatives Amendment Act, 2013 (Act No. 06 of 2013)
	Draft Regulations Cooperatives 2015
	NSEA Bill 2020 Government Gazette 43981 notice 709, page 203
	Co-operatives Act, 2005 (14/2005): As Amended By Co-operatives Amendment Act (6/2013): Draft Regulations for Co-operatives
	Guide to the Co-Operatives Act 2005
Other Documents	Seda National Incubation Network
	1000 SMME Products and Services
	Annual Review of Small Business and Cooperatives South Africa 2016
	PAIA 2 of 2000 Section 14 Manual
	DSBD Whistle Blowing Policy

Category	Description
	2018/19 Technical Indicator Description.
	Local Economic Development Forums
	Integrated strategy on the development and promotion of cooperatives
	Co-operative's catalogue
	Guidelines for Reducing Municipal Red Tape
	Youth enterprise development strategy
	Youth support programme
	Co-operatives handbook
	Co-operatives information leaflet
	Launch of SEDA-FRENCH Technology Lab
	Local Economic Development Forums
	Request for Expressions of Interest for Consulting Services
	The National Informal Business Upliftment Strategy (NIBUS)
	SheTrades Invest: Raising Funds for Your Business – SheTrades Guidebook Information

6.2.2. Available on the DSBD Website

- 6.2.2.1. About DSBD
- 6.2.2.2. Overview of DSBD (Leadership, Organogram)
- 6.2.2.3. Leadership
- 6.2.2.4. Mandate, Vision and Mission
- 6.2.2.5. Contact Details
- 6.2.2.6. Operating Hours
- 6.2.2.7. Programmes
- 6.2.2.8. SMME Relief Schemes
- 6.2.2.9. SMME Support Plan
- 6.2.2.10. SheTradesZA
- 6.2.2.11. Township and Rural Entrepreneurship (TREP)
- 6.2.2.12. Small Enterprise Manufacturing Support (SEMS)
- 6.2.2.13. Newsroom
- 6.2.2.14. Media Releases
- 6.2.2.15. Speeches

- 6.2.2.16. Newsletters
- 6.2.2.17. Events
- 6.2.2.18. Gallery
- 6.2.2.19. Resources
- 6.2.2.20. Alerts
- 6.2.2.21. Acts and Regulations
- 6.2.2.22. Research
- 6.2.2.23. Careers
- 6.2.2.24. Downloads
- 6.2.2.25. DSBD Agencies
- 6.2.2.26. Publications
- 6.2.2.27. Tenders

6.2.3. Processing of Personal Information

The Protection of Personal Information Act 4 of 2013 (POPIA) was enacted to give effect to the constitutional right of privacy by safeguarding personal information processed by a responsible party and prescribes. To safeguard the privacy and protection of personal information, all personal information processed by the DSBD is managed in terms of relevant DSBD policies and the POPIA principles.

6.2.3.1. Purpose of Processing

The DSBD use the Personal Information under its care in the following ways:

- Customer registration on the SMMESA database (www.smmesa.gov.za).
- Customer interaction (applications for funding, non-financial support and enquiries made).
- Human Resources (processing of employee information).
- Marketing and advertising.
- Procurement (processing of supplier information).
- Information Management (the classification, retention, and security of information).
- Finance: debtors and creditors information.

6.2.3.2. Categories of Data Subjects and their Personal Information

DSBD may possess records relating to suppliers, shareholders, contractors, service providers, staff, and clients:

Table 7: Data Subjects

ENTITY TYPE	PERSONAL INFORMATION PROCESSED
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; tax-related information; nationality; gender; confidential correspondence.
Clients – Juristic Persons / Entities	Names of contact persons; the name of Legal Entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories, beneficiaries, ultimate beneficial owners.
Clients – Foreign Persons / Entities	Names; contact details; physical and postal addresses; date of birth; passport number; tax-related information; nationality; gender; confidential correspondence.
Contracted Service Providers	Names of contact persons; the name of Legal Entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories, beneficiaries, ultimate beneficial owners.
Employees	Gender, marital status; race, age, language, educational information; financial information; employment history; ID number; physical and postal address; contact details; opinions, criminal behaviour; well-being.

6.2.3.3. Categories of recipients for processing Personal Information

DSBD may supply fully or partial Personal Information depending on the purpose of information required, to service providers who render the following services:

- Other Government bodies and institutions.

- Personal information verification and credit reference agencies.
- Regulatory and reporting authorities.
- Professional advisors and consultants.
- Suppliers and service providers.
- Current, past, and prospective employers.
- Family associates and representatives of the person whose personal information are processed.
- Survey and research organisations; and
- Police forces and courts.

6.2.3.4. Actual or planned trans-border flows of Personal Information.

The only circumstances in which Personal Information are transferred out of South Africa, are as follows:

- Registration of women-owned businesses to the shetrades.com online platform. This platform allows women-owned businesses, companies, organisations and ITC She Trades partner institutions to connect, offer and source products and services, learn new skills, participate in various trade fairs and stay up to date with SheTrades activities, news and success stories.

6.2.3.5. General Description of Information Security Measures

DSBD employs up to date technology to ensure the confidentiality, integrity and availability of Personal Information under its care. Measures include:

- Firewalls.
- Virus protection software and update protocols.
- Logical and physical access control.
- Non-disclosure agreements
- Secure setup of hardware and software making up the IT infrastructure.
- Outsourced Service Providers who process Personal Information on behalf of the Company are security vetted and required to implement security controls.

DSBD complies with the Minimum Information Security Standard (MISS) requirements for the storage and management of physical records.

6.2.3.6. Objection to the processing of Personal Information

A data subject who wishes to object to the processing of personal information must submit the objection to the responsible party on Form 1.

6.2.3.7. Correction/deletion of Personal Information

A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the responsible party on Form 2.

7. PROCEDURES FOLLOWED FOR REQUESTING ACCESS TO RECORDS

7.1. Process Followed for Requesting Access to Records

The following process has been implemented in the department to deal with requests for information in terms of the Promotion of Access to Information Act:

7.1.1. Application process

- (a) Written Requests: To request information, the request form (see Annexure A) has to be completed and submitted to paia@dsbd.gov.za.
- (b) Oral Requests: If a person is not able to fill the prescribed form because of illiteracy or disability, such a person may do an oral request. The DSBD Information Officer will then reduce that oral request by completing the prescribed form and provide a copy thereof to the requester.
- (c) As prescribed by the Act, proof of payment (EFT – Please write it in full or Bank Deposit slip) for an amount of R35.00 must accompany the request for information if it is not from a personal requester. This amount is payable by direct bank deposit or EFT or may be deposited into the DSBD's bank account, in which case proof of the deposit must accompany the request form.

Table 8: Banking Details for DSBD

Account Name	DSBD Deposit Account
Account Type	Business Current Account
Branch Opened:	Centurion
Bank Name	Standard Bank
Branch code:	012645
Entity Name	Department of Small Business Development
Account Nr:	370 296 726
CIF Number to be linked	30009105

Reference Number	ID number of the requester or Company registration number
------------------	---

7.1.2. Validation and acknowledgement

The Deputy Information Officer of the DSBD receives and validates the request to see whether the required information is available at DSBD. The request is then accepted, rejected, or transferred to the rightful keepers of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

7.1.3. Information processing

If the request is accepted, the DSBD will gather and prepare the information and calculate the relevant cost involved (see paragraph 6.3).

7.1.4. Final Notification

The requester will be informed of the completion of the request as well as the outstanding access fees payable to DSBD.

7.1.5. Payment and delivery

Once the payment as stipulated in 7.1.4 is received (following the same payment process as stipulated in 7.1.1.), the information will be released to the requester.

7.2. Additional Information

Any person who wants to obtain access to records held by DSBD must complete the request form enclosed in Form A of Annexure B to the regulations enacted under the Act and contained as Appendix A at the bottom of this manual. The requester is required to provide the following information as prescribed in Section 18 of the Act:

- 7.1.1. Particulars of the public body.
- 7.1.2. Details of person requesting access to the records.
- 7.1.3. Particulars of the person on whose behalf the request is being made.
- 7.1.4. Particulars of the requested record or records.
- 7.1.5. Required form of access.

- 7.1.6. The contact details of the requester.
- 7.1.7. Whether the record concerned should be in a specific language; and
- 7.1.8. The requester is expected to indicate how she/he wants to be informed in terms of the decision taken for the request of access to the particular record(s).

Any request received will be dealt with within 30 days of receipt, unless the requester has specified special reasons that would satisfy the Information Officer that conditions dictate non-compliance with the above periods. The 30-days period within which DSBD has to decide whether to grant or refuse the request may be prolonged for a further period of not more than 30 days if the request is for a large amount of information or needs to search for information held at another office of the institution and cannot reasonably be obtained within the original specified 30-days period.

DSBD will notify the requester in writing should an extension be required. If a request is made on behalf of another person, the requester must submit proof of the capacity in which he or she is requesting the reasonable satisfaction of the Information Officer. If a person is not able to fill the prescribed form because of illiteracy or disability, such a person may do an oral request. The DSBD Information Officer will then reduce that oral request by completing the prescribed form and provide a copy thereof to the requester.

7.3. Fees

Once the Information Officer receives a request, he or she will require the requester to pay the prescribed request fee before further processing the request. If the search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer will notify the requester to pay a deposit for the prescribed portion of the access fee that would be payable should the request be granted. The Information Officer will withhold the requested record until the requester has paid the fees.

A requester, whose request for access to a record has been granted, must pay an access fee for reproduction, search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including arrangements to make it available in the requested format. In the case of the public body, the postage fees have to be paid by the requester for the delivery of their records. According to Section 22 (6) of the Act, the following individuals are exempted from paying the access fee:

- A single person whose annual income does not exceed R 14 712, 00 per annum.
- Married couples or somebody and his or her life partner whose annual income does not exceed R27 192, 00 per annum.

The breakdown of fees for reproduction and gaining access to records of public bodies as prescribed in the PAIA guidelines are as follows:

Table 9: Breakdown of Fees

ACTIVITY	FEE
The request fee is payable by every requester, other than a personal Requester	R35
Copy per A4 Page	60 cents
Printing per A4 page	40 cents
Copy on a CD	R40
Transcription of visual images per A4 page	R22
Copy of a visual image	R60
Transcription of an audio recording per A4 page	R12
Copy of an audio recording	R17
Search and preparation of the record for disclosure	R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation

8. GRANTING OF REQUESTS

A request for information may be refused on one of the following grounds, as specified in the Act:

- 8.1. Protection of the privacy of a third party:** The Act states that an Information Officer of a public body must disallow access to the personal information of a natural person, including a deceased individual. PAIA stipulates that it is required that the Information Officer examine whether the information requested would involve irrational disclosure to ensure that the right of a third party who is a natural person is protected. However, the Information Officer must

consider whether the information required falls within the below classifications of personal information which may be disclosed or not:

- A person who has given consent for this information to be released;
- Publicised personal information;
- Personal information concerning a child under the age of 18 where the disclosure of such information is in the best interest of the child and the requester is the child's parent or guardian;
- Personal information of a deceased individual who has passed away for a period of more than 20 years;
- Information of a person who is or was an officer in the public or private sector and where the information relates to their position as an official;
- Personal information of a deceased person to a requester who is the person's next of kin, or who has been authorised by the next of kin.

8.2. Protection of commercial information of a third party: The Information Officer of the department must refuse access to information if releasing that information would cause harm to the commercial or financial interest of the business. PAIA lists commercial information such as trade secrets, information which had been supplied in confidence to the third party, financial, commercial, scientific, research or technical information about a third party which, if released, would cause harm to the third party which cannot be disclosed by an Information Officer.

8.3. Protection of certain records of South African Revenue Service (SARS): Access to a record of SARS must be refused by an Information Officer of the public body if it holds information obtained or held by SARS for the intentions of enforcing regulation regarding the collection of revenue in terms of the South African Revenue Service Act, No. 32 of 1997; the record may not be refused in a case where the requested record contains information concerning the person or requester on whose behalf the request is being made.

8.4. Protection of confidential information: Access to a record that will amount to a breach of duty of confidence owed to a third party in terms of a contract or agreement must be refused by an Information Officer as prescribed in the PAIA.

8.5. Protection of the safety of individuals and property: Access to a record that could reasonably be expected to compromise the safety of a person or property must not be allowed by an Information Officer.

- 8.6. Protection of police dockets in bail proceedings, and protection of law enforcement and legal proceedings:** The information officer of a public body must refuse a request for access to a record of the body, if the access to that record is prohibited in terms of section 60(14) of the Criminal Procedure Act, No. 51 of 1977. The information officer has a discretionary ground of refusal in terms of section 39(1)(b) of PAIA. A record may not be refused if it consists of information about the general conditions of detention of persons in custody.
- 8.7. Protection of information in legal proceedings:** The information concerning the legal and law enforcement processes must be protected by the Information Officer. The Criminal Procedure Act 51 of 1997 recognises the law governing records relating to bail proceedings and other law enforcement procedures. According to section 40 of PAIA, any records that matter to the relationship between an attorney and his/her client must be protected.
- 8.8. Protection of Research Information:** Access to records which holds information about the research which is or will be undertaken by the public or private body in question or a third party must not be allowed as prescribed on section 43 and 69 of PAIA. This refusal is in circumstances where the release of the record will expose the research of the third party or public or private body, the individual or institute conducting the research, or the subject matter of the research to a serious disadvantage
- 8.9. South Africa's defence, security and international relations:** According to Section 41 of PAIA, an Information Officer is required to consider whether the request for information pertains to information concerning the security of South Africa. The request for access to records that proves that it will compromise the safety of South Africa may be refused by an Information Officer.
- 8.10. Information relating to Economic, Financial and Commercial interest of South Africa:** Protection of information of a public body if its release will be harmful to the economic and financial status of the country is required as prescribed on Section 42 of PAIA. Rejection by the Information Officer may only apply in certain instances by taking into account the fact that public bodies are mandated under the Constitution of South Africa to be liable to the public. The Information Officer is required to prove that the disclosure of the information requested will cause chaos to the financial and economic interests of the country.
- 8.11. Information relating to the operation of public bodies:** Access to a record that will hamper the operations of the department may be denied by an Information Officer as prescribed in Section 44 of PAIA. The operation records referred to are meetings minutes, advice or opinions

records, records relating to consultations with other bodies and records relating to the establishment of policies or recommendations.

8.12. Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources:

The Information Officer of a public body may refuse access to a record for information if the request is manifestly frivolous or vexatious; if the request is deemed to be futile or would unreasonably distract the resources of the public body.

8.13. Disclosure in the public interest: Despite the above-listed grounds of refusal, the information officer of a public body must grant a request for access to a record of a public body if, the disclosure thereof would reveal evidence of the following:

- A substantial breach of, or failure to abide by the law; or an impending and serious public safety or environmental risk; and the public interest in the disclosure of the record, outweighs the harm contemplated under the grounds for refusal.

9. APPEAL

The requester has the right to file an internal appeal on the basis that the Information Officer has made a decision that does not please the requester. An internal appeal process is followed with the involvement of a senior person who either approves or denies the Information Officer's decision relating to the PAIA request. A requester is required to fill in the PAIA Form B to lodge an internal appeal. A copy of Form B is obtainable on the DSBD website and can also be found on the South African Human Rights Commission website.

Form B is submitted to the same Information Officer or Deputy Information Officer who denied the initial request and who is then expected to send it to a more senior official within the department. All the relevant third parties that received an internal appeal are expected to be contacted by the department. The requester may lodge an internal appeal against the decision of the department due to the following reasons:

- If the requester is not content with the fees required,
- When the requester is not satisfied with the decision to give a 30 days extension to the public body to reply to the request, and
- In situations where the requester is dissatisfied when the form in which the records are provided is not the same as the form that was requested.

An internal appeal must be filed by the requester within 60 days of receiving the refusal for the original request. If the appeal requires that notice be given to a third party then the appeal must be lodged within 30 days of a notice being provided. An internal appeal lodged after the expiry

date must be accepted by the department if a good reason for the late lodging is provided. If the late lodging of an internal appeal is not accepted, the department must provide notice to the person who appealed. A requester must submit the internal appeal to the Information Officer via post, fax or mail.

The following information must be included on an internal appeal form:

- The subject of the internal appeal;
- An internal appeal must state the reasons that are in support of the appeal;
- The requester must include any other relevant information known to the person appealing;
and
- The requester is required to state the preferred way and provide any necessary information in circumstances where the requester would like to be informed of the decision about the internal appeal in a different way.

10. APPENDICES

APPENDIX A: PAIA 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 _____ (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:

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:

D. 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 known to you, to enable the record to be located.

(b) If the space provided is inadequate, please continue on a separate folio and attach 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 entities, will be processed only after a **request fee** has been paid.

(b) You will be notified of the amount required to be paid as a request fee.

(c) The **fee payable for access** to a record depends on the format 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 format the record is required.

Disability:	Format in which record is required:				
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request for access in the specified form may depend on the format in which the record is available.</p> <p>(b) Access in the format requested may be refused in certain circumstances. In such a case, you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the format in which access is requested.</p>					
1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images:					
(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images	<input type="checkbox"/>	transcription of the images
3. If record consists of recorded words or information which can be reproduced in sound:					

	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?					YES	NO
Postage is payable.						
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.						
In which language would you prefer the record?						

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed 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 B: PAIA 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 internal appeal

- (a) The particulars of the person who lodges the internal appeal must be given below.
(b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
(c) If the appellant is a third 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 an internal appeal on behalf of another person is lodged: _____

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 prescribed 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 space provided is inadequate, please continue on a separate folio and attach it to this form. **You must sign all 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 and provide the necessary particulars to enable compliance with your request.

State the manner: _____
Particulars of manner: _____
Signed at this _____ day of _____ 20 _____

SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on _____ (date) by _____

_____ (state rank, name and surname of Information Officer/Deputy Information Officer).

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

Received by the Information Officer/Deputy Information Officer from the Relevant Authority on:

_____ (Date)

APPENDIX C: POPIA FORM 1

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018 [Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s): Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection)

Signed at this day of
.....20.....

.....
Signature of data subject/designated person

APPENDIX D: POPIA FORM 2

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4
OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 3]**

Note:

4. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
5. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
6. Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s): Fax number/ E-mail address:	

C	INFORMATION TO BE CORRECTED / DELETED / DESTROYED / DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p>(Please provide detailed reasons for the request)</p>

Signed at this day of20.....

.....
Signature of data subject/designated person