




small business development

Department:
Small Business Development
REPUBLIC OF SOUTH AFRICA

Manual on Promotion of Access to Information

**Prepared in terms of Section 14 of the Promotion of
Access to Information Act 2 of 2000**

APPROVALS

VERSION NUMBER	1.0
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A. ABBREVIATIONS AND ACRONYMS

ACRONYMS	DEFINITIONS
APP	Annual Performance Plan
BBSDP	Black Business Supplier Development Programme
BCEA	Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997 as amended)
BEE	Black Economic Empowerment
CEO	Chief Executive Officer
CIPC	Companies and Intellectual Property Commission
Constitution	Constitution of the Republic of South Africa, 1996
CIS	Co-operatives Incentive Scheme
DBSA	Development Bank of Southern Africa
DDG	Deputy Director-General
DIO	Deputy Information Officer
DG	Director-General
DSBD	Department of Small Business Development
EEA	Employment Equity Act, 1998 (Act No. 55 of 1998 as amended)
ISP	Incubation Support Programme
ICT	Information Communication and Technology
LRA	Labour Relations Act, 1995 (Act No. 66 of 1995 as amended)
NIBUS	National Informal Business Upliftment Strategy
ODG	Office of the Director-General
PAIA	Promotion of Access to Information Act, 2000 (Act No 2 of 2000)
PAJA	Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)
POPIA	Protection of Personal Information Act, No 4 of 2013
PDA	Protected Disclosures Act, 2000 (Act No. 26 of 2000)
PFMA	Public Finance Management Act, No 1 of 1999

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PPA	Public Protector Act, 1994 (Act No. 23 of 1994)
PSA	Public Service Act, 1994 (Act No. 103 of 1994 as amended)
Regulator	Information Regulator established in terms of section 39 of POPIA
SAWEN	South African Women Entrepreneurs' Network
SEDA	Small Enterprise Development Agency
SMMEs	Small Medium and Micro-Sized Enterprises
STP	Seda Technology Programme

B. TERMS AND DEFINITIONS

TERMS	DESCRIPTION
Data Subject	Means the person to whom personal information relates.
Deputy Information Officer	It is a person designated by the Information Officer in question to handle PAIA requests.
Destruction	Degradation, or erasure of personal information
Form A	Found on the DSBD website, Information Regulator's website, and the websites of various other public institutions. This form is used to request access to information held by a public body.
Form B (Internal Appeal)	It is a PAIA form that the Requesters use to appeal a decision made only by the national, provincial or municipal spheres of government regarding access to information
Form C	POPIA form to be completed for purposes of objecting to the processing of Personal Information
Form D	POPIA form to be completed for the purposes of requesting correction or deletion of Personal Information
Guide	Refers to the PAIA Guide which has been compiled and published by the Information Regulator as provided for in Section 10 (1) of PAIA, to assist individuals in using and understanding the Act.
Information Officer	The Information Officer is the Director-General of a national department.
Juristic person	Company or body which is recognized by law as a single entity or 'person' having rights and duties.
Natural person	An individual who is not a legal or juristic person such as a corporation
Personal Information	Means information relating to an identifiable living natural person and existing juristic person as defined in the POPIA

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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.
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 whether or not it was created by that public or private body, respectively
Requester	A person who makes a request for access to a record of a public body, including a person acting on behalf of someone else.
Request fee	The fees to be paid to the public body before further processing of the request.
Responsible Party	Means a public or private body or any other person who, alone or in conjunction with others, determines the purpose of and means for processing personal information.
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.

1. INTRODUCTION

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 the state; and any information that is held by another person and that is required for the exercise or protection of any rights”. It further states that national legislation must be enacted to give effect to section 32 of the Constitution and as such the Promotion of Access to Information Act was promulgated and came into operation on the 9 March 2002, therefore giving effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights.

Further to legislation regulating access to information held by either public or private bodies, the government deemed it necessary to enact another legislation to regulate the protection of persons’ personal information and establish the minimum requirements for the processing of personal information. Protection of Personal Information Act defines personal information to mean information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;

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- c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;
- f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the person; and
- h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;”

Section 4 (1) of POPIA provides eight conditions under which Personal Information may legally be gathered and processed. It affords Data Subjects the right to request access, in accordance with the provisions of PAIA, to their personal information from any Responsible Party.

2. PURPOSE OF THE MANUAL

The Promotion of Access to Information Act, No. 2 of 2000 (PAIA) was enacted to provide fulfilment of the Constitutional rights of access to information and protection of individual or organisation's right, 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.

In terms of the provisions of section 14 of PAIA, public bodies are required to compile and produce a manual that would assist in detailing information on how to access information held by public bodies. The PAIA manual gives effect to section 32 by means of the following-

- Providing and describing the processes that must be followed to make a request for information.
- Describing the structure and functions of the public body, from whom you have made a request.
- Description of PAIA Section 10 Guide compiled by South African Human Rights Commission and how to access it.
- Defining what mechanisms and procedures are available to you if your request for access to information is refused.
- Stating from whom you can make a request.
- Defining what information can be requested.
- Describing when the requested information can be refused.

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3. STRUCTURE AND FUNCTIONS OF THE DSBD

3.1 DSBD's Mandate

To lead and coordinate an integrated approach to the promotion and development of entrepreneurship, Small, Micro and Medium Enterprises (SMMEs) and Co-operatives, and to ensure an enabling legislative and policy environment to support their growth and sustainability.

3.2 DSBD's VISION

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

3.3 VALUES

3.3.1 Innovation – Foster innovative ideas and solutions to deliver exceptional results; and continuously seek new and better ways to serve our clients.

3.3.2 Integrity -to consistently honour our commitments, uphold ethical, honest behaviour and transparent communication.

3.3.3 Professionalism — to serve with utmost respect, competence, mannerism and cooperate with all role players.

3.3.4 Customer centric - to ensure customer service excellence, understand customer needs and respond timeously.

3.3.5 Commitment — to be committed to efforts of job creation, alleviating poverty, reducing inequality.

3.3.6 Caring organisation – to invest in the growth and development of staff members.

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3.4 Strategic outcome-oriented goals and Strategic Objectives

STRATEGIC GOAL	AN EFFECTIVE AND EFFICIENT ADMINISTRATION
GOAL STATEMENT	To create a stable public service organisation as reflected by efficient service delivery, policy implementation, sound governance, systems, and processes to ensure the effective utilisation and leveraging of resources.
STRATEGIC OBJECTIVES	1.1. To promote compliance and good governance
	1.2. To drive sound financial management and controls
	1.3. To maintain a sound performance planning, reporting and monitoring process
	1.4. To build human resource capability and promote culture of high performance
	1.5. To promote external and internal communication on the work of the Department
STRATEGIC GOAL	2. An enabling environment for competitive small businesses and co-operatives
GOAL STATEMENT	To promote integrated planning and the review of existing legislation and policies to create a simplified environment for the development and promotion of small businesses.
STRATEGIC OBJECTIVES	2.1. To create a conducive legislative & policy environment for SMMEs and Co-operatives
	2.2. To drive integrated planning and monitoring for SMMEs and Cooperatives development in townships and rural areas
	2.3. To drive a comprehensive research agenda on key areas of support to SMMEs and Co-operatives
	2.4. To develop and implement a relevant international relations strategy
STRATEGIC GOAL	SUSTAINABLE SMALL BUSINESS AND CO-OPERATIVES IN TOWNSHIPS AND RURAL AREAS
GOAL STATEMENT	To provide business support services to small businesses and Cooperatives in townships and rural areas, in particular, to stimulate jobs and wealth creation.

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STRATEGIC OBJECTIVES	3.1. To design and implement targeted programmes to support new and existing small and medium enterprises townships and rural areas
	3.2. To increase participation of SMMEs and Co-operatives in the mainstream economy
	3.3. To coordinate and maximize support for SMMEs and Co-operatives through public and private partnerships

3.5 PROGRAMMES AND SUB-PROGRAMMES

3.5.1 PROGRAMME 1: ADMINISTRATION

Purpose: Provide strategic leadership, management and support services to the department.
Strategic Goal 1: An effective and efficient administration:

It comprises of the following sub-programmes:

- (i) The Ministry:** Provides leadership and policy direction to the department.
- (ii) Departmental Management:** Provides overall management of the DSBD's resources.
- (iii) Corporate Services:** Provides enterprise-wide support services and integrated resource solutions in communications and marketing, facilities management, human resource management, information and communication technology, legal services, and security management.
- (iv) Financial Management:** Provides strategic leadership support to the department, with respect to supply chain, financial and asset management related services to the Department.

3.5.2 SECTOR POLICY AND RESEARCH

Purpose: To oversee transversal support within the eco-system to provide a conducive environment for SMMEs.

FUNCTIONS:

- (i) Oversee the provision of evidence-based business information and Sector-wide Monitoring and Evaluation.

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- (ii) Oversee intergovernmental relations to reduce administrative and regulatory burdens for SMMEs.
- (iii) Oversee initiatives to increase the development, participation and sustainability of small-scale manufacturers in key industries.

3.5.2.1 It comprises of the following Chief Directorates:

(a) Business Intelligence and Sector-Wide M&E

Purpose: To manage provision of evidence-based business information and Sector-wide Monitoring and Evaluation

(b) Intergovernmental Relations and Business Efficiency

Purpose: To manage and facilitate intergovernmental relations to reduce administrative and regulatory burdens for SMMEs.

(c) Sector Specific Support

Purpose: To manage initiatives to increase the development, participation and sustainability of small-scale manufacturers in key industries.

3.5.3 INTEGRATED CO-OPERATIVES AND MICRO ENTERPRISE DEVELOPMENT

Purpose: To drive economic transformation through integrated informal business, Co-operatives and Micro Enterprise Development and Support.

FUNCTIONS:

- (i) Oversee economic transformation through Informal Business, Co-operatives and Micro Enterprise Development and support services.
- (ii) Oversee the coordination of business infrastructure services to small businesses, cooperatives and the informal sector.
- (iii) Oversee market access support that grows value market chains.

3.5.3.1 It comprises of the following Chief Directorates:

(a) Economic Transformation Initiatives

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Purpose: To manage economic transformation through Informal Business, Co-operatives and Micro Enterprise Development and Support.

(b) Value Chain and Market Access Support

Purpose: To manage the provision of market access support that grows value market chains.

3.5.4 ENTERPRISE DEVELOPMENT, INNOVATION AND ENTREPRENEURSHIP

Purpose: To oversee the promotion of an ecosystem that enhances entrepreneurship and innovation during the establishment, growth and sustainability of SMMEs.

FUNCTIONS:

- (i) Manage the formulation of policy instruments and advocacy work aimed at the inclusion of SMMEs in the mainstream economy.
- (ii) Oversee expansion of access to finance for SMMEs, Co-operatives and the informal sector through an integrated approach.
- (iii) Manage provision of innovative solutions that support transversal applications management and digital businesses support.

3.5.4.1 It comprises of the following Chief Directorates:

(a) Entrepreneurship And Enterprise Development

Purpose: To manage the formulation of policy instruments and advocacy work aimed at the inclusion of SMMEs in the mainstream economy.

(b) Funding Support and Coordination

Purpose: To oversee expansion of access to finance for SMMEs, Co-operatives and the Informal Sector through an integrated approach.

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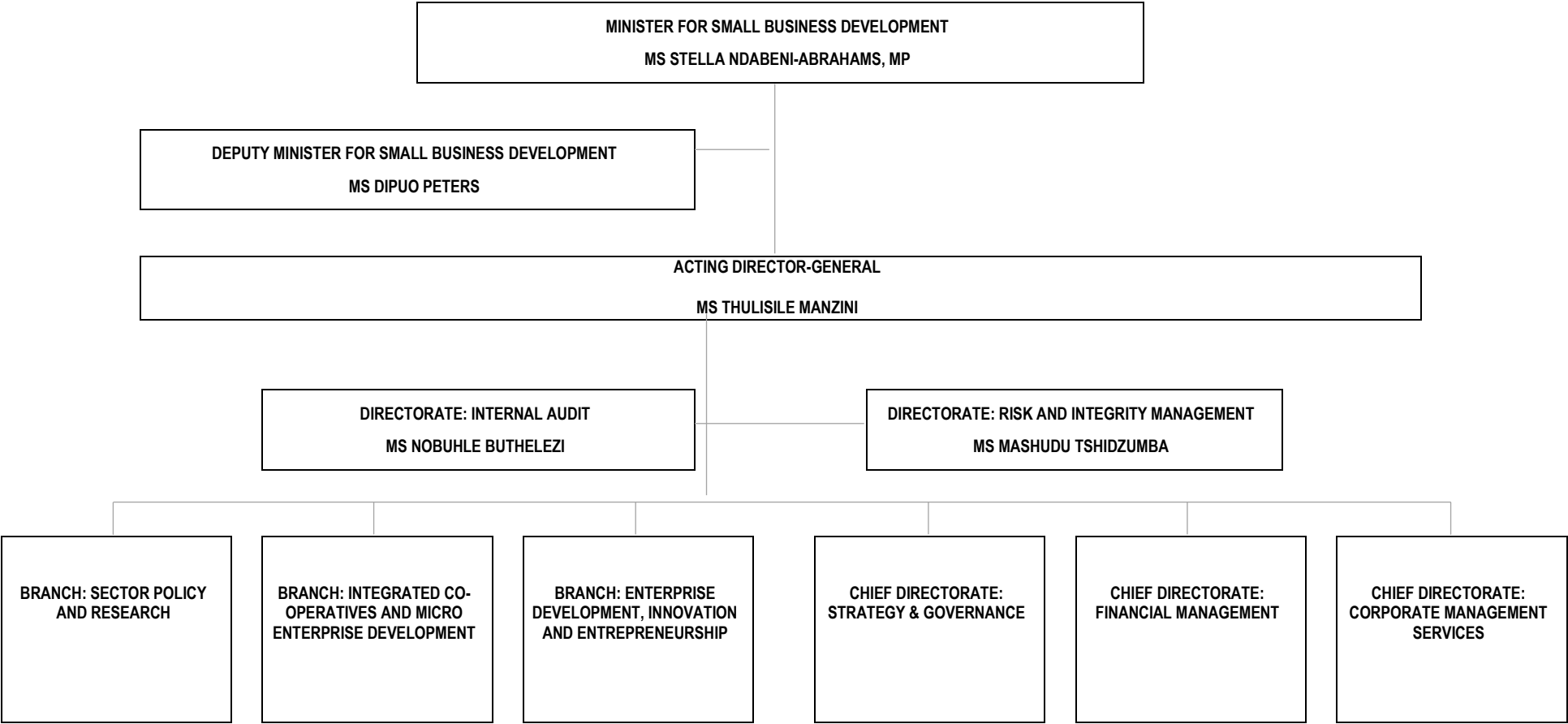
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3.6. Organisational Structure




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4 SECTION 10 GUIDE ON HOW TO USE THE ACT

- 4.1 The Information Regulator has, in terms of section 10(1) of PAIA, updated, and made available the revised guide on how to use PAIA (the **Guide**), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2 The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of:
- 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 6 of POPIA;
 - 4.3.3. the manner and form of a request for:
 - 4.3.3.1. access to a record of a public body contemplated in section 11; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50;
 - 4.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Information Regulator in terms of PAIA and POPIA;
 - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Information Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body;
 - 4.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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4.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92.

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Information Regulator during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Information Regulator <https://www.justice.gov.za/infoereg/>.

5 DSB CONTACT DETAILS

5.1 Information Officer

ACTING DIRECTOR-GENERAL	PHONE	EMAIL ADDRESS
Ms Thulisile Manzini	(012) 394 5817	dg@dsbd.gov.za

5.2 Deputy Information Officer (DIO)

NAME	EMAIL ADDRESS
Mr. Elmon Lekoloane	ELekoloane@dsbd.gov.za
Mr. Bathandwa Mlambo	BMlambo@dsbd.gov.za
Ms. Liepollo Monaheng	LMonaheng@dsbd.gov.za
Ms Sylvia Thobejane	SThobejane@dsbd.gov.za

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5.3 Addresses

POSTAL ADDRESS	PHYSICAL ADDRESS	WEBSITE
The Information Officer DSBD Private Bag X84 PRETORIA 0001	The Information Officer Department of Small Business Development Block G, the dtic Campus 77 Meintjies Street Sunnyside PRETORIA 0001	www.dsbd.gov.za

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 Divisional Administration

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

6.1.4 Contact Management and Stakeholders

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.

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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 salaries, leave, skills and development plans for individuals, as well as objectives for individuals and their performance against these.

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.

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.

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6.2 Categories of Records Automatically Available from DSBD

6.2.1 Publications Available

- Annual Performance Plan (APP)
- Black Business Supplier Development Programme
- Co-operatives catalogue
- Co-operative Incentive Scheme (CIS)
- Co-operatives Act no 14 of 2005
- Co-operatives Amendment Act, 2013 (Act No. 06 of 2013)
- Co-operatives handbook
- Guidelines to Co-Ops Act
- Co-operatives information leaflet
- Guide to the Co-Operatives Act 2005
- CIS Guidelines
- The National Informal Business Upliftment Strategy (NIBUS)
- DSBD Annual Report
- News
- National Small Business Act, 2004
- PAIA Manual
- Small Business Connect

6.2.2 Information Available on the DSBD Website

- Overview of DSBD
- SMME development
- News and Events
- Contact Details
- DSBD Values
- About DSBD
- Co-operatives
- Enterprise Development and Entrepreneurship
- Administration
- Minister Stella Tembisa Ndabeni-Abrahams
- Deputy Minister Dipuo Peters
- Mandate, Vision and Mission
- DSBD Programmes
- Leadership
- Strategic Objectives

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7. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY DSBD

Consultation is a form of participation in which DSBD utilizes inviting members of the public to participate in giving their views and feedback on policy formulation affecting the society. It can be organised with group of participants representing the public and engaging the stakeholders directly affected by the policy or decision making in expressing their opinion.

8. PROCESSING OF PERSONAL INFORMATION

To safeguard the privacy and protection of personal information, all personal information processed by DSBD is managed in terms of relevant DSBD policies and the POPIA principles.

8.1 Purpose of Processing

DSBD uses the Personal Information under its care in the following ways-

- Customer interaction (applications for grants)
- 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.

8.2 Categories of Data Subjects and their Personal Information

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

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; 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.

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ENTITY TYPE	PERSONAL INFORMATION PROCESSED
Contracted Service Providers	Names of contact persons; 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.

8.3 Categories of recipients for processing Personal Information

DSBD may supply Personal Information to service providers and other Government bodies and institutions who render the following services:

- 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 services and for court processes.

8.4. 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:

- Outward bound missions / national pavilions (names, company names, passports) – to SA foreign missions (officials, clients/company representatives) and Foreign Chambers of commerce;
- Trade enquiries going to foreign offices;
- Foreign Economic representatives (FERS) (Human Resource information).

8.5 General Description of Information Security Measures

DSBD employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care, which are:-

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- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- 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 to the Minimum Information Security Standard (MISS) requirements for storage and management of physical records.

8.6 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 the prescribed **Form C** attached to this manual.

8.7 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 the prescribed **Form D** attached to this manual.

9. PROCEDURES FOLLOWED FOR REQUESTING ACCESS TO RECORDS

9.1 Process 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:

9.1.1 Application process

To request information, the request form (**Form A** attached hereto) must be completed and submitted to the Deputy Information officer as follows:

BY POST	BY HAND	PER EMAIL
The Deputy Information Officer DSBD Private Bag X84 PRETORIA 0001	The Deputy Information Officer DSBD Block G, Ground Floor 77 Meintjies Street Sunnyside PRETORIA 0001	BMLambo@dsbd.gov.za ELekoloane@dsbd.gov.za LMonaheng@dsbd.gov.za SThobejane@dsbd.gov.za

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

As prescribed by the Act, an amount of R35.00 must accompany the request for information if it is not from a personal requester. This amount is payable by cheque or cash, if delivered by hand, or may be deposited into DSBD's bank account, in which case proof of the deposit must accompany the request form.

ACCOUNT	DETAILS
Account Name	DSBD Deposit Account
Account Type	Business Current Account
Branch Opened:	Centurion
Branch code:	012645
Account number:	370 296 726
CIF Number to be linked	30009105

9.1.2 Validation and acknowledgement

The Deputy Information Officer of the DSBD receives and validates the request to ascertain if the required information is available. The request is then accepted or rejected or transferred to the rightful custodian of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

9.1.3 Information processing

If the request is accepted, the DSBD will gather and prepare the information and calculate the relevant.

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

9.1.4 Payment and delivery

Once the payment as stipulated above is received, the information will be released to the requester.

9.2 Additional Information

9.2.1 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:

- Particulars of the public body;

RESPONSIBILITY MANAGER:


NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

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DATE: _____

- Details of person requesting access to the records;
- Particulars of the person on whose behalf the request is being made;
- Particulars of the requested record or records;
- Required form of access;
- The contact details of the requester;
- Whether the record concerned should be in a specific language;
- Reason or purpose of the request and
- 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 particular record(s).

9.2.2 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 time periods. The 30-day 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-day period. In such circumstances, DSBD will notify the requester in writing of the inability to supply the information within 30 days.

9.2.3 If a request is made on behalf of another person, the requester must submit proof of capacity in which he or she is making the request to 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.

9.3 Fees

On receipt of a request for information, the Information Officer will require the requester to pay the prescribed fee before further processing of the request.

9.3.1 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.

9.3.2 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

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

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DATE: _____

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SIGNATURE:  _____

DATE: _____

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 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 (8) of the PAIA, 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:

DESCRIPTION	AMOUNT
The request fee payable by requester	R100, 00
Photocopy of per A4-size page or part thereof	R1,50
Printed copy of A4 page or part thereof	R1,50
For a copy in a computer-readable- form on: (1) Flash drive (provided by the requester) (2) Compact disc: (a) if provided BY the requester (b) if provided TO the requester	(1) R40, 00 (2)(a) R40, 00 (2)(b) R60, 00
For a transcript of visual images per A4-size page	Service to be outsourced. Will depend on the quotation from Service provider.
Transcription of an audio record, per A4-size page	R24, 00
Copy of an audio record on: (1) Flash drive (to be provided by the requester) (2) Compact disc: (a) If provided BY the requester (b) If provided TO the requester	(1) R40, 00 (2)(a) R40, 00 (2)(b) R60, 00
To search for and prepare the record for the disclosure for each hour or part of an hour, excluding the first (i.e. the first hour is free of charge), reasonably required for such search and preparation. To NOT EXCEED a total cost of:	R100, 00 R300, 00
Deposit if search exceeds 6 hours NOTE: the amount payable as a deposit must not exceed one third of the amount payable, if the request is granted.	One third amount per request calculated in terms of items 2 to 8.

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NAME: MS MBALI MBATHA

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DATE: _____

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NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

Postage, email or any other electronic transfer	Actual expense if any.

10. GRANTING OR REFUSING OF REQUESTS

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

10.1.1 Protection of the privacy of a third party: Section 34 (1) of PAIA states that an Information Officer of a public body may refuse a request for access to a record of the body if its disclosure would involve the unreasonable disclosure of personal information about a third party, 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 official in 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.

10.1.2 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.

RESPONSIBILITY MANAGER:

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NAME: MS THULISILE MANZINI

SIGNATURE:  _____

SIGNATURE:  _____

DATE: _____

DATE: _____

10.1.3. 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 case where the requested record contains information concerning the person or requester on whose behalf the request is being made.

10.1.4 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.

10.1.5 Protection of the safety of individual 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.

10.1.6 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.

10.1.7 Protection of information in legal proceedings: The information pertaining to 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 matter to the relationship between an attorney and his/her client must be protected.

10.1.8 Protection of Research Information: Access to records which holds information pertaining to 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.

10.1.9 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. Request of access to

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SIGNATURE:  _____

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DATE: _____

records that proves that it will compromise the safety of South Africa may be refused by an Information Officer.

10.1.10 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 interest of the country.

10.1.11 Information relating to 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 on 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.

10.1.12 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.

10.1.13 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.

11. APPEALS

11.1 The requester has the right to lodge an appeal with the Minister against the decision of the Information Officer where the request for information is denied.

11.2 If the Chief Information Officer fails to respond to a request within 30 days of receipt or any extended period to a request for access to information, the requester may file an internal appeal, as per the processes outlined herein, before the requester may approach the Regulator or a Court of law.

11.3 When lodging an internal appeal process, the requester must fill in the PAIA Form B which is obtainable from the DSBD website and can also be found on the South African Human Rights Commission website.

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

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SIGNATURE:  _____

DATE: _____

- 11.4 Form B is submitted to the Information Officer or Deputy Information Officer who denied the initial request and who is then expected to escalate it to next level of seniority, in this case the Minister. 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
 - On 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.
- 11.5 An internal appeal must be lodged within 60 days of receiving the refusal for the original request.
- 11.6 If the appeal requires that notice be given to a third party then the appeal must be lodged within 30 days of notice being provided.
- 11.7 An internal appeal lodged after the expiry date must be accepted by the CIO if good reasons exist for the late lodging of an internal appeal.
- 11.8 If the late lodging of an internal appeal is not granted, the CIO must provide notice to the person who lodged the appeal.
- 11.9 The following information must be included on an internal appeal form-
- Must identify the subject of the appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant;
 - If, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
 - If applicable, must be accompanied by the prescribed appeal fee, and must specify a postal address or fax number.
- 11.10 If the relevant authority disallows the late lodging of the appeal, he/she must give notice of that decision to the person who lodged the internal appeal. A requester lodging the appeal against the refusal of his/her request for access must pay the prescribed appeal fee (if any).
- 11.11 If the prescribed appeal fee is payable in respect of an internal appeal, the decision on the internal appeal may be deferred until the fee is paid.
- 11.12 As soon as reasonably possible, but in any event within 10 working days after receipt of an internal appeal, the Information Officer must submit to the relevant authority-

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

- The internal appeal together with his/her reasons for the decision concerned; and
- If the internal appeal is against the refusal or granting of a request for access, the name, postal address, email address phone and fax numbers, whichever is available, of any third party that must be notified of the request.

11.13 The Minister must decide on the internal appeal within 30 days after the internal appeal is received by the Information Officer.

12. PROCEDURES FOR REPORTING OR REMEDYING

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

The internal appeal authority for purposes of this Policy Manual is the Minister. After exhausting the internal appeal remedy, an application may be lodged with a court (sections 78 – 82 of PAIA).

12.2 A person may lodge a complaint with the Regulator about alleged violations of the protection of personal information of data subjects in terms of POPIA.

12.3 A public-service employee may lodge a grievance or complaint for investigation by the Public Service Commission concerning an official.

12.4 A person may use labour remedies regarding official acts or omissions of a labour nature, namely disputes of rights (Public Service Act, 1994 (Act 108 of 1994 as amended and Labour Relations Act, 1995 (Act No. 66 of 1995 as amended).

12.5 A person may lodge a complaint with a labour inspector concerning any alleged contravention of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997) or the Employment Equity Act, 1998 (Act 55 of 1998).

12.6 A person may lodge a complaint with the Public Protector concerning a suspected unlawful or improper official act or omission (the Constitution and the Public Protector Act, 1994 (Act 23 of 1994).

12.7 A person may lodge a complaint with the SAHRC concerning an official act or omission that is suspected to constitute a violation of, or threat to any fundamental right (South African Human Rights Commission Act, 2013 (Act No. 40 of 2013).

12.8 To be protected from reprisals because of a disclosure regarding unlawful or irregular conduct by the employer or a fellow employee, the person in question may follow the disclosure procedures in the Protected Disclosures Act, 2000 (Act 26 of 2000).

12.9 A person may use other legal remedies such as the institution of proceedings for the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000).

13. OTHER SUPPORTIVE REMEDIES

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

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

14. DUTY TO REPORT

- 14.1 A public-service employee, in the course of his/her official duties, is obliged in terms of the Code of Conduct to report to the appropriate authorities, fraud, corruption, nepotism, maladministration and any other act which constitutes an offence, or which is prejudicial to the public interest. An employee who fails to comply with this is guilty of misconduct. (Regulation B.3 and C.4.10 of Chapter 2 of the Public Service Regulations, 2001).
- 14.2 The responsibility of every employer and employee to disclose criminal and any other irregular conduct in the workplace also underpins the Protected Disclosures Act, 2000 (Preamble).

15. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 15.1 The Information Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 15.2 The Guide is available in each of the official languages.
- 15.3 The aforesaid Guide contains the description of:
- 15.3.1. the objects of PAIA and POPIA;
 - 15.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 15.3.2.1. the Information Officer of every public body, and
 - 15.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- 15.4. The manner and form of a request for-
- 15.4.1 access to a record of a public body contemplated in section 11;
 - 15.4.2 access to a record of a private body contemplated in section 50;
 - 15.4.3 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 15.4.4 the assistance available from the Regulator in terms of PAIA and POPIA;

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

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SIGNATURE: 

DATE: _____

15.4.5. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

15.4.5.1. an internal appeal;

15.4.5.2. a complaint to the Regulator; and

15.4.5.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

15.4.5. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual and how to obtain access to a manual;

15.4.6. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

15.4.7. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

15.4.8. the regulations made in terms of section 92.

15.5. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

15.5.1. upon request to the Information Officer;

15.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

16. APPENDICES

FORM A

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

(Address)

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person).			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of
record or relevant
part of the record:

Reference number, if
available

Any further
particulars of record

TYPE OF RECORD

(Mark the applicable box with an "X")

Record is in written or printed form

Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

Record consists of recorded words or information which can be reproduced in sound

Record is held on a computer or in an electronic, or machine-readable form

FORM OF ACCESS

(Mark the applicable box with an "X")

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS
(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (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)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

RESPONSIBILITY MANAGER:

APPROVED BY:

NAME: MS MBALI MBATHA

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

SIGNATURE:  _____

DATE: _____

DATE: _____

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

FORM B

INTERNAL APPEAL FORM

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?	Yes		No	
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED (If lodged by a third party)				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

	Cellular	
E-Mail Address		

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
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	
GROUND FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. All the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication (<i>Please specify</i>)

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

**FOR OFFICIAL USE
 OFFICIAL RECORD OF INTERNAL APPEAL**

Appeal received by: (state rank, name and surname of Information Officer)		
Date received:		
Appeal accompanied by the reasons for the 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:	Yes	
	No	

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes		New decision (if not confirmed)	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Access (Sec 29(3)). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Request for access granted. Confirmed?	Yes		New decision (if not confirmed)	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE:  _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE:  _____

DATE: _____

FORM C

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)

Note:

1. Affidavits or other documentary evidence in support of the objection must 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.

A	DETAILS OF DATA SUBJECT
Name and surname of data subject:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of responsible party (if the responsible party is a natural):	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

Name of public or private body (if the responsible party is not a natural person):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR OBJECTION (Please provide detailed reasons for the objection)

Signed at this day of20.....

.....
Signature of data subject (applicant)

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE:

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE:

FORM D

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

Note:

1. Affidavits or other documentary evidence in support of the request must 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.

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.

Name of public or private body (if the responsible party is not a natural person):	
G	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY. (Please provide detailed reasons for the request)

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: 

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: 

DATE: _____

A	DETAILS OF THE DATA SUBJECT	
Surname:		
Full names:		
Identity number:		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		
B	DETAILS OF RESPONSIBLE PARTY	
Name and surname of responsible party (if the responsible party is a natural person):		
Residential, postal or business address:		
	Code ()	
Contact number(s):		
Fax number:		
E-mail address:		

* *Delete whichever is not applicable*

Signed at this day of20.....

.....
Signature of Data subject

RESPONSIBILITY MANAGER:

NAME: MS MBALI MBATHA

SIGNATURE: _____

DATE: _____

APPROVED BY:

NAME: MS THULISILE MANZINI

SIGNATURE: _____

DATE: _____