

GAUTRAIN MANAGEMENT AGENCY



MANUAL

**IN TERMS OF SECTION 14 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 OF 2000**

1. DEFINITIONS

In this Manual, unless the context requires or indicates otherwise –

- 1.1 “**access fee**” means a fee prescribed for the purposes of reproduction and for search and preparation, and for time reasonably required in excess of the hours prescribed to search for and to prepare the record for disclosure;
- 1.2 “**the Act**” means the Promotion of Access to Information Act 2 of 2000 (Act No. 2 of 2000);
- 1.3 “**Agent**” means any entity or person that act in a representative capacity, on behalf of the GMA;
- 1.4 “**court**” means –
 - (a) the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution of the Republic of South Africa, 1996; or
 - (b) (i) a High Court or another court of similar status; or
 - (ii) a Magistrate’s Court, either generally or in respect of a specified class of decisions in terms of PAIA, designated by the Minister; by notice in the Gazette and presided over by a magistrate or an additional magistrate designated in terms of section 91A of PAIA, within whose area of jurisdiction –
 - (aa) the decision of the Information Officer or relevant authority of a public body or the head of a private body has been taken;
 - (bb) the public body or private body concerned has its principal place of administration or business; or
 - (cc) the requester or third party concerned is domiciled or ordinarily resident;
- 1.5 “**Data Subject**” means the person to whom personal information relates, or that person’s legal guardian or curator, in the case of a minor or a person with a mental incapacity;
- 1.6 “**Deputy Information Officer/s**” means the official/s duly authorised by the Information Officer to ensure that the requirements of PAIA are adhered to or administered in a fair, objective and unbiased manner;
- 1.7 “**GMA**” means a provincial public entity established in terms of the Gautrain Management Agency Act of 2006, (Act No. 5 of 2006) (“GMA Act”);

- 1.8 “**Guide**” means the book produced by the Human Rights Commission in terms of section 10 of PAIA for the purposes of reasonably assisting a person who wishes to exercise any right in terms of PAIA;
- 1.9 “**Human Rights Commission**” means the South African Human Rights Commission;
- 1.10 “**Information Officer**”, in relation to the GMA, means the Chief Executive Officer;
- 1.11 “**MEC**” means the Member of Executive Council responsible for Public Transport and Roads Infrastructure in the Gauteng Province;
- 1.12 “**PAIA**” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);
- 1.13 “**person**” means a natural or a juristic person;
- 1.14 “**personal requester**” means a requester seeking access to a record containing personal information about the requester;
- 1.15 “**POPI Act**” means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013);
- 1.16 “**private body**” means –
- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
 - (b) a partnership which carries or has carried on any trade, business or profession; or
 - (c) any former or existing juristic person; but excludes a public body;
- 1.17 “**public body**” means –
- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or
 - (b) any other functionary or institution when –
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any other legislation;
- 1.18 “**record**” means any recorded information –
- (a) regardless of the form or medium;

(b) in the possession or under the control of the GMA or any public or private body respectively; and

(c) whether or not it was created by the GMA or that public or private body;

1.19 **“request for access”** means a request for access to a record in terms of section 11 of PAIA;

1.20 **“requester”** means –

(i) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or

(ii) a person acting on behalf of the person referred to in subparagraph (i);

1.21 **“third party”** means any person (including, but not limited, to the government of a foreign state, an international organisation or an organ of that government or organisation) other than –

(i) the requester concerned; and

(ii) a public body.

1.22 **“working days”** means any days other than Saturdays, Sundays or public holidays, as defined in section 1 of the Public Holidays Act, 1994 (Act, No. 36 of 1994).

In this Manual, words importing any one gender shall include the other genders, and the singular shall include the plural, unless the context indicates otherwise.

SECTION ONE

2. PURPOSE OF PROMOTION OF ACCESS TO INFORMATION ACT

2.1 The cardinal purpose of PAIA is to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is requested or required for the exercise or protection of any rights. PAIA sets out the requisite procedures associated with any such request.

2.1 In terms of PAIA, where a request for information is made to a public body, there is an obligation to provide the information, except where PAIA expressly provides that the information may not be released. The constitutional right to access to information is subject to:

2.1.1 justifiable limitations including, but not limited to, limitations aimed at reasonable protection of privacy, confidentiality as well as effective and efficient good governance; and

2.1.2 the balancing of such right with any other rights, including the Bill of Rights, as enshrined in the 1996 Constitution.

2.2 PAIA establishes a voluntary and mandatory mechanism or procedure to give effect to the right to access to information in a manner which enables persons to obtain access to records of public bodies as swiftly, inexpensively and effortlessly as reasonably possible.

2.3 Section 14 of PAIA requires public bodies to compile a manual, in at least three official languages, containing information on the public body for public consumption, and subject to the requirements set out in PAIA.

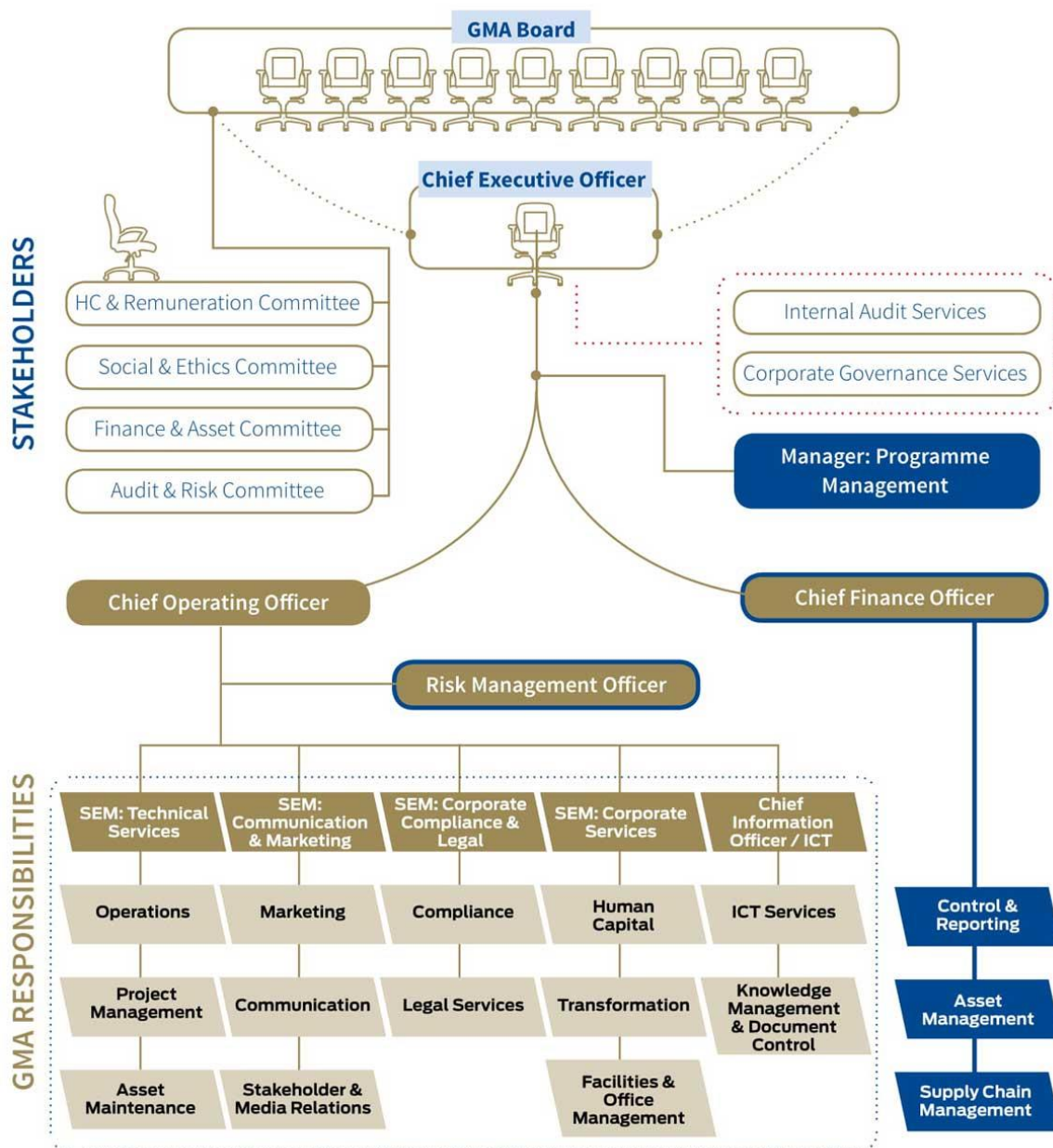
2.4 The purpose of this manual is therefore to inform the public about the records held by the GMA (the public body in terms of PAIA) and how to obtain access to them.

3 STRUCTURE, OBJECTS, FUNCTIONS AND POWERS OF THE GAUTRAIN MANAGEMENT AGENCY

Structure

3.1 The GMA is a provincial public entity listed under Schedule 3(C) of the Public Finance Management Act, No. 1 of 1999, and was established in terms of the GMA Act. GMA, as an agency of the Gauteng Provincial Government (“the Province”), has the MEC responsible for Public Transport and Roads Infrastructure as its Executive Authority and the GMA Board as its Accounting Authority. The daily management of the business and affairs of the GMA is the responsibility of the Chief Executive Officer (“CEO”), who is duly assisted in this regard by his management team.

3.2 The diagram below illustrates the structure of the GMA.



Objects

3.3 The GMA was established to, amongst others, manage, co-ordinate and oversee the Gautrain Rapid Rail Link Project (“the Project”) and, without derogating from the generality of the foregoing, to also-

3.3.1 assist the Province in implementing the Project and achieving its objectives;

3.3.2 act on behalf of the Province in managing the relationship between the Province and concessionaires in terms of concession agreements and ensure that the interests of Province are protected;

3.3.3 manage assets relating to the Project and promote their preservation and maintenance;

- 3.3.4 manage the finances of the Project and the financial securities provided by concessionaires;
- 3.3.5 liaise with and promote co-operation between government structures in all three spheres of government in relation to the Project;
- 3.3.6 liaise with persons having an interest in the Project;
- 3.3.7 promote and maximise the socio-economic development and BBBEE objectives of the Province in relation to the Project;
- 3.3.8 monitor the policy and legislative environment of the Project; and
- 3.3.9 enhance the integration of the Project with other transport services and Public Transport Plans.

Functions

3.4 In terms of the GMA Act, the GMA must exercise the following **functions**:

- 3.4.1 carry out the duties assigned to it by the GMA Act, the National Railway Safety Regulator Act, No. 16 of 2002 or any applicable law;
- 3.4.2 exercise the rights and perform the duties of the Province in terms of the concession agreements;
- 3.4.3 manage and oversee the concession agreements on behalf of the Province;
- 3.4.4 act as an agent of the MEC under section 56(2) of the Gauteng Transport Infrastructure Act, No. 8 of 2001, in relation to the protection of the rail reserve and other provincial transport infrastructure involved in the Project;
- 3.4.5 establish and operate information and management systems for the Project;
- 3.4.6 liaise and exchange information with institutions, authorities or professional bodies regarding rail matters in South Africa or in other countries; and
- 3.4.7 perform any other function related to transport service that may be delegated to the Agency by the MEC from time to time.

Powers

3.5 GMA is empowered by the GMA Act to exercise the **powers** set out below and to do all that is necessary to perform its functions including: -

3.5.1 to purchase, hire or otherwise acquire and hold, sell, exchange or let or otherwise deal with assets for purposes of the GMA Act, provided that the assets may not be acquired or alienated without the approval of the MEC responsible for Treasury in the Province;

3.5.2 to ensure that GMA is sufficiently insured against any risk, loss or damage connected with the exercise of its powers or performance of its functions or duties;

3.5.3 to exercise any power or perform any other function conferred or imposed on it by or in terms of the GMA Act or any other Act; and

3.5.4 to do anything else which is reasonable ancillary to any of its objects, functions and powers.

3.6 In order to facilitate the design, development, operation and maintenance of the Project, the Province entered into a Concession Agreement (“the CA”) with Bombela Concession Company (Pty) (Ltd) (“Bombela”).

3.7 The operationalisation of the Project is, therefore, done in the form of a Public Private Partnership between the Province and Bombela, which has been entered into in accordance with Treasury Regulation 16. To this end, Bombela undertook to, among others, design, construct, operate and maintain the Gautrain System.

3.8 In this regard, Bombela carries out a public function on behalf of the Province. Consequently, Bombela has been given certain powers and rights to enable it to comply with its contractual obligations, as outlined in the CA.

SECTION TWO

4 CONTACT DETAILS OF GMA

[SECTION 14(1) (b)]

4.1 INFORMATION OFFICER

In terms of the Act, the Chief Executive Officer of the GMA is the Information Officer.

Postal Address : P.O. Box 1266
Kelvin, 2054

Physical Address : 44 Grand Central Boulevard

Grand Central Ext 1
Midrand

Phone Number : +27 11 086 3500
Fax Number : +27 11 580 0604
Website : www.gautrain.co.za
Information Officer : CEO
Information Officer's Electronic Mail Address : williamd@gautrain.co.za

4.2 DEPUTY INFORMATION OFFICER/S

In accordance with the provisions of the Act, the Information Officer has duly authorised three Deputy Information Officers. When making a request, please direct it to one of the following Deputy Information Officers.

Deputy Information Officer : Chief Operating Officer
Email Address : tshepok@gautrain.co.za

Deputy Information Officer : Chief Information Officer
Email Address : nkhanel@gautrain.co.za

Deputy Information Officer : Senior Executive Manager: Legal and Compliance
Email Address : ntherim@gautrain.co.za

5. GUIDE COMPILED BY THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION ("SAHRC")

The guide contemplated in section 10 of PAIA is available from SAHRC. In this regard, any queries may be directed to:

SAHRC
PAIA Unit
Research and Document Department
Private Bag 2700
Houghton, 2041

Telephone : +27 11 877 3640/3769
Fax : +27 11 484 1366
Email : PAIA@sahrc.org.za
Website : www.sahrc.org.za

SECTION THREE

6. PROCEDURE FOR ACCESSING OR REQUESTING GMA RECORDS

A request for access to records held by the GMA must be made by completing the prescribed Form, and by delivery, posting or transmitting it to any of the addresses or contact details referred to in paragraph 4 of this Manual. The requester, when submitting a request for access to the GMA records, must use **Form A**, which is attached hereto. It should be noted that the prescribed access fee and request fee may be charged in respect of any request for access to the GMA records.

A template or pro forma copy of the request form as well as details thereof can also be obtained from the website of the SAHRC (www.sahrc.org.za) or from that of the Department of Justice and Constitutional Development (www.justice.gov.za).

Request on behalf of another person

If the request is made on behalf of another person, a requester must submit proof of the capacity in which he or she is making the request, to the reasonable satisfaction of the Information Officer [s 18(2)(f)].

Request by people with disabilities

(a) If a requester is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make an oral request. The Information Officer will then complete the form on behalf of the requester and give a copy of the completed form to the requester [s 18(3)].

(b) The Information Officer will assist a requester to comply with the abovementioned requirements to request access to information, including referring a requester to another public body, if it is apparent that the request for information should have been made, to such other body [s 19].

Transfer of requests [s 20]

(a) The Information Officer of the GMA must transfer requests for records to another public body when:

- (i) The record is in the possession of that public body;
- (ii) the subject matter of the record is more closely associated with the functions of that public body;
- (iii) the record was created for that public body, or was received first by that body; or
- (iv) the record contains commercial information in which that public body has a greater commercial interest.

(b) In instances where paragraph (c) above applies, the Information Officer would have to transfer the request to the other public body as soon as is reasonably possible, but within 14 days after the request is received. If the GMA is in possession of the record which is being requested and its Information Officer considers it helpful to do so to enable the Information Officer of the other public body to deal with the request, the record or a copy of the record will be sent to that Information Officer.

(c) If a request for access to a record has been transferred, any period prescribed for the completion of an activity related to the request must be computed from the date it was received by the Information Officer to whom the request was transferred. All the relevant periods that apply to a request for information have to be adhered to.

Notification of transfer

- (a) When a request for access has been transferred, the Information Officer making the transfer will immediately notify the requester of:
 - (i) The transfer;
 - (ii) The reasons for the transfer; and
 - (iii) The period within which the request must be dealt with [s 20(5)].
- (b) The Information Officer must reasonably ensure that a record to which access has been requested is preserved until a decision is taken about access to the information [s 21].

7. CATEGORIES OF THE RECORDS THAT GMA HOLDS

7.1 GMA currently holds the following categories of records:

7.1.1 Construction updates;

- 7.1.2 Construction technology and machine;
- 7.1.3 Track progress;
- 7.1.4 Projects pictures;
- 7.1.5 GMA annual reports;
- 7.1.6 Gautrain newsletters;
- 7.1.7 Gautrain Management Agency Act, No. 5 of 2006; and
- 7.1.8 Gauteng Transport Infrastructure Act, No. 8 of 2001.

Records automatically available [section 14(1)(e)]

7.2 This category of information relates to publicly available information i.e. internally and externally. This information can be obtained automatically without a formal PAIA request procedure. The following are some of the statutes and documents, in terms of which records are held by the GMA, which are not exhaustive.

- 7.2.1 Income Tax Act, No. 58 of 1962;
- 7.2.2 Value-Added Tax Act, No. 89 of 1991;
- 7.2.3 Unemployment Insurance of Employment Act, No. 63 of 2001;
- 7.2.4 Employment Equity Act, No. 55 of 1998;
- 7.2.5 Occupational Health and Safety Act, No 85 of 1993;
- 7.2.6 Skills Development Act, No. 9 of 1999;
- 7.2.7 Trademarks Act No. 194 of 1993;
- 7.2.8 Annual reports; and
- 7.2.9 Other information published on the GMA website.

[s 14(1)(f)]

7.3 Information relating to the management and daily business activities of GMA may only be made available subject to the limitations set out in PAIA and other applicable legislation.

7.4 However, information pertaining to the promotion and marketing of the Project may be made available to members of the public, subject to availability and prior arrangements. Where GMA is requested to reproduce such information or records, the requester concerned shall be charged the prescribed reproduction fee.

7.5 Copies of the following documents may be freely downloaded from Gautrain website (www.gautrain.co.za) and/or may be inspected, at no cost, at GMA's offices (subject to reasonable prior arrangement and availability of documents):

7.5.1 construction updates;

7.5.2 construction technology and machine;

7.5.3 track progress;

7.5.4 projects pictures;

7.5.5 GMA annual reports;

7.5.6 Gautrain newsletters;

7.5.7 Gautrain Management Agency Act, No. 5 of 2006; and

7.5.8 Gauteng Transport Infrastructure Act, No. 8 of 2001.

In instances where the requester needs copies of those records that are freely accessible to be reproduced, the prescribed reproduction fee shall be payable by the requester to GMA.

8 REFUSAL OF ACCESS TO INFORMATION

8.1 The Deputy Information Officer/s shall, subject to other provisions of the Act, refuse a request for information or record if that information or record relates to:

8.1.1 mandatory protection of the privacy of a third party who is a natural person;

- 8.1.2 the commercial information of the GMA;
- 8.1.3 mandatory protection of the commercial information of a third party;
- 8.1.4 mandatory protection of confidential information of a third party;
- 8.1.5 mandatory protection of records privileged from production in legal proceedings;
- 8.1.6 information about research being or to be carried out by or on behalf of the GMA, the disclosure of which would likely expose the GMA, or the person that is or will be carrying out the research on behalf of the GMA or the subject matter of the research, to serious disadvantage; and
- 8.1.7 an opinion, advice, report or recommendation obtained or prepared, or an account of a consultation, discussion or deliberation that has occurred, including but not limited to, minutes of a meeting, for the purpose of, *inter alia*, taking a decision for the GMA.

9 PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPI ACT

9.1 Processing of Personal Information

The GMA does, from time to time, process Personal Information which belongs to, or is held by a Data Subject. This processing is required by the GMA to pursue its business objectives and strategies, and, *inter alia*, for the following purposes:

- 9.1.1 putting in place protective mechanisms to protect the Data Subject's and/or the GMA's legitimate interest (s);
- 9.1.2 making contact with the Data Subject and attending to the Data Subject's enquiries and requests;
- 9.1.3 performing internal operations, including management of employees, employee wellness programs, the performance of all required HR and IR functions, and enquiries, attending to all financial matters; and
- 9.1.4 preventing fraud and abuse of the GMA processes, systems, procedures and operations, including conducting internal and external investigations and disciplinary enquiries and hearings.

9.2 Collection of Personal Information

The person who collects personal information, directly from a Data Subject, on behalf of either the GMA or its agent, will ensure:

- 9.2.1 the existence of a justifiable legal cause for collecting the information, based on the necessity for pursuing the legitimate interests of the GMA or its agent;
- 9.2.2 that the personal information collected is adequate, relevant, and not excessive, in the light of the purpose for which it is being collected;
- 9.2.3 that the Data Subject signs a written consent, allowing the GMA, its agent, and that agent's successor-in-title, to use the information;
- 9.2.4 that the consent, referred to above, specifies the purpose/s for which that personal information may be used;
- 9.2.5 where possible, that the consent specifies the maximum period, subject to any statutory retention period prescribed in any applicable legislation, for which the personal information may be kept; and
- 9.2.6 that the data subject warrants the accuracy and completeness of the personal information submitted.

9.3 Storage, retention and destruction of information

- 9.3.1 The GMA shall ensure that the Data Subject's Personal information is stored and administered in a manner that facilitates the safe-guarding of its integrity, the protection of Data Subject's rights to privacy is kept, the use conforms to the purpose for which the information was provided, and monitoring of the foregoing is maintained.
- 9.3.2 Once the Data Subject's Personal Information is no longer required due to the fact that the purpose for which the Personal Information was held has come to an end and expired, such Personal Information will be safely and securely archived for the required prescribed periods or longer should this be required by the GMA. The GMA thereafter will ensure that such Personal Information is permanently destroyed.

9.4 Transfer of Personal Information to third parties

- 9.4.1 Prior to transferring personal information to a third party, the GMA or its agent will verify the existence of the Data Subject's authorisation, to so transfer the information, with reference to the Data Subjects' express consent, or the subsequent deliberate publication of the information by the Data Subject.
- 9.4.2 Personal information may only be transferred to a third party, once the GMA or its agent has satisfied itself of the adequacy of the third party's systems and processes, aimed at ensuring the integrity, confidentiality, and lawful use of personal information to be transferred to it.
- 9.4.3 A detailed record of the third party's personal information systems and processes will be kept, for future reference.
- 9.4.4 Personal information may only be transferred to a third party, subject to a written agreement, between the GMA or its agent and the third party, which, amongst others, provides for:
- 9.4.4.1 the purpose for which the information is being transferred;
 - 9.4.4.2 the third party's obligations with regard to the non-disclosure of the information;
 - 9.4.4.3 the conditions for storage of, access to, security of, and disposal of the information;
 - 9.4.4.4 ownership of the information;
 - 9.4.4.5 prohibition of transfer of the information beyond South African borders;
 - 9.4.4.6 the GMA's or its agent's entitlement to audit the third party's personal information systems and processes, whilst the third party has the transferred information in its possession; and
 - 9.4.4.7 procedures relating to personal information security breaches, and liability for the third party's information security breaches.
- 9.4.5 The GMA shall maintain a register of personal information transferred to third parties.

10 HOW TO OBTAIN ACCESS TO THIS MANUAL

Copies of this manual, as updated from time to time, can be obtained and inspected at the offices of GMA at the address listed in paragraph 4 hereof or on the GMA's website.

11 REMEDIES FOR REFUSAL OR FAILURE TO ALLOW ACCESS TO CERTAIN INFORMATION BY GMA

Internal Appeal [s 74]

Should the GMA fail or refuse to allow any requester access to its records, the requester concerned or a third party may lodge an internal appeal with the MEC.

Form [s 75(1)]

- (a) When lodging an appeal, the appellant is enjoined to use **Form B**, which is attached hereto.
- (b) The appeal must be lodged within **60 days** from the date the requester received notice that the request has been declined and it must be delivered to the Information Officer referred to in paragraph 4 hereof.

Appeal fee [s 75(3)]

An appellant has to pay the prescribed appeal fee (if any). A decision on the internal appeal may be deferred until the appeal fee is paid.

Submission of an internal appeal to the MEC [s 75(4)]

The Information Officer must submit an internal appeal, within 10 working days after receipt thereof, to the MEC. The MEC must, at the same time, be provided with the reasons for the Information Officer's decision against which the internal appeal was lodged and with the details of any third party that may be involved, who must be notified of the request in terms of section 47(1) of the Act.

Third party [s 76]

- (a) When the MEC is considering an internal appeal against the refusal of a request for access to the record of a third party, the disclosure of which -
 - (aa) may involve the unreasonable revelation of personal information;
 - (bb) may harm the third party's commercial or financial interests; or
 - (cc) would constitute a breach of confidence,

the MEC must inform the third party about the appeal within **30 days** after receipt thereof.

- (b) The MEC must furnish the third party with a description of the contents of the appeal, details of the appellant and must state whether the MEC is of the opinion that it would be in the public interest that the information should be revealed. The third party then has **21 days** to make a written representation to the MEC why the request for information should not be granted or, alternatively, give written consent for the disclosure of the record to the requester.
- (c) When the MEC is considering an internal appeal against the granting of a request for access to information, the Minister must notify the requester concerned of the appeal within **30 days** after receipt thereof. The requester has **21 days** to make a written representation why the access to the record should be granted.

Notice of decision [s 77]

When deciding on an internal appeal, the MEC may confirm the original decision by the Information Officer or make a new decision. This must be done within **30 days** after receipt of the internal appeal, or within **5 working days** after receiving written representation regarding the appeal. The MEC must immediately notify the appellant, every third party involved and the requester of the decision and must provide the reasons for the decision. If the MEC fails to comply with the above procedures and time frames for the consideration of an internal appeal, it will be assumed that the MEC has dismissed the internal appeal.

Application to court [s 78]

The appellant, third party or requester will also be informed that they may apply to a competent court for review of the decision of the MEC on an internal appeal. Such application must be made within **30 days** after the decision has been taken. A requester or third party may only apply to a court for such a review after the requester or third party has exhausted the internal appeal procedure.

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:

GAUTRAIN MANAGEMENT AGENCY (GMA)

Physical Address: 44 Grand Central Boulevard
Grand Central Ext. 1
Midrand

Postal Address : P.O Box 1266, Kelvin, 2054
Telephone : 011

Email address : nkhanel@gautrain.co.za

B. Particulars of person requesting access to the record

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

Full names and surname:.....

Identity number:

Postal address.....

Fax number:

Telephone number:..... E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:.....

Identity number:

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.

(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record

.....
.....
.....
.....
.....
.....
.....

2. Reference number, if available:

.....
.....

3. Any further particulars of record:.....

.....
.....
.....

E. Fees

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

Reason for exemption from payment of fees:
.....
.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability::		Form in which record is required			
<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 form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>					
1. If the record is in written or printed form:					
		copy of record*		inspection of record	
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
view the images		copy of the images *		transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:					
listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
4. If record is held on computer or in an electronic or machine-readable form:					
printed copy of record*		printed copy of information derived from the record*		copy in computer readable form*(stiffy or compact disc)	
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	
				NO	
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.					
In which language would you prefer the record?					

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable possible compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....
.....
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.....

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

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SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

PRESCRIBED FEES IN RESPECT OF PUBLIC BODIES

- 1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.
- 2. The fees for reproduction referred to in regulation 7(1) are as follows:

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

- (e) For a transcription of an audio record,
 - i. for an A4-size page or part thereof 12,00
 - ii. For a copy of an audio record 17,00
- 3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.
- 4. The access fees payable by a requester referred to in regulation 7(3) are as follows:
 - 4.1
 - a. For every photocopy of an A4-size page or part thereof 0,60
 - b. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form 0,40
 - c. For a copy in a computer-readable form on
 - i. stiffy disc 5,00
 - ii. (ii) compact disc 40,00
 - d. For a transcription of visual images,
 - i. for an A4-size page or part thereof 22,00
 - ii. For a copy of visual images 60,00
 - e. For a transcription of an audio record,
 - i. for an A4-size page or part thereof 12,00
 - ii. For a copy of an audio record 17,00
 - f. To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
 - 4.2 For purposes of section 22(2) of the Act, the following applies:
 - a. Six hours as the hours to be exceeded before a deposit is payable; and
 - b. one third of the access fee is payable as a deposit by the requester.
 - 4.3 The actual postage is payable when a copy of a record must be posted to a requester.

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

E. Grounds for appeal

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

State the grounds on which the internal appeal is based: State any other information that may be relevant in considering the appeal:

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DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/NEW
DECISION SUBSTITUTED

NEW

DECISION:

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RELEVANT AUTHORITY.....Date.....

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
FROM THE RELEVANT AUTHORITY ON (date):.....

