



PAIA MANUAL 2021

**Promotion of Access to Information (PAIA) Manual, 2021
compiled in terms of section 14 of the Promotion of Access to
Information Act, 2000 (as amended) for the Department of
Economic Development and Tourism**

DATE OF COMPILATION: December 2021

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-------|---------------------------|---|
| 1.1. | “DIO” | Deputy Information Officer |
| 1.2. | DEDAT | Department of Economic Development and Tourism (the Department) |
| 1.3. | “HOD” | Head of Department |
| 1.4. | “IO” | Information Officer |
| 1.5. | “MEC” | Member of the Executive Committee |
| 1.6. | “PAIA” | Promotion of Access to Information Act, 2000 |
| 1.7. | “PFMA” | Public Finance Management, 1999 |
| 1.8. | “POPIA” | Protection of Personal Information Act, 2013 |
| 1.9. | “PSA” | Public Service Act, Proclamation 103 of 1994 |
| 1.10. | “Regulator” | Information Regulator |
| 1.11. | “the Constitution” | Constitution of the Republic of South Africa, 1996 |
| 1.12. | “WCG” | Western Cape Government |

2. PURPOSE OF THE PAIA MANUAL

The aim of **PAIA** is to foster a culture of transparency and accountability by public and private bodies and assist in realising South Africa's goals of an open and participatory democracy. **PAIA** also gives effect to the right of access to information and actively promotes a society in which any person has effective access to information. This will enable any person to fully exercise their rights.

This manual can be used by members of the public to-

- 2.1. check the nature of the records which may already be available at Department of Economic Development and Tourism, without the need for submitting a formal PAIA request.
- 2.2. understand how to make a request for access to a record of the Department of Economic Development and Tourism.

- 2.3. obtain all the relevant contact details of the persons who will assist the public with the records they intend to access.
- 2.4. be aware of all the remedies available from the Department of Economic Development and Tourism regarding a request for access to the records, before approaching the Regulator or the Courts.
- 2.5. obtain a description of the services available to members of the public from the Department of Economic Development and Tourism, and how to gain access to those services.
- 2.6. obtain a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 2.7. know if the Department of Economic Development and Tourism will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.8. know if the Department of Economic Development and Tourism has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
- 2.9. know whether the Department of Economic Development and Tourism has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

The Department of Economic Development and Tourism is a provincial structure within the public service which is established in terms of section 197 of the Constitution. The PSA which gives effect to section 197 of the Constitution provides in section 7 thereof for provincial departments.

3.1. Objectives/Mandate

Constitutional mandate

Schedule 4 of the Constitution of the Republic of South Africa, 1996 lists functional areas of concurrent national and provincial legislative competences. Those areas which are relevant for Economic Development and Tourism (DEDAT) are:

- Consumer Protection
- Industrial Promotion
- Tourism
- Trade

Schedule 4B of the Constitution identifies Local Tourism as a local government matter of concurrent National and Provincial legislative competence, to the extent set out in sections 155(6)(a) and (7) of the Constitution.

Vision

The Department's vision is a Western Cape that has a vibrant, innovative and sustainable economy, characterised by economic growth and employment.

Mission

To attain the vision statement as expressed above, the Department of Economic Development and Tourism will provide qualitative leadership to the Western Cape economy through the Department's understanding of the economy, its ability to identify economic opportunities and potential, and its contribution to government economic priorities. The Department will support the implementation of the Jobs theme of the Western Cape Recovery Plan. The Department's five-year strategic plan will also enhance the productive and competitive capability of the provincial economy. Its implementation will catalyse economic growth and employment creation through:

- Investment promotion and catalytic infrastructure
- Export Growth
- Addressing skills gaps
- Accelerating the ease of doing business
- Resource resilience

4. STRUCTURE OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM AND FUNCTIONS

4.1 Structure



4.2 Functions

PROGRAMME 1: ADMINISTRATION

Purpose

To provide strong, innovative leadership, and to deliver clean, efficient, cost-effective, transparent and responsive corporate services to the Department.

Programme structure:

Sub-programme 1.1: Office of the Head of Department

To manage and direct the Departmental transversal administrative programmes that give leadership to the Department.

To effectively maintain an oversight function of the whole Department's mandate and function.

Sub-programme 1.2: Financial Management

To provide an effective financial management function.

To ensure implementation of the PFMA and other related financial regulations and policies.

To provide planning and budgeting support to the Department.

To make provision for the maintenance of assets.

Sub-programme 1.3: Corporate Services

To provide a strategic support function to the Department.

To ensure the rendering of ICT, human capital, corporate assurance, legal and communication support services to the Department.

To monitor and evaluate Departmental performance.

To develop and manage knowledge and information systems, records and co-ordinate ICT.

PROGRAMME 2: INTEGRATED ECONOMIC DEVELOPMENT SERVICES

Purpose

To promote and support an enabling business environment for the creation of opportunities for growth and jobs.

Programme structure:

Sub-programme 2.1: Enterprise Development

To contribute to the creation of an enabling business environment that empowers small business and entrepreneurs to sustain, develop and grow.

Sub-programme 2.2: Regional and Local Economic Development

To create opportunities for jobs and inclusive growth across districts and local economies.

Sub-programme 2.3: Economic Empowerment

To facilitate the process of empowerment and creation of an enabling business environment for PDI's. *This sub-programme has been taken up in sub-programme 2.1*

Sub-programme 2.4: Red Tape Reduction

To improve the business environment by reducing the regulatory burden on businesses through improved legislation, processes and communication.

PROGRAMME 3: TRADE AND SECTOR DEVELOPMENT

Purpose

To stimulate economic growth in targeted sectors through industry development, trade and investment promotion.

Programme structure:

Sub-programme 3.1: Trade and Investment Promotion

To provide resources to the tourism, trade and investment promotion public entity to enable it to deliver on its mandate, as defined in the Western Cape Investment and Trade Promotion Agency Act, 1996 (Act 3 of 1996), (as amended).

Sub-programme 3.2: Sector Development

To stimulate economic growth in tradable sectors through tangible programmes, industry support measures and the implementation of plans and strategies that will result in economic growth and job creation through growth of export activities and increased investments in prioritised sectors of the Western Cape economy.

PROGRAMME 4: BUSINESS REGULATION AND GOVERNANCE

Purpose

To ensure an equitable, socially responsible business environment in the Western Cape – through general interventions within the trading environment and through specific interventions mandated by the Constitution and national and provincial legislation and policies.

Programme structure:

Sub Programme 4.1: Consumer Protection

To develop, implement and promote measures that ensure the rights and interests of all consumers

PROGRAMME 5: ECONOMIC PLANNING

Purpose

The purpose of this programme is to provide support to the provincial leadership and enable economic growth through the generation and co-ordination of economic research and planning, and through the active support of key economic thematic drivers and enablers that will stimulate economic growth across the economy and within sections of the economy.

Programme structure:

Sub-programme 5.1: Economic Policy and Planning

To support the development of provincial economic policies and strategies.

Sub-programme 5.2: Research and Development

To conduct economic research.

Sub-programme 5.3: Knowledge Management

To facilitate the coordination of the economic eco-system and economic advocacy.

Sub-programme 5.4: Monitoring and Evaluation

The activities for Sub-programme Monitoring and Evaluation is incorporated into Sub-programme Research and Development.

Sub-programme 5.5: Enabling Growth Infrastructure and Initiatives (aka Catalytic Initiatives)

To develop and/or stimulate an enabling economic environment through catalytic interventions and infrastructure.

Sub-programme 5.6: Broadband for the Economy ((aka Digital Economy)

To support and stimulate the usage, readiness and accessibility of digital technology by citizens and businesses.

Sub-programme 5.7: Green Economy

To stimulate the development of green economy and associated industries and to facilitate improved resource-efficiency and sustainability to enhance the competitiveness and resilience of the whole economy.

PROGRAMME 6: TOURISM, ARTS AND ENTERTAINMENT

Purpose

To facilitate the implementation of an integrated tourism strategy that will lead to sustained and increased growth and job creation in the tourism industry.

Programme structure:

Sub-programme 6.1: Tourism Planning

To develop and coordinate the strategic agenda.

Sub-programme 6.2: Tourism Growth and Development

To facilitate growth and development of the tourism industry.

To enhance the quality of the visitor experience to the destination through the provision of quality tourism support services.

Sub-programme 6.3: Tourism Sector Transformation (Tourism Regulation)

To provide for the registration and regulation of tourist guides.

To protect the reputation of the destination through improved visitor safety.

Sub-programme 6.4: Tourism Destination Marketing

To provide resources to the tourism, trade and investment promotion public entity to enable it to deliver on its mandate as defined in the Western Cape Investment and Trade Promotion Agency Act, 1996 (Act 3 of 1996) as amended.

PROGRAMME 7: SKILLS DEVELOPMENT AND INNOVATION

Purpose

To facilitate the provisioning of human capital and innovation skills in order to deliver on the Economic Human Resource Development needs of the Western Cape.

In support of the development of Human Capital and the provincial workforce, the programme will champion gender equality and people with disabilities. The Programme further will align and give support to the provincial priorities of Jobs, Safety and Wellbeing of the citizens of the Province.

Programme structure:

Sub-programme 7.1: Provincial Skills and Partnerships

To coordinate partnerships and collaborations with stakeholders, at a national, provincial and local level to drive systemic changes with the aim to increase the supply of relevant skills aligned to the current and future skills demands of priority growth sectors in the province.

Sub-programme 7.2: Skills Programmes and Projects

To facilitate/support unemployed or underemployed youth to access jobs.

Sub-programme 7.3: Skills Incentives

To leverage funding opportunities along the skills pipeline.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

5.1 Information Officer

Name : Solly Fourie
Tel : 021 483 3840
Email : Ecohead@westerncape.gov.za

5.2 Deputy Information Officers

Name : Cheryl Julies Kayembe Wa Kayembe
Tel : 021 483 9000
Email : Cheryl.Julies@westerncape.gov.za

Name : Tim Parle
Tel : 021 483 – 9406
Email : Tim.Parle@westerncape.gov.za

5.3 Access to information general contacts

Email : Ecohead@westerncape.gov.za

5.4 Head Office

Postal Address : PO Box 979, Cape Town 8000

Physical Address : 12th floor, 80 St Georges Mall, Cape Town

Telephone : 021 483 3840/ 483 9000

Email : Ecohead@westerncape.gov.za

Website : <https://www.westerncape.gov.za/dept/edat/contact-us>

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

Legislation applicable to the Department of Economic Development and Tourism may provide for an internal review or appeal procedure. Should this procedure be exhausted, or no provision be made for such procedure, a court may be approached for an appropriate order in terms of the Promotion of Administrative Justice Act, 2000.

Questions, complaints, or comments regarding any service delivery by the Department of Economic Development and Tourism may be made as follows:

Tel: 021 483 9000 - Monday to Friday from 07:30 to 16:00.

E-mail: Cheryl.Julies@westerncape.gov.za

Visit the Department of Economic Development and Tourism at the Waldorf Building, 80 St Georges Mall, Cape Town on weekdays between 07:30 and 16:00.

The Service Charter (attached as Appendix B) is available at:

<https://www.westerncape.gov.za/general-publication/service-delivery-charter>

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

7.1 The 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.

7.2 The Guide is available in each of the official languages.

7.3 The aforesaid Guide contains the description of-

7.3.1 the objects of PAIA and POPIA;

- 7.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-
- 7.3.2.1 the Information Officer of every public body, and
- 7.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 7.3.3 the manner and form of a request for-
- 7.3.3.1 access to a record of a public body contemplated in section 11³; and
- 7.3.3.2 access to a record of a private body contemplated in section 50⁴;
- 7.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 7.3.6 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-
- 7.3.6.1 an internal appeal;
- 7.3.6.2 a complaint to the Regulator; and
- 7.3.6.3 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 Regulator or a decision of the head of a private body;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 7.3.7 the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 7.3.10 the regulations made in terms of section 92¹¹.
- 7.4 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-
- 7.4.1 upon request to the Information Officer;
- 7.4.2 from the website of the Regulator (<https://www.inforegulator.org.za>). The contact details of the Regulator are in the table below.

The Office of the Information Regulator	
Telephone	Not available
Fax	Not available
E-Mail Address	General inquiries: enquiries@inforegulator.org.za Complaints: PAIAComplaints@inforegulator.org.za

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

	POPIAComplaints@inforegulator.org.za
Postal Address	P O Box 31533 Braamfontein, Johannesburg, 2017
Street Address	J.D. House 27 Stiemens Street Braamfontein, Johannesburg, 2001
Website	https://www.inforegulator.org.za

7.5 The Appendix (Appendix A) to this manual includes information on how to access records of the Department of Economic Development and Tourism, its internal appeal procedure, the lodging of complaints to the Information Regulator or applying to a court against decisions by the Information Officer or Deputy Officer or Information Regulator, as the case may be.

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

The Department of Economic Development and Tourism holds records on the following subjects and categories:

CATEGORIES AND SUBJECT MATTER	Programme Requires a request	Programme Automatically available (from departmental website)
Organisation and Control Performance reports Programmatic material Statutory Publications: <ul style="list-style-type: none"> • Annual Report • Citizens Report • Annual Performance Plan • Strategic Plan 	Programme 1	✓
Human Resource Management Human Resource management documentation including <ul style="list-style-type: none"> • Recruitment and Selection • Appointments • Occupational Health and Safety • Training 	Programme 1	

<p>Financial Management</p> <p>Financial Management documentation, including:</p> <ul style="list-style-type: none"> • Budget • Expenditure reports • Audit reports • Supply Chain management: • Asset management • Internal Control 	<p>Programme 1</p>	
<p>Internal Information Services</p> <p>Knowledge Management:</p> <ul style="list-style-type: none"> • Internal records management • Knowledge management • Internal security matters 	<p>Programme 1</p>	
<p>Communications</p> <ul style="list-style-type: none"> • Internal communications • Speeches • Awareness Programmes • Campaigns • Events • Publications • Contact details 	<p>Programme 1</p>	

9. CATEGORIES OF RECORDS OF THE ECONOMIC DEVELOPMENT AND TOURISM WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The following records are available for inspection in terms of section 15(1)(a)(i) and copying in terms of section 15(1)(a)(ii).

Documents that are available for download from the WCG portal at <https://www.westerncape.gov.za/> free of charge in terms of section 15(1)(a)(iii) are marked with an asterisk

<p>Description of categories of records automatically available in terms of section 15(1)(a)</p>	<p>Manner of access to records section 15(1)(b)</p>
<p>(a) Annual Reports*</p> <p>(b) Annual Performance Plans*</p> <p>(c) 5 Year Strategic Plans*</p> <p>(d) Service Delivery Improvement Plan</p>	<p>Records referred to in (a) to (d) are available for inspection in terms of applicable COVID-19 protocols, by appointment at the Sub-Directorate: Strategic and Operational Support, 12th Floor, Waldorf Building, 80 St George's Mall, Cape Town – between 08:00 and 15:45.</p>

<p>Integrated Economic Development Services, Trade and Sector Development, Business Regulation and Governance, Economic Planning, Tourism, Commercial Arts and Entertainment</p> <p>(a) Brochures</p> <p>Chief Directorate Finance</p> <p>(a) Annual reports including the report of the Auditor-General, and annual audited financial statements</p> <p>(b) Western Cape Budget Speech</p> <p>(c) Medium Term Budget Policy Statement</p> <p>(d) (Overview of Provincial Revenue and Expenditure</p> <p>(e) Western Cape Adjusted Estimates of Provincial Expenditure</p> <p>(f) Western Cape Adjustments Appropriation Bill</p> <p>(g) Western Cape Appropriation Bill</p> <p>(h) Western Cape Budget: Estimates of Provincial Revenue and Expenditure</p> <p>(i) Central Supplier Database</p> <p>(j) Advertised and Awarded Bids</p> <p>(k) Bid Proposal Received</p> <p>(l) Bids Advertised and Awarded</p> <p>(m) How to Tender: General Information</p> <p>(n) Anti-corruption awareness</p>	<p>Copies of these records may be obtained from the Sub-Directorate: Strategic and Operational Support, 12th Floor, Waldorf Building, St George's Mall, Cape Town – between 08:00 and 15:45</p> <p>Copies of the Financial documents may be obtained from the Chief Directorate: Finance, 9th Floor, Waldorf Building, St George's Mall, Cape Town – between 08:00 and 15:00 or https://www.westerncape.gov.za/ website</p>
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10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM AND HOW TO GAIN ACCESS TO THOSE SERVICES

The Department renders the following services directly to the public:

Services rendered by the Department of Economic Development and Tourism	How to access these services
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<p>Red tape reduction business helpline service</p>	<p>a) At the Head Office, 10th Floor, Waldorf Building, 80 St. George's Mall, Cape Town, operating hours: 07:30 – 16:00</p> <p>b) Via Share Call: 0861 888 126</p> <p>c) Via e-mail: redtape@westerncape.gov.za</p> <p>d) Via the website: www.westerncape.gov.za/red-tape-reduction</p>
<p>Western Cape Office of the Consumer Protector</p>	<p>a) At the Head Office, Ground Floor, Waldorf Arcade, 80 St Georges Mall, Cape Town, operating hours: 07:30 – 16:00</p> <p>b) Via district coordinator: i. Knysna, Shop number 8, Demar Centre, Main Street, Knysna</p> <p>c) Via toll free line: 0800 007 081</p> <p>d) Via the official departmental website: www.westerncape.gov.za</p>
<p>Tourist guide registration and monitoring</p>	<p>At the Head Office, Ground Floor, Waldorf Arcade, 80 St Georges Mall, Cape Town</p> <p>Via the Official Departmental website: www.westerncape.gov.za/touristguide</p>

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

Public participation process

Provincial Policies that have an external impact will require Public Participation and the process to be followed will be approved of by the Provincial Cabinet on a case by case basis.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of the Processing

12.1.1 Personal Information is processed to comply with the Department of Economic and Tourism's constitutional and legislative mandates as set out in its Annual Strategic, Business and Performance Plans available at <https://www.westerncape.gov.za/dept/edat>

12.1.2 Personal Information is used for:

- Human resources and employment purposes such as (1) recruitment, selection and placement; (2) administration of compensation and
- Planning;
- Procurement of goods and services; and benefits; (3) performance management and training; and (4) government reporting.
- Risk management which includes physical and electronic security and access control;
- Rendering of services.

12.2 Description of the categories of data subjects, information processed and recipients thereof

DATA SUBJECTS	INFORMATION	RECIPIENTS
Prospective employees, current employees, consultants, interns and volunteers	<ul style="list-style-type: none">- Name, identification number, biographical information;- Contact details;- Educational, employment and criminal history;- Biometric and health information;- Psychometric assessments; and- References, background checks.	Relevant Provincial and National Government Departments and their agents.
Current employees, consultants, interns	<ul style="list-style-type: none">- Account information;- Performance reports; and- Skills/training reports.	Relevant Provincial and National Government Departments and their agents

Prospective and current suppliers, service providers, contractors, sub-contractors and business partners	<ul style="list-style-type: none"> - Name, identification number/company registration number; - Relevant registration number; - Contact details; - Financial history; - References, background checks; - Account information; and - Performance reports. 	Relevant Provincial and National Government: <ul style="list-style-type: none"> - Departments; - Public Entities; - Business Enterprises; and their agents.
Service users (clients / customers) and visitors	<ul style="list-style-type: none"> • Name, identification number, biographical information • Contact details • Compliments or complaints 	Relevant Provincial and National Government: <ul style="list-style-type: none"> - Departments - Public Entities; Public Enterprises; and their agents.

12.3 Planned transborder flows of personal information

12.3.1 The Department has not planned Transborder flows of personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, the Regulator will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the Regulator is obliged under **POPIA**.

12.3.2 Any transfer of personal information cross border shall be with data subject's consent, however, should it not be reasonably practicable to obtain data subject's consent, the Regulator shall transfer the personal information if –

12.3.3 it will be for the data subject's benefit; and

12.3.4 the data subject would have given consent should it have been reasonably practicable to obtain such consent loss

12.4 General Description of Information Security Measures to be implemented by the Department of Economic Development and Tourism to ensure the confidentiality, integrity and availability of the information

12.4.1 The integrity and confidentiality of personal information is protected against anticipated threats and unauthorised access by employing security safeguards that are reasonable and appropriate to the identified risks and the sensitivity of the information.

12.4.2 These safeguards include the following:

12.4.3 Organisational measures:

- The Head of Department takes overall responsibility for the security of all Departmental information.
- The Departmental Security Manager manages this security function in DEDAT and is supported by the DEDAT Security Committee.
- The Department of the Premier (CEI) together with the Department ensures that appropriate measures are in place to safeguard ICT infrastructure, networks and systems. This includes taking responsibility for third parties that develop, access or use WCG ICT infrastructure, networks and systems.
- Safekeeping and security responsibilities is the responsibility of each employee working with personal information and they have to adhere to information security laws, policies, plans and procedures.
- Security incidents(breaches) are reviewed and reported on.

12.4.4 Physical measures:

- Access to facilities and equipment is controlled and auditable.
- Access points are limited with provision for physical security controls, such as window bars, grilles, shutters and security doors. Access is controlled and monitored through a combination of manned guarding, electronic access control systems, ID access cards, visitor management systems, biometric activation doors, turnstiles and entry & egress searching.

12.4.5 Technical measures

- The Information Security standards issued for the public service is adhered to.
- Agreements concluded with third parties will include the protection of the integrity and confidentiality of information by third parties.
- Risks are assessed during the development of new applications and systems, when changing existing systems, when changing business processes and when areas of concern are identified.
- Risk to the ICT infrastructure, networks and systems is managed by CEI through vulnerability and threat testing and awareness, audit controls, incident management and security awareness training.

12.4.6 Similar safeguards are required from service providers, suppliers and business partners who receive personal information from or on behalf the WCG during their relationship with DEDAT

13 ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL

13.1 The manual will be available for viewing in terms of COVID-19 protocols, between 7:30 and 16:00 Mondays to Fridays (excluding public holidays) at

- the office of the Deputy Information Officer Ms Cheryl Julies at: Waldorf Building 80 St Georges Mall, Cape Town.

13.2 The manual may be accessed online through the World Wide Web by visiting the following web address:

<https://www.westerncape.gov.za/dept/edat>

14 UPDATING OF THE MANUAL

The Department of Economic Development and Tourism will, if necessary, update and publish this manual annually.

Issued by

Solly Fourie
Head of Department

APPENDIX A
GUIDANCE ON ACCESS TO RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE

1. COMPLETION OF APPLICATION FORM, PAYMENT OF FEES and FORM OF ACCESS – sections 18, 19, 22, 29 and 31.

1.1 Application form

- A prescribed form (attached as **FORM 2** must be completed by the requester and submitted to the Information Officer/Deputy Information Officer.
 - If a requester cannot read or write or complete the form due to a disability, the request may be made orally. The Information Officer/Deputy Information Officer will then complete Form 2 on behalf of the requester, keep the original and give the requester a copy thereof.
 - A request may be made on behalf of another person but then the capacity in which the request is made must be indicated on Form 2. The requester must also submit proof of the capacity in which the request is made, to the reasonable satisfaction of the Information Officer/Deputy Information Officer.
 - A requester (data subject) seeking to confirm whether his/her personal information is held by the public body or the identities of third parties who had access or requires access to his/her own personal information must provide proof of their identity and is required to supply a certified copy of their identity document for authentication purposes.

1.2 Fees

- The fees for requesting and searching for a record, as well as making copies of the record, are prescribed by the regulations made in terms of PAIA. (Attached as **FEE SCHEDULE**) The following fees are payable:
 - Request fee of R100.00 for each request;
 - Access fee for the reasonable time spent to search for and prepare the record, if it takes more than an hour to search and prepare a record. A deposit, of not more than a third of the total access fee, may be required. However, the full access fee is payable before access is granted; and
 - For making copies of the record.

Applicants who are exempt from paying a request fee:

- A maintenance officer/investigator requesting access to a record for a maintenance investigation or inquiry in terms of the Maintenance Act, 1998 (or regulations made in terms thereof.)
- A person requesting a record that contains his/her personal information.

Applicants who are exempt from paying an access fee:

- A person requesting a record that contains his/her personal information.
- A single person whose annual income does not exceed R14 712 per annum.
- Married persons, or a person and his or her life partner whose annual income does not exceed R27 192.

1.3 Form of access

- A requester must indicate on Form 2 if a copy or an inspection of the record is required.
 - If a copy is required, the requester must indicate the form thereof (e.g., printed or electronic) and the preferred language (where the record is available in more than one language). The Department does not translate records that are only available in one language.
- The record will be provided in the requested format unless it is impractical, or it will unreasonably interfere with the running of the Department's business.

2. **DECISION TO GRANT OR REFUSE ACCESS – Sections 25 and 26**

2.1 Time period to make a decision

The Information Officer/Deputy Information Officer must as soon as reasonably possible after receipt of the R100,00 and the completed Form 2, but at least within **30 days** of receipt thereof, decide whether to grant or refuse the request and notify the requester of the decision.

2.2 Extension of time period

The Information Officer/Deputy Information Officer may extend the period of 30 days, **once** for a further period of **30 days** in the following circumstances:

- the request is for a large number of records or requires a search through a large number of records and attending to the request unreasonably interferes with the department's activities;
- the request requires a search for records from an office that is not in the same town or city as that of the Information officer/Deputy Information Officer;
- consultation is required with other departments of the WCG or other public bodies to decide upon the request; or
- the requester consented to an extension.

3. **RECORDS THAT CONTAIN INFORMATION OF THIRD PARTIES – sections 47, 48**

3.1 Notification:

The Information Officer/Deputy Information Officer must take all reasonable steps to inform a third party as soon as possible, but at least within **21 days**, of receipt of any request for a record that contains:

- a third party's personal information;
- a third party's trade secrets;
- a third party's financial, commercial, scientific or technical information and disclosure would likely cause commercial or financial harm to the third party;
- information supplied by a third party in confidence and the disclosure would prejudice or put the third party at a disadvantage in contractual or other negotiations or commercial competition;
- information supplied in confidence by a third party and disclosure would (i) amount to a breach of a duty of confidence owed to the third party in terms of an agreement; or (ii) reasonably prejudice the future supply of similar information which should, in the public interest, be supplied; or
- information about research being carried out by or on behalf of a third party that would seriously disadvantage either the third party, the agent or the research subject matter.

3.2 Third Party representations and consent

Within **21 days** of the notification (3.1 above) a third party may either (i) make written or oral representations to the Information Officer/Deputy Information Officer why the request should be refused; or (ii) give written consent for the disclosure of the record.

3.3 Decision on representation for refusal

The Information Officer/Deputy Information Officer must as soon as reasonable possible, but at least within **30 days** after the notification (3.1 above) decide whether to grant or refuse the request for access and must notify the third party concerned as well as the requester of the decision.

4. **INTERNAL APPEAL – sections 74 and 75**

4.1 Requester

A requester may lodge an internal appeal, within **60 days** after notice is given of a decision by the Information Officer/Deputy Information Officer to:

- refuse a request for access (see 2 above);

- pay a fee (see 1.2 above);
- extend the period to give access (see 2.2 above).

4.2 Third party

A third party may lodge an internal appeal, within **30 days** after notice is given of a decision by the Information Officer/Deputy Information Officer to grant access to a record that contains information about the third party (see 3 above).

4.3 Manner of internal appeal

An internal appeal is lodged by completing the prescribed form (**Form 4** attached) and delivering or sending it to the Information Officer/ Deputy Information Officer.

5. **COMPLAINT TO INFORMATION REGULATOR – sections 77A and 77B**

Only after an internal appeal has been lodged and the requester or third party remains unsatisfied with the outcome of the internal appeal a complaint may be lodged to the Information Regulator.

5.1 Requester

- A requester may complain to the Regulator in respect of:
 - an unsuccessful internal appeal;
 - a disallowed late appeal;
 - a refusal of a request for access to information;
 - a decision about fees;
 - a decision to extend the time to deal with a request; or
 - a decision to provide access in a particular form.

5.2 Third party

- A third party may complain to the Information Regulator in respect of:
 - an unsuccessful internal appeal,
 - any grant of a request for access to information.

5.3 Format

A complaint to the Information Regulator must be made in writing in the prescribed form (**Form 5** attached) within **180 days** of the decision giving rise to the complaint.

6. **APPLICATION TO COURT – section 78**

- 6.1 A requester or third party may apply to court for appropriate relief if
- an internal appeal was lodged and the applicant remains unsatisfied with the outcome of the internal appeal; or
 - a complaint was lodged with the Information Regulator and the complainant remains unsatisfied with the outcome of the complaint.
- 6.2 The application to court must be made within **180 days** after being informed of the outcome of the internal appeal or the decision by the Information Regulator, as the case may be.

FORM 2

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

(Address)

E-mail address: _____

Fax number: _____

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	
PARTICULARS OF RECORD REQUESTED		
<i>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.)</i>		
Description of record or relevant part of the record:		
Reference number, if available		
Any further particulars of record		
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>		
Record is in written or printed form		
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>		
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 <i>(Mark the applicable box with an "X")</i>		
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>		
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>		
Transcription of soundtrack <i>(written or printed document)</i>		
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>		

Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
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 <i>(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)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

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.

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)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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 (<i>Please specify</i>)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer

FEE SCHEDULE

Fees in Respect of Public Bodies

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof
4.	For a copy in a computer -readable form on: (i) Flash drive (to be provided by requester) (ii) Compact disc . If provided by requester . If provided to requester	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from the Service Provider
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24,00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requester) (ii) Compact disc . If provided by requester . If provided to the requester	R40,00 R40,00 R60,00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R100,00 R300,00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

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 <i>(If lodged by a third party)</i>			
Full Names			
Identity Number			
Postal Address			
Contact Numbers	Tel. (B)		Facsimile
	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	
GROUNDS 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:	

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: <i>(state rank, name and surname of Information Officer)</i>					
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	
OUTCOME OF APPEAL					
Refusal of request for access. Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Fees (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Extension (Sec 26(1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Access (Sec 29(3)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Request for access granted. Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority

COMPLAINT FORM

FORM 5

[Regulation 10]

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as “the Complainant”) in requesting a review of a Public or Private Body’s response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“PAIA”). Please fill out this form and send it to the following email address: PAIAComplaints@infoeregulator.org.za or complete online complaint form available at <https://www.justice.gov.za/infoereg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
 - a. Copy of the form to the Body requesting access to records;
 - b. The Body’s response to your complaint or access request;
 - c. Any other correspondence between you and the Body regarding your request;
 - d. Copy of the appeal form, if your complaint relate to a public body;
 - e. The Body’s response to your appeal;
 - f. Any other correspondence between you and the Body regarding your appeal;
 - g. Documentation authorizing you to act on behalf of another person (if applicable);
 - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT (Mark with an "X")

Complainant Personally

Representative of Complainant

Third Party

PREREQUISITES				
Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR’S USE ONLY				
<i>Received by: (Full names)</i>				
<i>Position</i>				
<i>Signature</i>				
<i>Complaint accepted</i>	Yes		No	
<i>Reference Number</i>				

Date stamp

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

**PART A
PERSONAL INFORMATION OF COMPLAINANT**

Full Names			
Identity Number			
Postal Address			
Street Address			
E-Mail Address			
Contact numbers	Tel. (B)		Facsimile
	Cellular		

**PART B
REPRESENTATIVE INFORMATION**
(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)

Full Names of Representative			
Nature of representation			
Identity Number / Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

**PART C
THIRD PARTY INFORMATION**
(Please attach letter of authorisation)

Type of Body	Private		Public	
Name of Public / Private Body				
Registration Number (if any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			

**PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED**

Type of body	Private		Public	
Name of public / private body				
Registration number (if any)				

Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
Reference Number given (if any)				
PART E COMPLAINT				
<i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)</i>				
Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				
PART F DETAILED TYPE OF ACCESS TO RECORDS				
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>				
Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>			
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>			
Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>			
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>			
	<i>The tender or payment of a deposit.</i>			
Repayment of the deposit (Section 22(4) of PAIA) <i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>			
Disagree with time extension (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>			

Form of access denied (Section 29(3) or 60 (a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired and no response was received.</i>	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record) .	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/ unreasonable been disclosed.</i>	
No adequate reasons for the refusal of access (Section 56(3) (a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record (Section 28(2) or 59(2) of PAIA)	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other (Please explain)		
PART G EXPECTED OUTCOME		
How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.		
PART H AGREEMENTS		

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

- I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.*
- The information in this Complaint Form is true to the best of my knowledge and belief.*
- I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*
- I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the*

complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.

Signed at _____ this _____ day of _____ 20 _____

Complainant/Representative/Authorised person of Third party

**APPENDIX B
SERVICE DELIVERY CHARTER**

Also available at: <https://www.westerncape.gov.za/general-publication/service-delivery-charter>

SERVICE DELIVERY CHARTER

The **Department of Economic Development and Tourism** is committed through this Service Charter to provide services to you. Let's make service delivery **BETTER TOGETHER**.

OUR VISION

The **Department of Economic Development and Tourism's** vision is a Western Cape that has a vibrant, innovative and sustainable economy, characterised by economic growth and employment.

OUR MISSION

The Department of Economic Development and Tourism will provide quality leadership to the Western Cape economy through the Department's understanding of the economy, its ability to identify economic opportunities and potential, and its contribution to government economic priorities. The Department will enhance the productive and competitive capability of the provincial economy. It will catalyse economic growth and employment through:

- investment promotion and catalytic infrastructure;
- export and growth;
- addressing skills gaps;
- accelerating the ease of doing business; and
- resource resilience.

OUR SERVICES



OUR RESPONSIBILITY TO YOU

- We will respond to all our emails within 48 hours.
- We will answer telephone calls within three rings.
- When you write to us we will acknowledge receipt of your letter within three working days. We will send a reply within seven working days. If we cannot respond within seven working days we will explain why and indicate when you can expect a reply.
- When you submit an application or request, we will provide a fair and objective assessment based on the information submitted. We will give you informed, useful and constructive feedback.
- All complaints and correspondence pertaining to the Minister of Economic Opportunities by clients or potential clients will be responded to in an efficient manner within one week of receipt thereof.

YOUR RESPONSIBILITY TO US

We expect you to:

- Be civil, courteous and respect the dignity of official(s) who render the service to you.
- Be honest in your deliberations with us.
- Submit full and accurate information accompanied by recently certified copies of documentation needed or requested.
- Make yourself available as well as be willing to undergo empowerment programmes agreed upon.
- Embark on active application and implementation of plans, initiatives and advice received from the Department of Economic Development and Tourism.

CUSTOMER RIGHTS

You have the right to Batho Pele Principles especially the following:

- To be treated with courtesy and respect and in a dignified manner at all times.
- To be consulted about your service needs and the level and quality of service expectations.
- Full information upon request in an open and transparent manner.
- Access to prompt and efficient service in accordance with the service delivery standards.
 - An apology for and redress should any service lapses occur.

OUR REDRESS MECHANISM

- If you have a complaint, please tell us. We will apologise and put things right immediately. If you are not satisfied, we will investigate what went wrong and reply within seven working days.
- If we cannot deal with your telephonic query immediately, we will give you the name of the person to whom the query will be referred and give you an indication of when we expect them to reply.
- You are invited to send any suggestions, compliments, constructive criticism or recommendations for improvement of our services or standards to the following address:
Head of Communications,
 Tel: **021 483 8096,**
 E-mail: **Joe-Mark.Arnold@westerncape.gov.za**

Our performance will be assessed and reported on within the Annual Report and Citizen's Report which will be published and posted on our website.

WE VALUE BEING ACCESSIBLE

- That's why our buildings are accessible to people with disabilities.
- We will endeavour to render our services where possible, in all 3 official languages of the Western Cape.
- Office Hours: 07:30 - 16:00



OUR COMMITMENT:
We commit ourselves to a citizen centric and customer satisfaction approach in providing a public sector, economic development service. In carrying out our mandate and responsibilities, we will be guided by and uphold the eight BATHO PELE (People First) Principles. We are committed to providing our services based on our values of Care, Competence, Accountability, Integrity, Innovation and Responsiveness in order to protect and promote your rights and expand opportunities to achieve Better Together service delivery outcomes.

EXECUTIVE AUTHORITY DECLARATION:
I, David Maynier, commit the Department of Economic Development and Tourism in terms of Part III, C.2 of the Public Regulations, 2001 as amended, to adhere to this charter.

David Maynier
Digitally signed by David Maynier
Date: 2020.04.20 16:24:47 +02'00'

Minister David Maynier, Minister of Finance and Economic Opportunities