



**Western Cape
Government**

Department of the Premier

**Promotion of Access to Information Manual, 2018
compiled in terms of section 14 of the Promotion of Access to Information
Act, 2000 for the Department of the Premier**

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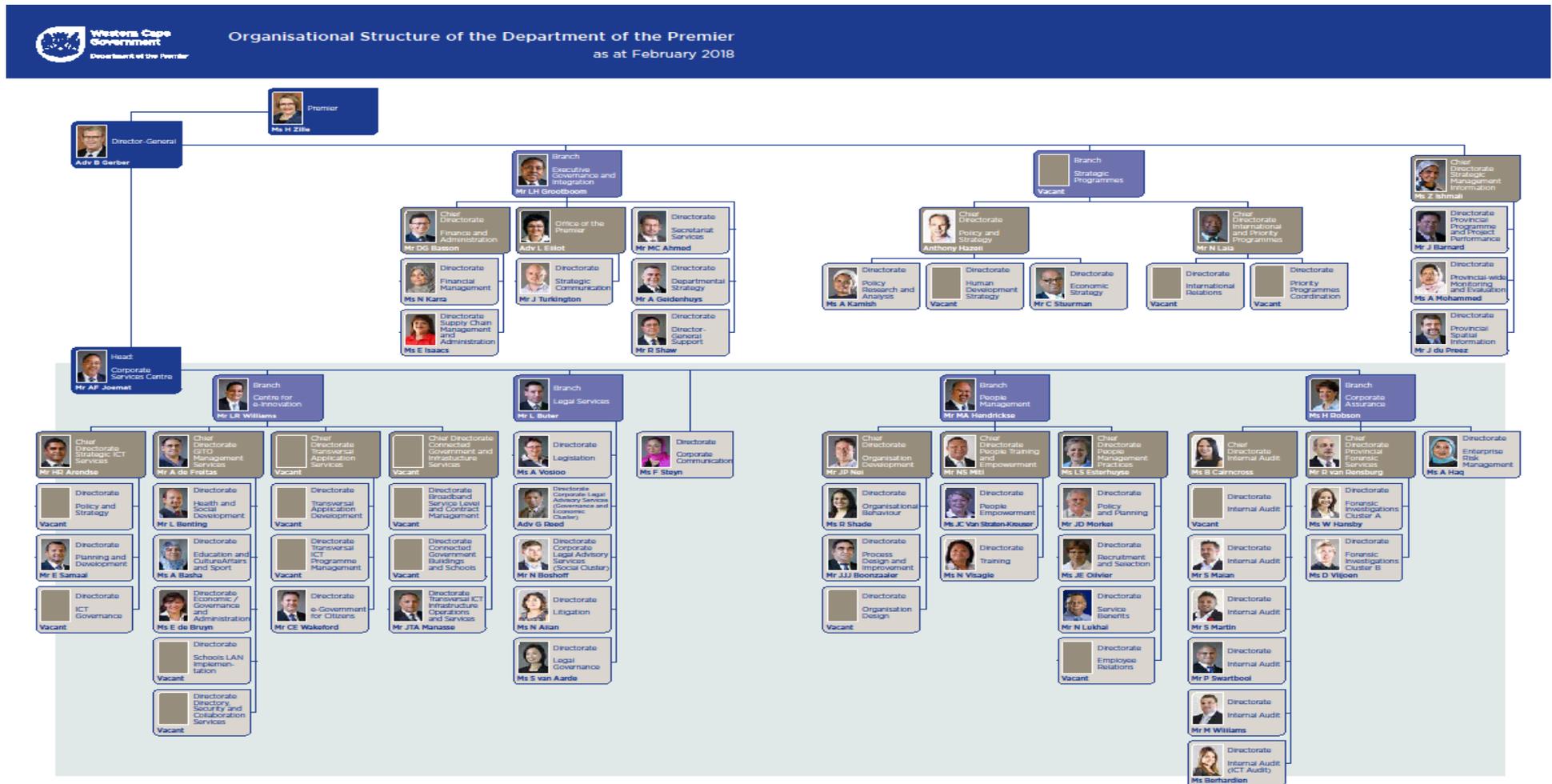
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1 INTRODUCTION

- 1.1 The Constitution of the Republic of South Africa, 1996 (the Constitution) makes provision for the right of access to any information held by the State, subject to justifiable limitations, which includes the limitation to protect privacy.
- 1.2 The Constitutional Court interpreted the right of access to information as not merely a right to obtain access to information for the exercise or protection of a right, but also to ensure that there is an open and accountable administration at all levels of government.
- 1.3 Section 32(1)(a) and (2) of the Constitution reads as follows:
*“(1) Everyone has the right of access to –
(a) any information held by the State; and
(b) any information that is held by another person and that is required for the exercise or protection of any rights.
(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.”*
- 1.4 The aforesaid resulted in the enactment of the Promotion of Access to Information Act, 2000 (PAIA). The purpose of PAIA is to foster a culture of transparency and accountability in public and private bodies and to empower and educate the people of South Africa to understand their rights.
- 1.5 This manual is compiled in terms of section 14 of PAIA which requires that the Department of the Premier (DotP) must have a manual which sets out, amongst others, its structure and functions, include an index of its records and services, provide assistance on the procedure to access its records and services.

2 STRUCTURE OF THE DEPARTMENT OF THE PREMIER AS AT 1 FEBRUARY 2018 – SECTION 14 (1) (a)

Click on image for larger and clearer view



3 FUNCTIONS OF THE DEPARTMENT OF THE PREMIER – section 14(1)(a)

The Department of the Premier enables the other twelve Western Cape Government (WCG) departments to render services to the citizens of the Western Cape. This is done by performing its core functions of providing policy and strategy guidance and support through the following five programmes:

3.1 Programme 1: Branch Executive Support (administration)

3.1.1 The programme strategically supports the Department of the Premier, Cabinet, the Accounting Officer and the Provincial Top Management by providing good governance support and executive secretariat support services for effective decision making by the Executive.

3.1.2 The following functions are delivered in terms of this programme:

3.1.2.1 Subprogramme 1.1: Programme support

3.1.2.2 Subprogramme 1.2: **Office of the Premier**: To provide operational support to the Premier.

- Office administration support services;
- Managing and operating the official residence; and
- Administrative support to the designated Leader of Government Business.

3.1.2.3 Subprogramme 1.3: **Directorate: Secretariat Services (Executive Council Support)**: To manage the executive secretariat.

- Manages the provision of secretariat, logistical and decision support services to the Cabinet, the Premier's intergovernmental relations forums, the provincial top management and the Department of the Premier's executive committee;
- Deals with provincial protocol matters; and
- Administers the provincial honours.

3.1.2.4 Subprogramme 1.4: **Directorate: Departmental Strategy**: - To provide strategic management, coordination and governance support services.

- Facilitates the departmental strategic management processes; and
- Safety and security arrangements for the Department.

3.1.2.5 Subprogramme 1.5: **Office of the Director-General**: To provide operational support to the Director-General.

- Provides operational and administrative support services to the Director-General;
- Manages departmental responses to parliamentary questions; and
- Assists with communication between the Director-General and relevant role players.

3.1.2.6 Subprogramme 1.6: Chief Directorate: Finance and Administration (Financial Management): To manage departmental financial and supply chain management services.

- Budget management;
- Departmental financial accounting services;
- Application of internal control measures;
- Facilitates appropriate budgetary input and properly aligned procurement processes and advice;
- Manages the provisioning of assets and the monitoring and control of the asset register, departmental records; and
- Transport management.

3.1.2.7 Subprogramme 1.7: Directorate: Strategic Communication. Co-ordinates external communication and public engagement.

3.2 Programme 2: Branch Strategic Programmes (Provincial Strategic Management)

3.2.1 The programme provides policy and strategy support as well as strategic management information and coordinates strategic projects through partnerships and strategic engagement.

3.2.1.1 Subprogramme 2.1 Chief Directorate: Policy and Strategy: To support the Executive strategically in the development and implementation of high-level provincial policies and strategies. Transversal policies and strategies are developed or supported by the chief directorate, in collaboration with key stakeholders. The chief directorate will continue to support the implementation of the Provincial Strategic Plan and the game changers.

3.2.1.2 Subprogramme 2.2 Chief Directorate: Strategic Management Information: The responsibility to strategically support the Executive in respect of province-wide planning and performance; and the provision of accurate and reliable strategic management information to inform evidence based decisions on policy development, development outcomes and service delivery. In this regard, the

subprogramme leads the Department's mandate on the role of Offices of the Premier in Monitoring and Evaluation (M&E).

3.2.1.3 Subprogramme 2.3 **Chief Directorate: International and Priority Programmes (Strategic Programmes):** To promote the strategic goals of the Western Cape through key partnerships, strategic international engagements and strategic priority projects.

3.3 Programme 3: Branch People Management

3.3.1 The programme renders a transversal people management service consisting of organisational development, training and empowerment, and people practices.

3.3.2 The following functions are delivered in terms of this programme:

3.3.2.1 Subprogramme 1: **Chief Directorate: Organisation Development:** To enable improvement in organisational effectiveness through planned interventions with departments to contribute to service delivery. Render a consultancy service to departments and compile annual departmental:

- organisational behaviour reports;
- business process reports;
- organisation design reports; and
- bi-annual transversal service delivery intervention reports.

3.3.2.2 Subprogramme 2: **Chief Directorate: People Training and Empowerment.**

- Identify training needs;
- Design and offer learning programmes;
- Conduct training impact assessments on selected learning programmes;
- Develop Workplace Skills Plans and learnerships;
- Administer the placement of interns;
- Facilitate the process for awarding bursaries; and
- Administer the Premier's Advancement of Youth projects.

3.3.2.3 Subprogramme 3: **Chief Directorate: People Management Practices:** To attract and retain talent through:

- People management practices, which includes recruitment and selection, service benefits, performance management;
- Draft and review people policies;
- Workforce planning; and
- Employee relations and coordinates Collective Bargaining on labour issues.

3.4 Programme 4: Branch Centre for e-Innovation

3.4.1 Enables service excellence to the people of the Western Cape through Information Communication Technologies.. Responsible for the optimisation of services in the Western Cape Government through the co-ordinated implementation of information and communication technologies, solutions and services with a focus on the delivery of broadband connectivity across the Western Cape Province, provincial transversal applications and major departmental applications and solutions.

3.4.2 The following functions are performed in terms of this programme:

3.4.2.1 Subprogramme 4.1: Programme support

3.4.2.2 Subprogramme 4.2: **Chief Directorate: Strategic ICT Services**: renders strategic ICT services to the WCG focusing on planning and development, the coordination on the Corporate Governance of ICTs as well as the Digital Government agenda which includes the citizen interface.

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3.4.2.3 Subprogramme 4.3: **Chief Directorate: GITO Management Services**: provides transversal ICT services to the WCG which includes the management of transversal infrastructure, the IT service desk as well as IT service management to the Ce-I client departments. Responsible for the distributed computing environment and department-specific IT solutions and systems.

3.4.2.4 Subprogramme 4.4: **Chief Directorate: Connected Government and Infrastructure Services**:: responsible for Stream 1 of the Broadband initiative to provide connectivity to WCG sites.

3.4.2.5 Subprogramme 4.5: **Chief Directorate: Transversal Application Services**: responsible for Stream 3 of the Broadband initiative which focuses on transversal applications development and support.

3.5 Programme 5: Corporate Service Centre - Corporate Assurance

3.5.1 The programme renders five services namely Enterprise Risk Management, Internal Audit, Provincial Forensic Services, Legal Services and Corporate Communication Services.

3.5.2 The following functions are delivered in terms of this programme:

- 3.5.2.1 Subprogramme 5.2: Directorate: Enterprise Risk Management renders risk management services to departments of the WCG, and ultimately executes the responsibilities of departmental Chief Risk Officers.
- 3.5.3 Subprogramme 5.3: Chief Directorate: Internal Audit independently evaluates the adequacy and effectiveness of risk treatments for areas included in the Internal Audit Plans for all departments in the WCG and makes recommendations for incorporation in action plans.
- 3.5.4 Subprogramme 5.4: Chief Directorate: Provincial Forensic Services renders reactive and proactive forensic services to all departments in the WCG.
- 3.5.5 Subprogramme 5.5 Legal Services:
Renders legal advice in support of executive and administrative decision making.
- Bi-annual analysis of all provincial litigation matters.
 - Provides legal training opportunities to WCG employees.
 - Attends to requests for legal advice from departments.
 - Reviews departmental delegation for consistency with legislation.
 - Compiles an annual report on the provincial legislative drafting programme.
- 3.5.6 Subprogramme 5.6: Directorate: Corporate Communication: To ensure consistent application of the WCG corporate identify, messaging and brand through rendering corporate communication services.
- Issues quarterly on-brand creative execution assessment reports;
 - Publishes quarterly Better Together magazine; and
 - Publishes a bi-annual report on completed client generated products and services.

4 CONTACT DETAILS OF THE INFORMATION AND DEPUTY INFORMATION

OFFICER - section 14 (1) (b)

4.1 Information Officer:

Adv. B Gerber

Legislature Building

15 Wale Street/ P O Box X659

Cape Town, 8000

Tel: 021 467 6032 Fax: 021 467 3300

E-mail: Brent.Gerber@westerncape.gov.za

4.2 **Deputy Information Officer:**

Mr. L Grootboom

Legislature Building

15 Wale Street/ P O Box X 650

Cape Town, 8000

Tel: 021 467 5154 Fax: 021 467 3300

E-mail: Linda.Grootboom@westerncape.gov.za

5 **GUIDE BY THE HUMAN RIGHTS COMMISSION – section 14(1)(c)**

5.1.1 The South African Human rights Commission updates and makes available a guide compiled by it in terms of section 10 of the PAIA which informs persons of:

- the objects of PAIA and how to exercise their rights in terms of these two acts;
- the contact details of the information officer and deputy information officer (where applicable) of every public body and the assistance available from them;
- how to access records of public bodies; and.
- the legal remedies that are available when there is a failure to act in accordance with PAIA.

5.1.2 All enquiries to obtain access to this guide should be directed to:

The Office of the Human Rights Commission	
Telephone	+27 11 877 3900
Fax	+27 11 403 0684
E-Mail Address	PAIA@sahrc.org.za
Postal Address	PAIA Unit: Promotion of Access to Information Private Bag 2700 Houghton 2041
Street Address	South African Human Rights Commission 33 Hoofd Street Braamfontein 2017

	JOHANNESBURG
Website	www.sahrc.org.za

5.1.3 **Appendix A** to this manual includes information on how to access records of the Department, its internal appeal procedure, or applying to a court against decisions by the Information Officer or Deputy Officer, as the case may be.

6 INFORMATION ON THE PROMOTION OF ACCESS TO INFORMATION ACT, 2002

6.1 SUBJECTS AND CATEGORIES OF DEPARTMENTAL RECORDS – section 14(1)(d)

The Department holds records on the following subjects and categories:

CATEGORIES AND SUBJECT MATTER		Programme Requires a request
6.1.1	<p>Organisation and Control</p> <ul style="list-style-type: none"> – Reorganisation of functions – Delegation of Powers – Planning – Office instructions and codes – Organisational Performance Systems – Annual publications on measuring a set of outcome indicators within key (i) policy thematic areas; and (ii) governance indicators – Reports – Assessment reports submitted to Cabinet on the WCG communication environment – Statutory reports submitted to Provincial Treasury – Policy and Strategy – Assessment report on the alignment /non-alignment of the Department's 	<p>Programme 2</p> <p>Programme 1</p> <p>Programme 2</p>

<p>APP to the Provincial Strategic Plan (PSP)</p> <ul style="list-style-type: none"> - Progress report submitted to Cabinet on the implementation of the PSP. - Policy and strategy papers in response to national and provincial strategic imperatives - Strategic Management Information - Consolidated reports on key partnerships and engagements 	
<p>6.1.2. Statutory and Regulatory Framework / Legislation</p> <ul style="list-style-type: none"> - National Constitutional Framework - International Legislation - National Legislation - Western Cape Provincial Legislation 	<p>Programme 1</p>
<p>6.1.3 Human Resource Management</p> <ul style="list-style-type: none"> - Organisational Development - Departmental (i) organisational behaviour reports; (ii) business process reports; (iii) organisation design reports - Transversal service delivery intervention reports - Provincial Training Institute - Human Resource Management - Posts Control - Conditions of Service - Vacancies and Appointments - Termination of Service - Qualifications, Training and Skills Development - Staff movement - Staff control 	<p>Programme 3</p> <p>Programme 3</p>

	<ul style="list-style-type: none"> - Employee relations - Employee Health and wellness - Behaviour Dynamics - Human Resource Call Centre 	
6.1.4	Internal Financial Management <ul style="list-style-type: none"> - Budget - Accounting responsibility - Expenditure - Banking Arrangements - Funds - Corporate Assurance - Internal Audit - Audit reports 	Programme 1
6.1.5	Supply Chain Management <ul style="list-style-type: none"> - Procurement - Provisioning - Asset management 	Programme 1
6.1.6	Internal Facilities Management <ul style="list-style-type: none"> - Buildings and Grounds - Equipment and Furniture - Telecommunication services - Occupational Health and Safety 	Programme 1
6.1.7	Internal Travel and Transport Services <ul style="list-style-type: none"> - Transport 	Programme 1
6.1.8	Internal Information Services <ul style="list-style-type: none"> - Internal records management - Library management - Information management - Knowledge management - Internal security matters - Centre for E-Innovation 	Programme 1

<p>6.1.9 Communications</p> <ul style="list-style-type: none"> - Internal communications - Better Together magazines - Speeches and Lectures - Awareness Programmes - Social matters - Participation in events - Publications - Contact details 	<p>Programme 5</p>
<p>6.1.10 Legal Services</p> <ul style="list-style-type: none"> - Bi-annual analysis of provincial litigation matters - Annual report on the provincial legislative drafting programme 	<p>Programme 5</p>
<p>6.1.11 Attending and hosting meetings and other gatherings</p> <ul style="list-style-type: none"> - Auxiliary functions - Line functions 	<p>All programmes</p>
<p>6.1.12 Secretariat Services - Secretariat support</p>	<p>Programme 1</p>
<p>6.1.13 External Relations</p> <ul style="list-style-type: none"> - Networking - Statutory Intergovernmental Structure Support - International Co-operation Agreements - Quarterly reports on strategic international engagements - Provincial Protocol matters 	<p>Programme 2</p>
<p>6.1.14 Director-General Support</p> <ul style="list-style-type: none"> - Operational support - Parliamentary issues - Issue Management System - Special Programmes and Projects 	<p>Programme 1</p>

6.1.15 Human Rights Support	Programme 5
<ul style="list-style-type: none"> - Policy - Reports 	

6.2 DEPARTMENTAL RECORDS THAT ARE AUTOMATICALLY AVAILABLE WITHOUT THE NEED TO REQUEST ACCESS – section 14 (1)(e)

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.

Description of categories of records automatically available in terms of section 15(1)(a)	Manner of access to records section 15(1)(b)
(a) Register in terms of regulation 7(1) of the Executive Ethics Code (published in terms of Proclamation 41 of July 2000 of Ethics Act 1998 (see regulation 7(5))	Records referred to in (a) to (f) are available for inspection at the Office of the Director-General, 15 Wale Street, Cape Town - between 08:00 and 15:45
(b) International cooperation agreements*	
(c) Annual Reports*	Records referred to in (f) to (i) are available for inspection at the Office of the Chief-Director, Organisational Development, 9 th Floor, Golden Acre Building, Cape Town - between 08:00 and 15:45
(d) Annual Performance Plans*	
(e) 5 Year Strategic Plans*	
(f) The training prospectus	
(g) Organisational Structure*	
(h) Service delivery implementation plan*	Records referred to in (f) to (i) are available for inspection at the Office of the Chief-Director, Organisational Development, 9 th Floor, Golden Acre Building, Cape Town - between 08:00 and 15:45
(i) Job descriptions	
(j) Western Cape Government Provincial Gazettes	

6.3 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC – section 14(1)(f)

The Department renders a limited number of services directly to the public, but instead, enables the rest of the provincial departments to deliver services to the public. Full details of these services appear in the manuals published for each provincial department. The Department's Service Charter is attached as per Appendix B.

Services rendered by the Department of the Premier	How to access these services
Integrated e-government information and communication technology services through various service interface channels, namely:	<p>SMS: Only the word Help to 31022 (standard rates apply)</p> <p>Please call me: 079 769 1207</p> <p>Fax: 021 483 7216</p> <p>E-mail: service@westerncape.gov.za</p>
(i) WCG portal	<p>Access the WCG portal webpage at https://www.westerncape.gov.za</p>
(ii) WCG Contact Centres: - Call Centre; - Contact Centre:	<p>Call 0860 142 142 Monday to Sunday 7am to 7pm at a cost of a local telephone call from anywhere in South Africa.</p> <p>Visit 9 Wale Street, Cape Town, weekdays 7.30 am to 4pm and Saturdays 8am to 12pm.</p>
(iii) Cape Access e-Centres: where members of less privileged and rural communities are given basic computer training and access to: - (a) computers; (b) e-mail; (c) the internet;	<p>Access the Cape Access webpage at: https://www.westerncape.gov.za/capeaccess/ for the location and hours of these centres or obtain</p>

(d) government information and services; (e) job, business and research information; and printing of 10 pages per person per day.	information from the WCG Contact Centres
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6.4 ARRANGEMENTS FOR PUBLIC PARTICIPATION BY CONSULTATION AND/OR REPRESENTATION ON THE FORMULATION OF DEPARTMENTAL POLICY AND/OR PERFORMANCE OF FUNCTIONS – section 14(1)(g)

Provincial Policies that has 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.

6.5 REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURE TO ACT BY THE DEPARTMENT - section 14(1)(h)

Legislation applicable to the Department (as set out in its Departmental Annual Performance Plan¹) may provide for an internal review or appeal procedure. Should this procedure be exhausted, or no provision be made for such procedure, the matter may be taken on review to a court of law to obtain an appropriate order.

Questions, complaints or comments regarding any service delivery by the Department of the Premier may be made as follows:

Call: 0860 142 142 - Monday to Sunday from 7am to 7pm.

Fax: 021 483 7216

E-mail: service@westerncape.gov.za

Visit the Contact Centre at 9 Wale Street, Cape Town – Monday to Friday from 7:30am to 4pm and Saturday from 8am to 12pm.

¹ Available at <https://www.westerncape.gov.za/documents/plans/2016>

7 ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL – Section 14(3)

7.1 The manual is available in English, Afrikaans and Xhosa for viewing between 7.30 and 16.00 Mondays to Fridays (excluding public holidays) at

- the WCG Information Kiosk situated in the concourse between 4 Dorp Street and 2 Wale Street, Cape Town; and
- the office of the Deputy Information Officer Mr L Grootboom at: The Legislature Building, 15 Wale Street, Cape Town.

7.2 The manual and Afrikaans and Xhosa translations thereof, may be accessed online through the World Wide Web by visiting the following web address:

<https://www.westerncape.gov.za/premier/paia>

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 A**) 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 A 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 A.

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 R35.00 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.

1.3 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.

1.3 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.

1.4 Form of access

- A requester must indicate on Form A 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 unpractical 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 R35 and the completed Form A, 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 B** attached) and delivering or sending it to the Information Officer/ Deputy Information Officer.

6. **APPLICATION TO COURT**

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.

6.2 The application to court must be made within **180 days** after being informed of the outcome of the internal appeal.

APPENDIX B: SERVICE CHARTER

SERVICE CHARTER

THE DEPARTMENT OF THE PREMIER IS COMMITTED THROUGH THIS SERVICE CHARTER TO PROVIDE SERVICES TO YOU. LET'S MAKE SERVICE DELIVERY BETTER TOGETHER.

OUR RESPONSIBILITY TO YOU

To be treated with courtesy and respect in a dignified manner at all times.

To consult about your service needs including the level and quality of your expectations.

To deliver prompt and efficient service in line with our service delivery standards.

Should any service lapse occur, we will contact it.

When you request information, we will assess it fairly and objectively and provide feedback in a useful, constructive and transparent manner.

Always to deliver value for money in everything we do.

Respond to your emails within 48 hours of receipt.

Answer telephone calls within 3 rings.

Acknowledge receipt of your letter within 4 working days and reply within 10 working days. If we cannot reply within this timeframe, we will explain why and let you know when you can expect a response.

YOUR RESPONSIBILITY TO US

To be courteous and respect the dignity of our officers at all times.

To be honest in your dealings with us.

Provide us with accurate information and correctly completed document copies.

Make yourself available, and be willing to participate in transverse programmes that have been agreed.

Actively apply and implement plans, initiatives and advice received from the Department.

OUR VISION

To become the best-run regional government in the world.

OUR PURPOSE

Providing strategic and operational support to the Premier and the Provincial Cabinet as members of the Provincial Executive Council as well as departments, and coordinate the functions of the Western Cape Government and its departments through the development and implementation of economic, social and environmental responsible services.

We value being accessible

That's why our budget is accessible to people with disabilities.

Our Top Management, business unit contact details as well as the Department's Service Standards Schedule is available at: http://intrawp.pgpc.gov.za/Intrawp_Pages/

Office Hours: 07:30 - 16:00

OUR SERVICES AND STANDARDS

Executive Support

Deliver executive support services to the Provincial Cabinet and its management of the Western Cape Government and the Department's executive management.

Provide in support to the Director-General.

Departmental Financial management services to the Director-General.

Departmental strategic, safety and security management services.

Policy and Strategy

Executive strategic support in the development and implementation of high level provincial policies and strategies.

Provincial Strategic Management

Identify and coordinate and strategic management affect impact on the socio-economic growth and industry sector development in the Western Cape.

Regional communication and public participation to ensure that the Western Cape Government communicates the delivery intent and outcomes of the provincial budget cycle in the interests of the Western Cape.

Corporate Assurance Services

Enable a mature control framework in all departments in the Western Cape Government through embedded risk management, improved business processes and zero tolerance for fraud and corruption.

Provide legal support (including reporting and enforcing), legal support, legal compliance and corporate legal advisory services, enabling Provincial Government decision-making that is sound in law.

Provide Corporate Communications - ensure consistent application of provincial communication strategy and corporate identity branding through the rendering of corporate communication services.

People Management Services

(Human Resource Management, Organization Development, Provincial Training Institute)

Highly capable workforce, create an enabling workplace and develop leadership that enables employee engagement and optimal service delivery.

Centre for E-Innovation Services

Optimize service delivery through innovative information and communication technologies.

FEEDBACK IS IMPORTANT TO US. LET US KNOW WHEN WE ARE DOING WELL, OR WHEN WE ARE NOT LIVING UP TO EXPECTATIONS.

You can report your service or complaint by requesting to see a supervisor.

As members of the Department who are responsible for the Western Cape, we attempt to resolve your complaint as quickly as possible through our internal complaint resolution process.

In the event where attempts need to be made, your complaint will be referred to the Head, CIO, or Deputy Director-General (DDG) or the Chief Department Head of Department (CHD). The Head, CIO, or Deputy Director-General (DDG) or the Chief Department Head of Department (CHD) shall act as an appeal officer but within 5 days of receiving their complaint, agree in writing on steps that will be taken by the CIO, or the DDG or CHD to resolve the complaint.

In the event that a complaint cannot be resolved following the above mentioned process, either party may decide to pursue, in which case it will be referred to the ombudsman in the Western Cape.

In the event that a complaint is referred to the following process it should be followed:

- Complaints received from citizens or business should be referred to:
- In the event of a complaint received from the CIO and a DDG, it will refer to the Head, CIO or Provincial Treasury (one of the two HODs of Client departments designated by the CIO).

Should the process remain unresolved, it will be referred to Ombudsman.

Western Cape Government
Department of the Premier

RECEIVED BY: [Signature]

DATE: [Signature]

APPENDIX C: 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]

<p>FOR DEPARTMENTAL USE</p> <p>Reference number: _____</p> <p>Request received by _____ (state rank, name and surname of information officer/deputy information officer) on (date) at _____ (place).</p> <p>Request fee (if any): R</p> <p>Deposit (if any): R</p> <p>Access fee: R</p> <p style="text-align: right;">SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER</p>
--

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

_____ Fax number:

Telephone number: _____ E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

- (a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

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

Reason for exemption from payment of fees:

F. Form of access to record

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

Disability:	Form in which record is required:
-------------	-----------------------------------

Mark the appropriate box with an "X".

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form -

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
--------------------------	-----------------	--------------------------	----------------------

2. If record consists of visual images -

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

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
--------------------------	-----------------	--------------------------	---------------------	--------------------------	------------------------------

3. If record consists of recorded words or information which can be reproduced in sound -

	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
--	--	--	---

4. If record is held on computer or in an electronic or machine-readable form -					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? A postal fee 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 thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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

Signed at _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE

APPENDIX D: 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 is lodging the internal appeal, must be completed below.*
- (b) *Proof of the capacity in which appeal is lodged, if applicable, must be attached.*
- (c) *If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be stated 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) is lodging the internal appeal.

Full names and surname:

Identity number

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an "X" in the appropriate box:

	Refusal of request for access.
	Decision regarding fees determined in terms of section 22 of the Act.
	Decision regarding the extension of the period within which 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 as requested by the requester.
	Decision to grant request for access.

E. Grounds for appeal

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

State the grounds upon which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

Particulars of manner:

Signed at _____ this _____ day of _____ 20

SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on _____ (date) by

(state rank, name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by information officer/deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

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

NEW DECISION:

DATE

RELEVANT AUTHORITY

DATE RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION
OFFICER FROM THE RELEVANT AUTHORITY:

APPENDIX E: FEE SCHEDULE

Annexure A

GENERAL: VALUE-ADDED TAX

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value-added tax to all fees prescribed in this Annexure.

PART I

FEES IN RESPECT OF GUIDE

1. The fee for a copy of the guide as contemplated in regulations 2 (3) (b) and 3 (4) (c) is R0,60 for every photocopy of an A4-size page or part thereof.

PART II

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:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
(c) For a copy in a computer-readable form on—	
(i) stifty disc	5,00
(ii)compact disc	40,00
(d)	
(i)For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii)For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii)For a copy of an audio record	17,00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7 (2) is R35,00.

4. The access fees payable by a requester referred to in regulation 7 (3) are as follows:

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

- | | |
|---|-------|
| thereof | 22,00 |
| (ii)For a copy of visual images | 60,00 |
| (e)(i)For a transcription of an audio record, for an A4-size page or part thereof | 12,00 |
| (ii)For a copy of an audio record | 17,00 |
| (f)To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. | |
- (2)For purposes of section 22 (2) of the Act, the following applies:
- (a)Six hours as the hours to be exceeded before a deposit is payable; and
- (b)one third of the access fee is payable as a deposit by the requester.
- (3)The actual postage is payable when a copy of a record must be posted to a requester.

**PART III
FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.

2.

2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a)For every photocopy of an A4-size page or part thereof	1,10
(b)For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)For a copy in a computer-readable form on—	
(i)stiffy disc	7,50
(ii)compact disc	70,00
(d)(i)For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)For a copy of visual images	60,00
(e)(i)For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1)(a)For every photocopy of an A4-size page or part thereof	1,10
(b)For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)For a copy in a computer-readable form on—	
(i)stiffy disc	7,50
(ii)compact disc	70,00
(d)(i)For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)For a copy of visual images	60,00
(e)(i)For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)For a copy of an audio record	30,00
(f)To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	

(2)For purposes of section 54 (2) of the Act, the following applies:

(a)Six hours as the hours to be exceeded before a deposit is payable; and

- (b)one third of the access fee is payable as a deposit by the requester.
- (3)The actual postage is payable when a copy of a record must be posted to a requester.