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M A N U A L S

IN ACCORDANCE WITH

THE PROMOTION OF ACCESS TO

INFORMATION ACT (NO. 2 OF 2000)



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INDEX

Company Name	Gazette No.	Date	Page No.
LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM	33442	13-08-2010	3

MANUAL

of the

**LIMPOPO DEPARTMENT OF ECONOMIC
DEVELOPMENT, ENVIRONMENT & TOURISM**

*in terms of section 14 of the
Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)*

TABLE OF CONTENTS

- 1. Introduction.**
- 2. Scope of manual.**
- 3. Structure of the Department**
- 4. Functions of Department of Economic Development, Environment and Tourism**
- 5. Contact details of Deputy Information Officer**
- 6. Guide of South African Human Rights Commission on how to use the Act**
- 7. Records**
 - 7.1 Description of subjects on which Limpopo Department of Economic Development, Environment and Tourism holds records and categories of records held on each subject.**
 - 7.2 Records automatically available.**
 - 7.3 Request procedure.**
- 8. Services available to public.**
- 9. Arrangement allowing involvement in the formulation of policy and performance of functions.**
- 10. Remedies available in respect of acts or failures to act.**
- 11. Fees as prescribed under part 11 of notice 187 in the Government Gazette 15 February 2002.**
- 12. Forms prescribed for access to records.**

1. INTRODUCTION.

The Limpopo Department of Economic Development, Environment and Tourism (LEDET) was established in December 2004 as a result of its separation from the former Department of Finance and Economic Development by an Executive Council decision.

The promotion of Access to Information Act was promulgated in March 2001. The Act was put in place to actively promote a society in which the people of South Africa have meaningful access to information which enables them to fully exercise and protect their rights. The promulgation of the Act was also designed to foster a culture of transparency and accountability in public bodies.

2. SCOPE OF MANUAL.

This manual has been prepared in accordance with section 14 of the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000)

This manual has been prepared in respect of the Department's Head-Office as well as its District Offices. Parastatals attached to the Department are excluded.

A copy of this manual is available free of charge for inspection by the general public upon request, during office hours at our offices. The manual is also published on our Limpopo Government Website (www.limpopo.gov.za).

3. STRUCTURE OF THE DEPARTMENT

The Limpopo Department of Economic Development, Environment and Tourism operates from its Head –Office in the Provincial capital city of Polokwane as well as the District offices listed below. All District Managers report to their respective line Senior Managers in Head-Office

CAPRICORN DISTRICT

Private Bag X9486
POLOKWANE
0700
Tel (015) 297 3839
Fax (015) 297 8962

SEKHUKHUNE DISTRICT

Private Bag X31
LEBOWAKGOMO
0739
Tel (015) 633 5169
Fax (015) 633 5153

VHEMBE DISTRICT

Private Bag X5088
THOHOYANDOU
0950
Tel (015) 962 4722/3/4
Fax (015) 962 4829/1242

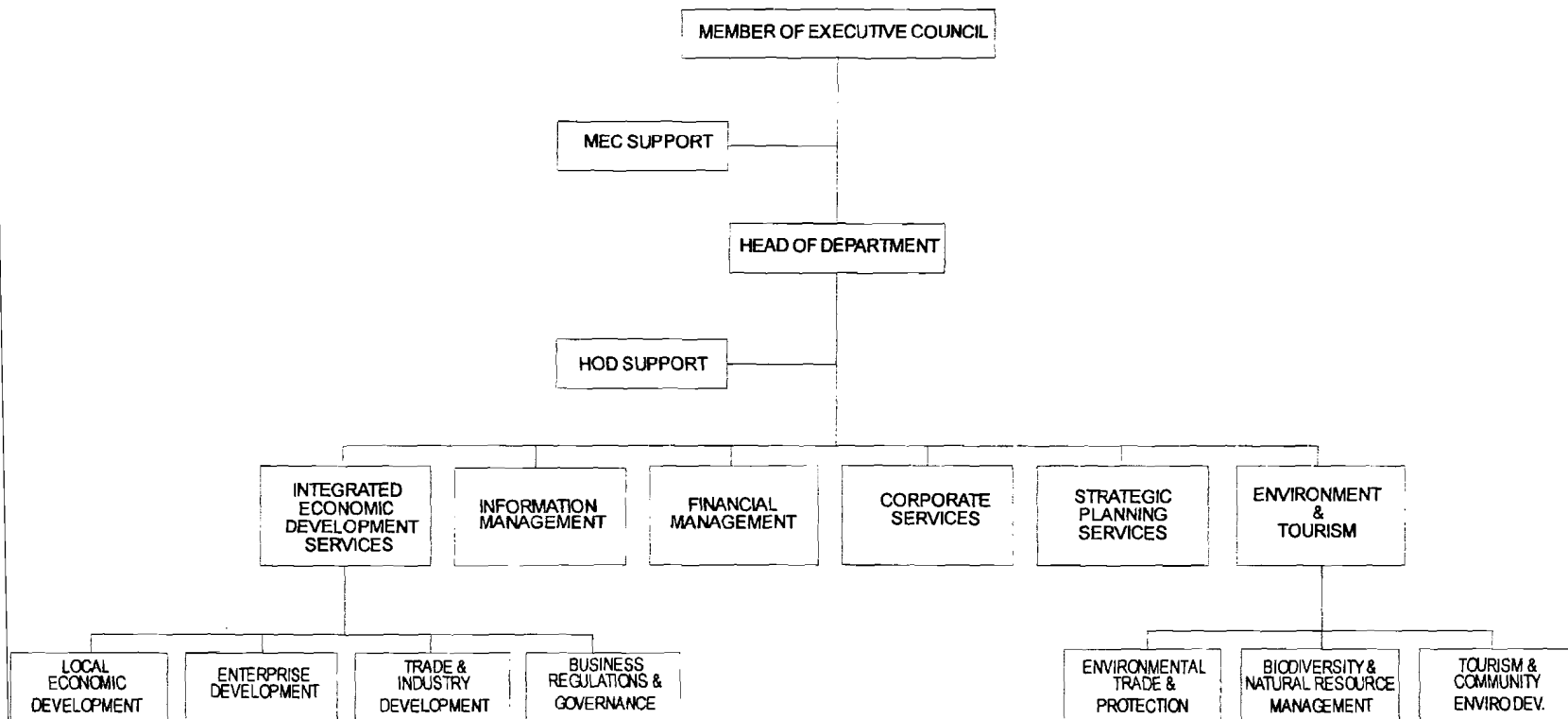
MOPANI DISTRICT

Private Bag X9681
GIYANI
0826
Tel (015) 812 0365
Fax (015) 812 0604/2448

WATERBERG DISTRICT

Private Bag X1041
MODIMOLLE
0510
Tel (014) 717 5305/3
Fax (014) 717 5200

ORGANISATION STRUCTURE



4. VISION, MISSION, FUNCTIONS AND SERVICES OF DEPARTMENT

4.1. VISION-

A major contributor to innovations and solutions for sustainable economic growth.

4.2. MISSION

To stimulate and maintain an enabling environment conducive to sustainable economic growth, environmental justice and an improved quality of life for all.

4.3. FUNCTIONS

The following are the core functions of the Department:

- The promotion of economic growth in the Province.
- The promotion and management of Environmental and Tourism activities in the Province.
- Ensure healthy and fair trade
- Administration of corporate governance

4.4. SERVICES

The Department offers the following services to the general public:-

4.4.1 Human Resource Development

- Provision of bursaries according to skills development needs for the Department
- Provision of learnerships /internships on courses relevant to the Department

4.4.2 Economic Participation

- Co-ordination of enterprise development support
- Provision of integrated and consolidated Economic Planning and Research processes

- Small, Medium and Micro Enterprises (SMME) development support
- Protection of consumer rights
- Manage liquor affairs.
- Monitor and evaluate business registration centers.
- Support industrial development.
- Co-ordinate investment promotion activities.

4.4.3. Tourism

- Ensure the development, co-ordination and implementation of
- environmental capacity building programmes.
- Management of the development and promotion of tourism activities.

4.4.4. Environment

- Pollution and Waste Management services.
- Manage environmental compliance, enforcement and rehabilitation.
- Management of Biodiversity support services and natural resource management.
- Manage wildlife trade regulation.

5. CONTACT DETAILS OF THE DEPUTY INFORMATION OFFICER

The Head of Department of the Limpopo Department of Economic Development, Environment and Tourism is the Deputy Information Officer.

Deputy Information Officer :	Ms Marylene S. Broderick (Head of Department)
Telephone No. :	(015) 293-8648
Email :	Broderickms@ledet.gov.za
Contact Person :	Ms Mokgadi J. Lebethe
Telephone No. :	015 295 7203
Email :	Lebethemj@ledet.gov.za
Fax No. :	015 295 6824

GENERAL INFORMATION

Postal Address
Private Bag X9484
POLOKWANE
0700

Street Addresses
20 Hans van Rensburg St.
POLOKWANE

Telephone Numbers (Switch Board)
(015) 293-8300

Fax Number
(015) 291-4107

6. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT

The guide on how to use the Promotion of Access to Information Act, 2000, is available from the South African Human Rights Commission at the following address: Copies are also available from our Department.

**South African Human Rights Commission:
Promotion of Access to Information Act (PAIA) Unit
The Research and Documentation Department
Postal address: Private Bag X 2700
Houghton
2041**

**Telephone: 011-484 8300
Fax: 011 484 1360
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za**

7. RECORDS

7.1 DESCRIPTION OF SUBJECTS ON WHICH LIMPOPO DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT.

For purposes of facilitating a request in terms of the Act, the subjects on which the Limpopo Economic Development, Environment and Tourism department holds records and the categories of records held on each subject are as follows: (section 14 (1) d)

SUBJECT	CATEGORY	SUB-CATEGORY
Economic development.	Promotion of economic growth in the Province.	<p>Small, Medium and Micro Enterprises (SMME's), Industry, Co-operatives, Agro-processing and Economic planning Acts, policies as well as promotional brochures.</p> <ul style="list-style-type: none"> • Socio-economic statistics reports. • Provincial Accounts statements e.g. on the Gross Domestic Product.(GDP). • Provincial Economic development plans. • Industrial development park/zone studies reports. • Industrial development strategy reports. • Reports from Trade and Investment Limpopo, Limpopo Business Support Agency (LIBSA), Limpopo Economic Development Enterprise (LIMDEV) and • Small Enterprise Development Agency.

		<ul style="list-style-type: none"> • Applications for liquor licences • Minutes of Liquor Board meetings. • Applications and viability reports for applications for business licences and petrol stations. • Trade inspection reports. • Consumer complaints records i.r.o. Consumer Affairs Act.
Environment and Tourism.	Ensure the promotion and management of Environmental and Tourism activities in the Province.	<ul style="list-style-type: none"> • Municipal Integrated waste management plans. • Waste disposal sites records. • Diesel/petrol and asbestos spillages records. • Environmental Management Programme reports for mining and prospecting. • Amnesty applications in terms of section 24 of National Environmental Management Act.(NEMA) • Applications for road constructions. • Complaints register i.r.o. Environmental Legislation compliance. • Animal confiscation records. • Applications for permits i.r.o. Convention on International Treaty for Endangered species.(CITES)

		<ul style="list-style-type: none"> • Scientific reports. • Records for hunters and hunting outfitters. • Applications for hunting, game translocations, capturing, culling, damage-causing animals control thereof. • Records for protected areas, proclamation of protected areas and game control in protected areas. • Records for tourist sites and African Ivory Route camps. • Register for registered Tourist Guides. • Tourism Growth Strategy • Records on Extended Public Works Programme (EPWP) projects • Records on Biosphere Reserves
Strategic planning and co-ordination.	Management of Strategic planning.	<ul style="list-style-type: none"> • Departmental Strategic plan. • Annual Performance plan. • Monitoring and Evaluation reports.
Corporate Services.	Provision of Corporate Services.	<ul style="list-style-type: none"> • Applications for employment. • Human Resource Strategic Plan and personnel files. • Service delivery improvement reports. • Employee Assistance Programme (EAP) records. • HIV- AIDS reports. • District performance

		reports <ul style="list-style-type: none"> • Leave plans and records. • Skills development plan. • Labour saving devices and telecommunication records. • Law journals and Labour Relations Act. • Security and Minimum Information Security Standards (MISS) inspection reports
Financial Administration.	Rendering of Financial and Risk management services.	<ul style="list-style-type: none"> • Budget reports and Medium Term Expenditure Framework (MTEF) submissions. • Revenue, Bank, Cash and payment of accounts statements. • Supply chain management/procurement orders and requisitions for goods /services. • Asset register.
Information Management.	Information Management Services.	<ul style="list-style-type: none"> • Annual reports to South African Human Rights Commission (SAHRC) and quarterly reports to Office of the Premier (i.r.o. Promotion of Access to Information Act manual) • Records for Information technology equipment and users. • File plans. • Information Technology and Records policies. • Events Calendar. • Media briefings.

		<ul style="list-style-type: none"> • Speeches. • Newsletters.
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7.2 RECORDS AUTOMATICALLY AVAILABLE (section 14 (1)e)

The following records are available without a person having to request access in terms of the procedures in the Promotion of Access to Information Act:-

- Organisational Structure
- Staff Contact Details Directory
- Application Forms for employment and services
- Departmental Policies
- Acts and Regulations used by the department
- Procedure /Process Manuals
- Citizen's report.
- Service standards.
- Service delivery charter.
- Statement of commitment.
- Strategic plan.
- Promotional material.
- Newsletters.
- Batho-Pele principle pamphlets
- Journals, magazines and publications relating to nature conservation and environmental management.
- Departmental Events Calendar

The records on the website of the Limpopo Provincial Government, www.norprov.gov.za, are available for viewing or downloading without a person having to make such a request in terms of the said Act.

7.3 REQUEST PROCEDURE

Granting or refusal of request:

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

How do I request access to a record?

- A requester must use the form (Form A) that was printed in the Government Gazette (Government Notice R187 of 15 February 2002).
- The requester must also indicate if the requester wants a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a paper document it can then be viewed in the requested form, where possible.
- If a person asks for access in a particular form (e.g.: a paper copy, electronic copy, etc) then the requester should get access in that form. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in another form, then the fee must be calculated according to the way that the requester first asked for it.
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated.

- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made must be indicated.
- If a requester is unable to read or write, or has a disability, then the request can be made orally. The Deputy Information Officer must then fill in the form on behalf of such a requester and give them a copy of the completed form.

Fees payable for a request and notification of decision on access

- A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester must pay the request fee of R35.
- The Deputy Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed request fee (if any) and deposit (if any) before further processing the request.
- The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of a fee.
- After the Deputy Information Officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the request is granted then a further access fee must be paid for the reproduction and for search and preparation for any time required in excess of stipulated hours to search and prepare the record for disclosure.
- Access to a record will be withheld until all the applicable fees have been paid.

8. ARRANGEMENT ALLOWING INVOLVEMENT IN FORMULATION OF POLICY AND PERFORMANCE OF FUNCTIONS

Policy and legislation:

Whenever the Limpopo Department of Economic Development, Environment and Tourism embarks on projects it undertakes consultation with all stakeholders by inviting comment or through workshops/conferences. The process of participation differs according to the kind of project and is usually made known before the start of the project or thereafter.

Members of the public also participate in influencing department policies by nominating members for the different boards established to serve in the department and parastatals.

Administrative action:

In cases where an administrative action materially and adversely affects-

- the rights or legitimate expectations of any person; or
- the rights of the public,

the prescripts for a procedurally fair administrative action set out in the provisions of the Promotion of the Administrative Act, 2000 (Act No. 3 of 2000), will be adhered to (sections 4 and 5 in particular).

Conditions of service of public service employees:

The conditions of service and other matters of mutual interest of public service employees are negotiated at the bargaining councils created in terms of the Labour Relations Act, 1995 (Act No 66 of 1995). Trade unions representing a stipulated number of public service employees may become a party to such a bargaining council. The Public Service Co-ordinating Bargaining Council at which inter alia all conditions of service applying to all public service employees uniformly are negotiated.

9. REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURES TO ACT

The following procedures exist for persons to report or remedy alleged irregular, improper or unlawful official acts or omissions by the Limpopo Department of Economic Development, Environment and Tourism or any of its employees:

Procedures for reporting or remedying:

(i) Remedies in respect of acts or failures to act in terms of the Promotion of Access to Information Act: The internal appeal authority for purposes of this Act is the Member of Executive Council (MEC) of the department.

10. FEES AS PRESCRIBED UNDER PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE 15 FEBRUARY 2002

N.B. The forms and fee structure prescribed by the Act are also available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the regulations section.

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:

(a). For every photocopy of an A4-size page or part thereof	R0,60
(b). For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0,40
(c). For a copy in a computer-readable form on -	
(i) stiffy disc	R5,00
(ii) compact disc	R40,00
(d). (i) For a transcription of visual images, for an A4-size page or part thereof	R22,00
(ii) For a copy of visual images	R60,00
(e). (i) For a transcription of an audio record, for an A4-size page or part thereof	R12,00
(ii) For a copy of an audio record	R17,00

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

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

4.1

(a) For every photocopy of an A4-size page or part thereof	
	R0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	
	R0,40
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	R5,00
(ii) compact disc	R40,00
(d)	
(i) For a transcription of visual images, for an A4-size page or part thereof	R22,00
(ii) For a copy of visual images	R60,00
(e)	
(i) For a transcription of an audio record, for an A4-size page or part thereof	R12,00
(ii) For a copy of an audio record	R17,00
(f) To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	

- 4.2 For purposes of section 22(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

- 4.3 The actual postage is payable when a copy of a record must be posted to a Requester.

11. FORMS PRESCRIBED FOR ACCESS TO RECORDS**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY
2002****FORM A****REQUEST FOR ACCESS TO RECORD**

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 2]

REQUEST FOR ACCESS TO RECORDS	
FOR DEPARTMENTAL USE	Reference number:.....
Request received by: -	
<div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="border: 1px solid black; width: 100%; height: 15px;"></div>	
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
<div style="border: 1px solid black; width: 100%; height: 15px; margin-top: 10px;"></div>	
SIGNATURE: INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

DEPUTY INFORMATION OFFICER	ADDRESS
Ms. J. SHIBAMBU	Private Bag X9484 POLOKWANE 0700 TEL. NO.: +27 15-293 8500 FAX. NO.: +27 15- 293-8319 Email: Shibambuj@ledet.gov.za
CONTACT PERSON	ADDRESS
Ms M.J.LEBETHE	Private Bag X9484 POLOKWANE 0700 TEL.: NO.: +27 15-295 7203 FAX. : NO.: +27 15 295 6824 E-Mail: Lebethemj@ledet.gov.za

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.

DESCRIPTION OF RECORDS:.....

.....

.....

REFERENCE NUMBER:.....(If available)

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:				
<p>Mark the appropriate box with an "X".</p> <p>NOTES:</p> <p>(a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>					
<p>1. If the record is in written or printed form -</p>					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
<p>2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</p>					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
<p>3. If record consists of recorded words or information which can be reproduced in sound -</p>					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	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/postage fee is payable.			YES 	NO
<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>				
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(month) 200.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

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