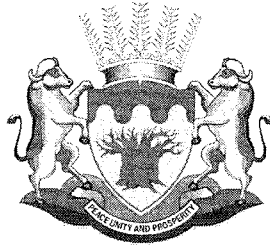


PROVINCIAL TREASURY



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

SECTION 14 MANUAL

ON PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

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1. INTRODUCTION.

During December 2004 the former Department of Finance and Economic Development was reconfigured into Limpopo Provincial Treasury and Department of Economic Development, Environment and Tourism.

The promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (Act) was promulgated in March 2001 to promote a South African society in which all citizens have meaningful access to information, to enable them to fully exercise their rights and foster a culture of transparency and accountability in public and private bodies.

2. LEGISLATIVE MANDATE

This manual is compiled in compliance with Section 14 of the Act.

3. SCOPE OF APPLICATION.

This manual is applicable to all employees of the Department.

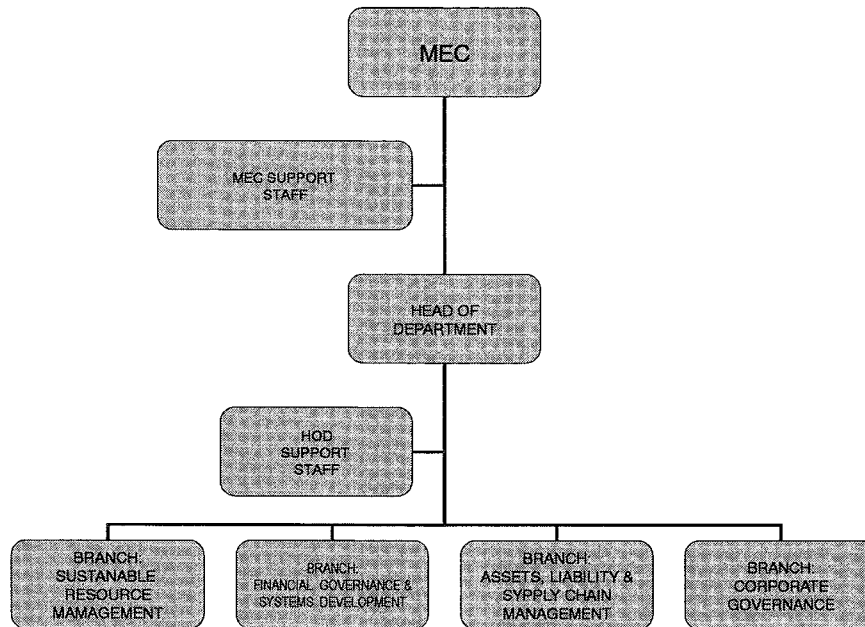
A copy of this manual is available for inspection at no cost. Viewing may also be made on Limpopo Government Website (www.limpopo.gov.za).

4. AVAILABILITY OF THE MANUAL

The manual will be made available in the following languages:

- English
- Sepedi
- Tshivenda
- Tsonga

5. ORGANISATIONAL STRUCTURE



6. VISION, MISSION, FUNCTIONS AND SERVICES OF DEPARTMENT

6.1. VISION

To become a centre of excellence and provide sound financial management and leadership that enhances socio-economic growth and development in Limpopo.

6.2. MISSION

To provide ethical, consultative and people-focussed services through sound financial management including attaining and maintaining effective financial resource mobilization.

6.3. FUNCTIONS

The following functions of the Department are prescribed by section 18(1) and (2) of the Public Finance Management Act, 1999 (Act No. 1 of 1999):

“(1) A provincial treasury must –

- (a) prepare the provincial budget;
- (b) exercise control over the implementation of the provincial budget;
- (c) promote and enforce transparency and effective management in respect of revenue, expenditure, assets and liabilities of provincial departments and provincial public entities; and
- (d) ensure that its fiscal policies do not materially and unreasonably prejudice national economic policies.

(2) A provincial treasury –

- (a) must issue provincial treasury instructions not inconsistent with this Act;
- (b) must enforce this Act and any prescribed national and provincial norms and standards, including any practice and uniform classification system, in provincial departments;
- (c) must comply with the annual Division of Revenue Act, and monitor and assess the implementation of that Act in provincial public entities;
- (d) must monitor and assess the implementation in provincial public entities of national and provincial norms and standards;
- (e) may assist provincial departments and provincial public entities in building their capacity for efficient, effective and transparent financial management;
- (f) may investigate any system of financial management and internal control applied by a provincial department or a provincial public entity;
- (g) must intervene by taking appropriate steps, which may include the withholding of funds, to address a serious or persistent material breach of this Act by a provincial department or a provincial public entity;
- (h) must promptly provide any information required by the National Treasury in terms of this Act; and

- (i) may do anything further that is necessary to fulfil its responsibilities effectively.”

6.4. SERVICES

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

6.4.1. Human Resource Development

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

6.4.2. Sustainable Resource Management

- Conduct Provincial and Municipal Socio-Economic Research and Analysis; and
- Formulate and manage Provincial Budget and Expenditure
- Monitor Provincial and Municipal Budget and Expenditure

6.4.3. Financial Governance and Systems Development

- Ensure the provision of Accounting Services to the Provincial Departments and Municipalities
- Ensure the development and implementation of Financial Systems in Provincial Departments and Municipalities

6.4.4. Assets, Liabilities and Supply Chain Management

- Facilitate the effective and efficient management of Physical and Financial Assets in Provincial Departments and Municipalities
- Facilitate the effective and efficient management of Liabilities in Provincial Departments and Municipalities
- Ensure management of Supply Chain in Municipalities and Provincial Departments

7. CONTACT DETAILS OF THE INFORMATION OFFICER

The Head of Department is the Information Officer in terms of the Act.

Information Officer	:	Head of Department
Telephone No.	:	(015) 298-7000
Email	:	<u>io@treasury.limpopo.gov.za</u>
Deputy Information Officer	:	Records Manager
Telephone No.	:	015 298 7000
Email	:	<u>dio@treasury.limpopo.gov.za</u>
Fax No.	:	015 295 7010

GENERAL INFORMATION

Postal Address

Private Bag X9486
POLOKWANE
0700

Street Addresses

46 Hans van Ransburg Street &
56-58 & 67 Paul Kruger Street
POLOKWANE
0700

Telephone Numbers (Switch Board)

(015) 298-7000 / 291 8400 / 291 1884

Fax Number

(015) 295-7010

8. DESCRIPTION OF AND ACCESSIBILITY TO THE GUIDE

Section 10 of the Act provides a guide on how to use the Act. Copies are also available at the following addresses:

South African Human Rights Commission:

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

9. UPDATING OF THE MANUAL

The Department may, if necessary, update and publish its manual referred to in subsection (1) of Section 14, at intervals of not more than a year.

10. RECORDS

10.1 DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS IN POSSESSION OF THE DEPARTMENT

For purposes of facilitating a request in terms of the Act, the subjects and categories of records in possession of the department are as follows: (Section 14 (1) d)

SUBJECT	FUNCTION	CATEGORY OF RECORDS
Financial Administration.	Rendering of Financial, Security 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.
Corporate Services.	Provision of sound corporate services.	<ul style="list-style-type: none"> Applications for employment. Human Resource strategic plan and personnel files. Leave plans and records. Skills development plan. Labour saving devices and telecommunication records. Annual reports to South African Human Rights Commission (SAHRC) and quarterly reports to Office of the Premier (i.r.o.PAIA manual) Records for Information technology equipment and users. Law journals and Labour Relations Act. Security and MISS inspection reports
Strategic planning and co-	Management of Strategic	<ul style="list-style-type: none"> Service delivery improvement

ordination.	planning, programmes and communications	reports. <ul style="list-style-type: none"> • Employee Assistance Programme (EAP) records. • HIV- AIDS reports. • Citizen's report • Departmental performance reports. • Organisational Structure • Departmental Policies • Newsletters. • Departmental Strategic Plan • Procedure /Process Manuals
Sustainable Resource Management	Administration of Provincial Parastatal and Municipal Budget and Expenditure	<ul style="list-style-type: none"> • Revenue report • Revenue policies • Provincial and Parastatal Budget and Expenditure report
Financial Governance and System Development	Administration of Accounting Services and Systems Development in Provincial Departments	<ul style="list-style-type: none"> • Policies • Practice notes

10.2 RECORDS AUTOMATICALLY AVAILABLE (section 14 (1) (e))

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

- Organisational Structure
- Departmental contact numbers
- Application Forms for employment and services
- Departmental Policies
- Acts and Regulations governing the department's mandate
- Procedure /Process Manuals
- Citizen's report.
- Service standards.
- Service delivery charter.

- Strategic plan.
- Newsletters.
- Batho-Pele principle pamphlets
- Annual report
- Budget speech
- Citizen guide
- Budget statements
- Budget and expenditure review
- Adjustments estimate of payment and receipts
- Departmental Events Calendar

The above records are available on the website of the Limpopo Provincial Government, www.limpopo.gov.za

11. REQUEST PROCEDURE

- Section 18 of the Act provides procedural requirements for access to a record of a public body
- A requester must use the form (Form A) that was printed in the Government Gazette (Government Notice R187 of 15 February 2002).

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

- Chapter 4 of the Act provides grounds for refusal of access to records

13. 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. All other requester must pay the request fee of R35.
- The 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 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.

**14. REMEDIES AVAILABLE IN RESPECT OF ACTS OR
FAILURES TO ACT [Section 14(1)(h)]**

- The internal appeal against a decision of the information officer or deputy information officer may be lodged with the MEC of the department, or the person designated in writing by the MEC, on any of the following grounds:
 - A refusal to grant access; or
 - A decision taken in terms of section 22, 26(1) or 29(3)
- Part 4, Chapter 1 of the Act provides procedures to be followed on internal appeals against decisions of information officer of certain public bodies

15. 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) is 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.

16. 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: 1.2em; margin-bottom: 5px;"></div> Name:	
<div style="border: 1px solid black; width: 100%; height: 1.2em; margin-bottom: 5px;"></div> Rank:	
<div style="border: 1px solid black; width: 100%; height: 1.2em; margin-bottom: 5px;"></div> Date:	
<div style="border: 1px solid black; width: 100%; height: 1.2em; margin-bottom: 5px;"></div> Place:	
Request fee (if any):	R
Deposit (if any):	R
Access fee:	R
..... SIGNATURE: INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

INFORMATION OFFICER	ADDRESS
INFORMATION OFFICER	Private Bag X9486 POLOKWANE 0700 TEL. NO.: +27 15-298 7000 FAX. NO.: +27 15- 293-8319 Email: io@treasury.limpopo.gov.za

B. Particulars of person requesting access to the record

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

[illegible][illegible]

(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 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

(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>			
	copy of record*		inspection of record
<p>2. If record consists of visual images -</p> <p>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</p>			

	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form -					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? 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