



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

**PROMOTION OF ACCESS TO
INFORMATION ACT [PAIA]
SECTION 14 MANUAL**

2nd VERSION

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INTRODUCTION

- 1.1 The Promotion of Access to Information Act (Act no. 2 of 2000) came into effect in March 2001.
- 1.2 The purpose of the Act is to give effect to the constitutional right of access to any information that is required for the exercise or protection of any rights.
- 1.2 The Act aims to foster a culture of transparency and accountability in the Public and private bodies by giving effect to the right of access to information and actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.
- 1.4 In terms of Section 14(1) of this Act, the “Information Officer of the Department of Education must compile in at least three official languages a manual” that provides information regarding the subjects and categories of records held by the Department.
- 1.5 This manual is intended to fulfil this requirement.
- 1.6 The manual provides an overview of records held by Department of Education and the processes that needs to be adopted to access such records.
- 1.7 All requests for access to information (other than information freely available to the public) should be directed to the Information Officer as provided for in Section 3 of this manual.

2. PARTICULARS IN TERMS OF SECTION 14

- A. (i) The functions and the structure of the Department of Education [Section 14(1) (a)]

The functions of the Department of Education

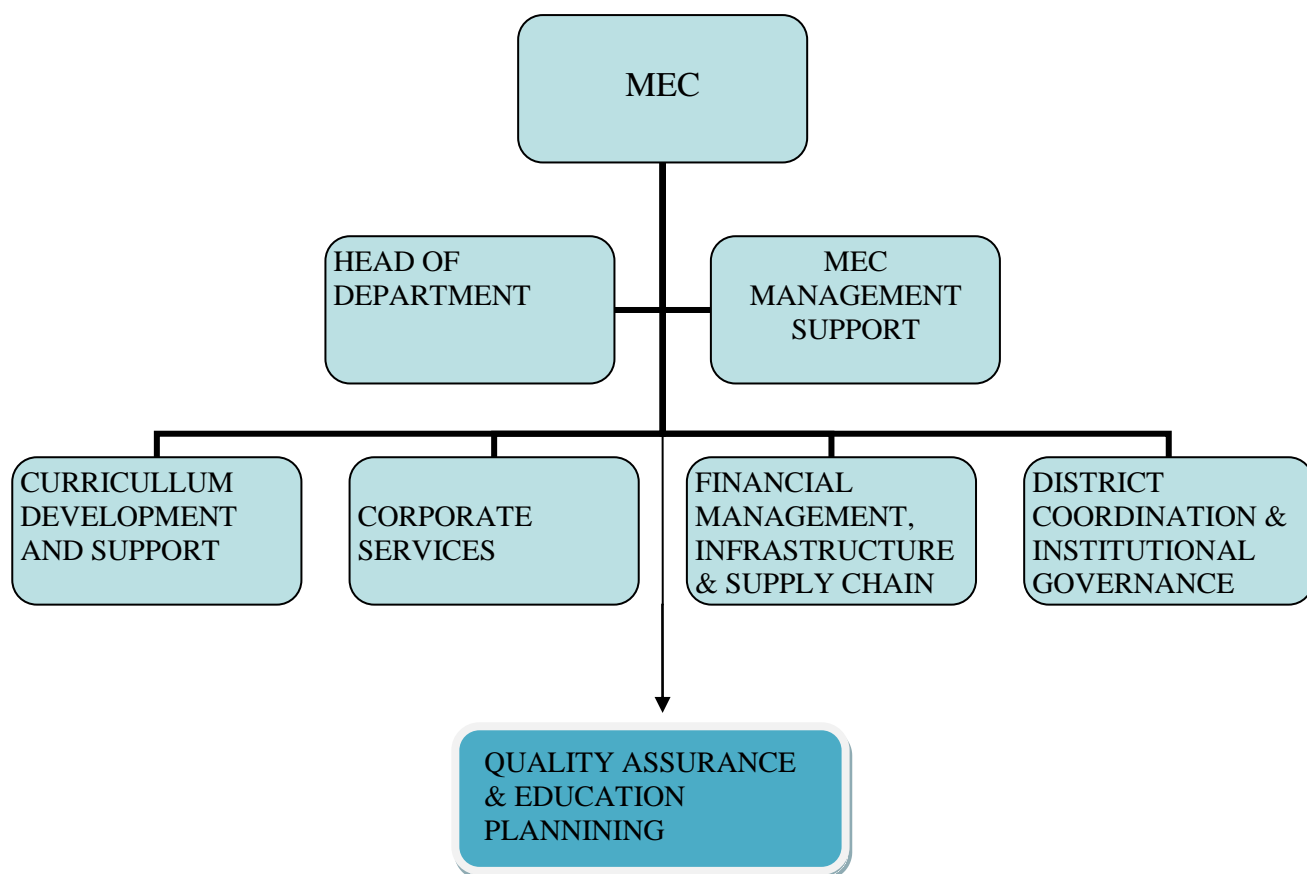
- Develop and deliver relevant and appropriate curriculum.
- Develop skills appropriate for socio economic needs.
- Provide Quality assurance of the system.
- Provide for Governance and District Management.
- Provide financial administration and physical resources.
- Provide human resources and operational support
- Provide for corporate services.
- Provide for enabling ICT environment.

(ii) **A SCHEMATIC DIAGRAM OF THE STRUCTURE OF THE DEPARTMENT OF EDUCATION**

The political head for Limpopo Department of Education is the Member of Executive Council [MEC] while the Administrative Head [Accounting Officer] is the Head of Department [HOD].

Department is made up of five (5) branches and are indicated as follows:

- Corporate Services
- Financial Management Infrastructure and Supply Chain Management
- District Coordination and Institutional Governance
- Curriculum Development
- Quality Assurance and Education Planning



The Department consists of a provincial office that is situated in Polokwane and various District offices that are situated in the Waterberg, Mopani, Capricorn, Sekhukhune and Vhembe Districts.

B. CONTACT DETAILS [SECTION 14(1) (B)]

Information officer	Head of Department of Education
Physical Address	Department of Education 113 Biccard & 24 Excelsior Street Polokwane 0700
Postal Address	Private Bag x 9489 Polokwane 0700
Telephone	015 290 7702
Fax	086 218 0560
Website	www.edu.limpopo.gov.za

C. THE SECTION 10 GUIDES ON HOW TO USE THE ACT [SECTION 14(1)(C)]

The manual is available from Limpopo Department of Education website. Please direct any queries to:

Limpopo Department of Education:
Information Officer
Records Management
Private Bag x 9489
POLOKWANE
0700

Telephone: 015 290 7702
Fax: 086 218 0560
Website: www.edu.limpopo.gov.za

**D. ACCESS TO THE RECORDS HELD BY DEPARTMENT OF EDUCATION
[SECTION 14(1) (D)]**

I. AUTOMATIC DISCLOSURES [SECTION 14(1) (E)]

A notice in terms of section 15(2) describes the categories of records of the Department that are available without a person having to request access in terms of the Act.

FORM D

**AUTOMATICALLY AVAILABLE RECORDS IN TERMS OF SECTION 15
PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)
(Act 2 OF 2000)**

[Regulations 5A]

DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15 (1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS
DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15 (1) (a) (i)	
	LOCATION
<ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Citizen's reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual 	<p>The records may be inspected at the Department on request in writing addressed to the Limpopo Department of Education</p> <p>Information Officer 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7702 Fax. (086) 218 056</p>

<ul style="list-style-type: none"> ▪ Performance Plan ▪ Annual Reports 	
DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR COPYING INTERMS OF SECTION 15 (1) (a) (ii):	
	LOCATION
<ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Citizen's reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual Performance Plan ▪ Annual Reports 	<p>The records may be inspected at the Department on request in writing addressed to Limpopo Department of Education</p> <p>Information Officer 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7702 Fax. (086) 218 0560</p>
DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR PURCHASING IN TERMS OF SECTION 15 (1) (a) (ii)	
	LOCATION
<ul style="list-style-type: none"> • ABET level 4 certificate • Combined ABET level 4 certificate • Grade 12 certificate • Combined Grade 12 certificate • Diploma certificate • Statement of results • Old examination papers 	<p>Records may be accessed on request in writing addressed to Exam Unit: B-50 Help Desk</p>

<ul style="list-style-type: none"> • Tender Documents 	<p>Records may be accessed on request in writing addressed to Supply Chain Management: Office No.D-14: cashier counter</p>
DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15 (1)(a)(iii)	
	LOCATION
<ul style="list-style-type: none"> ▪ Approved organizational structure ▪ Departmental file plans ▪ Policies and Procedure Manuals ▪ Employment Equity Reports ▪ Statement of Public Service Commitment ▪ Service Delivery Improvement Plan ▪ Service Standards ▪ Citizen's Reports ▪ Acts, Regulations and White Papers ▪ Budget Speech ▪ Audited financial statements ▪ Copies of speeches by MEC ▪ Public Service Forms (Z83, Bursary forms) ▪ Journals and magazines ▪ Departmental Strategic Plans ▪ Departmental Annual Performance Plan ▪ Annual Reports 	<p>The records may be inspected at the Department on request in writing addressed to Limpopo Department of Education</p> <p>Information Officer 113 Biccard & 24 Excelsior Street Private Bag x 9489, POLOKWANE 0700 Tel. (015) 290 7702 Fax.(086) 218 0560</p>

ii. RECORDS THAT MAY BE REQUESTED [SECTIONS 14(1) (D)]

DESCRIPTION OF THE SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF EDUCATION

- Organisation and control
- Financial Management
- Accommodation and facilities
- Supplies and services
- Transport and Journeys
- Management Services
- Support Services
- Composition and meetings of Bodies and other gatherings
- Reports, Returns, Information and Statistics
- Examination and Accreditation Services
- Curriculum Development and Curriculum Support Services
- Further Education and Training (FET)
- Education Management and Teacher Development
- Psychological and Special Education Services
- Education Provisioning Support
- School Management/Governance
- Education Management Information Systems

iii. THE REQUEST PROCEDURES

A REQUESTER MUST BE GIVEN ACCESS TO A RECORD OF A DEPARTMENT IF THE REQUESTER COMPLIES WITH THE FOLLOWING:

- The requester must comply 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.

NATURE OF THE REQUEST:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187- 15 February 2002] (Form A).
- The requester must also indicate if is looking for a copy of the record or if the requester wants to come and search for the record at the offices of the Department. Alternatively, if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)].
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the Department 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 an

alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].

- In addition the requester must indicate the manner in which is expecting the decision of the outcome or the reply of the request [s18 (2) (e)].
- If a request is made on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then the request for the record can be made orally. The information officer must then fill in the form on behalf of such a requester and provide a copy thereof [s 18(3)].

THERE ARE TWO TYPES OF FEES REQUIRED TO BE PAID IN TERMS OF THE ACT, BEING THE REQUEST FEE AND THE ACCESS FEE S22:

- 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, who is not a personal requester, must pay the required request fee:
- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request fee payable to the Department is R35. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request, the requester must be notified of such a decision in the manner in which the requester wanted to be notified in.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

E. SERVICES AVAILABLE [SECTION 14(1) (F)]

i. Nature of the Services

CURRICULUM DEVELOPMENT SERVICES

- Early Childhood Development and GET
- Examination
- Technology and Library
- Psychological services and guidance
- Further Education and Training [FET]and Adult Basic Education and Training [ABET]
- Curriculum Support
- In Schools Sport, Arts and Culture

ii. HOW TO GAIN ACCESS TO THESE SERVICES

To gain access to the services at Department of Education, requests must be made to:

Information Officer	Head of Department (Acting)
Physical Address	Department of Education 113 Biccard & 24 Excelsior Street Polokwane 0700
Postal Address	Private Bag x 9489 Polokwane 0700
Telephone	015 290 7702
Fax	086 218 0560
Website	www.edu.limpopo.gov.za

F. ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER [SECTION 14(1) (G)]

The implementation of the Act is popularised to all Institutions of the Department of Education during awareness campaigns where the public express their concerns on the implication of the Act.

G. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH [SECTION 14(1) (H)]

A situation may arise where the requester is not satisfied with the decision taken by the Information Officer/ Deputy Information Officer, in terms of the

act the requester may lodge an appeal to the appointed officer delegated by the Member of the Executive Council (MEC).

**H. OTHER INFORMATION AS PRESCRIBED IN TERMS OF THE ACT
[SECTION 14(1) (I)]**

Where a requester is not satisfied with any decision taken by the information Officer/Deputy Information Officer, a requester may appeal to the MEC.

A third party may lodge an internal appeal against a decision of the information officer or deputy information officer to grant a request for access to information of the Department.

H. UPDATING OF THE MANUAL [SECTION 14(2)]

The Department of Education may, if necessary, update and publish its manual referred to in sub-section (1) of section 14, at intervals or after every 12 months.

J. AVAILABILITY OF THE MANUAL [SECTION 14(3)]

Regulation No. R. 187 of 15 February 2002 prescribes in section 4(1) that the manual of a Department shall be made available in the following manner:

A copy in each of the three official languages shall be made available to every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997; the South African Human Rights Commission; and every office of the Department including Head Office, Districts, Colleges, Circuits and Schools.

The manual shall be published in three of the official languages in the *Gazette*.

The manual is to be made available on the website of the Department.

3. PRESCRIBED FEES FOR THE DEPARTMENT

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 PRESCRIBES FEES IN RESPECT OF THE GOVERNMENTAL BODIES AS FOLLOWS:

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
© For a copy in a computer-readable form on - 1. stifty disc 2. Compact disc	5,00 40,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof (ii) For a copy of visual images	22,00 60,00
(e) (i) For a transcription of an audio record for an A4-size page or part thereof (ii) For a copy of an audio record	12,00 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 –	
(i) stiffy 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

(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

(4) Prescribed forms for access to a record of a Department

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE
15 FEBRUARY 2002**

FORM A

REQUEST FOR ACCESS TO RECORD OF THE DEPARTMENT

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

[Regulation 2]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank, name and surname of information officer/deputy
information officer) on (date) at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of the Department

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be recorded below.

(b) Furnish an address and/or fax number in the Republic to which information must be sent.

(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Identity number: Postal address:

Fax number: Telephone number: E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

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

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

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

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

*(a) A request for access to a record, other than 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><i>Mark the appropriate box with an "X".</i></p> <p>NOTES:</p> <p><i>(a) Your indication as to the required form of access depends on the form in which the record is available.</i></p> <p><i>(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.</i></p> <p><i>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></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 -</p> <p>(These include photographs, slides, video recordings, computer-generated images, sketches, etc.)</p>	

	view the images		copy of the images*		transcription of the images*
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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)
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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)
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES	NO
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A postal fee is payable.

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

_____ of _____

SIGNATURE OF REQUESTER / PERSON ON WHO'S BEHALF REQUEST IS MADE