



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
SPORT, ARTS & CULTURE

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL



THIRD EDITION

2012

SECTION 14 MANUAL FOR THE DEPARTMENT OF SPORT, ARTS AND CULTURE.



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PARTICULARS IN TERMS OF SECTION 14

A. The functions and the structure of the Department of Sport, Arts and Culture [section 14(1)(a)]

i.

The functions of the Department of Sport, Arts Culture:

- Development, promotion and transformation of arts and culture
- Development and promotion of official indigenous languages
- Provisioning of information through library and archive services
- Preserve heritage through permanent collection of various kinds and restoration care of sites having religious political scientific, archaeological and environmental significance
- Develop a policy framework for the governance of sport and recreation in the province that is in concert with the national sport and recreation policy
- Develop programmes in talent identification, skills acquisition and create a nursery for high performance in sport

ii. **A schematic diagram of the Department of Sport Arts and Culture.**

(see attached annexure A and B)

iii.

The structure of the department of Sport, Arts and Culture:

- Consists of Provincial office or Head Office that is situated in Polokwane and various Districts Offices situated at Vhembe, Mopani, Sekhukhune, Waterberg, and Capricorn.
- The Department is headed by the MEC followed by the head of the Department; the Districts are headed by the Managers.

B. CONTACT DETAILS:

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

Information Officer

Ms B.L Baloyi: Head of Department

Deputy Information Officer:
Nkatingi Jabu Herman
Manager: Provincial Archives and Records Services

General information:

Address: 21 Biccard Street
Polokwane
0700

Postal Address Private Bag x 9549
Polokwane
0700

Telephone 015 284 4000
Fax 015 284 4508

C. The section 10 Guide on how to use the Act [section 14(1) (c)]

The guide will be available from the Human Rights Commission not later than 31 March 2012. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit
The Research and Documentation Department

Postal Address: Private Bag2700
Houghton

Telephone: +27 11 484 8300
Fax: +27 11 484 1360
Website: www.sahrc.org.za
E- Mail: PAIA@sahrch.org.za

D. Access to the records held by the department of Sport, Arts and Culture

- i. Automatic disclosures**
 - Speeches and press releases
 - Departmental newsletter
 - Citizens report
 - Annual report
 - Departmental service standards
 - Acts and regulations
 - Annual performance plan
 - Posters
 - Brochures
 - Promotion of access to information manual
 - Circulars for advertisement of posts
 - Tender documents

- ii. Records that may be requested [section 14(1) (d)]**
 - 1. Financial Management
 - Budget
 - Strategic plan
 - MTEF Submissions
 - 2 Human Resources
 - Employment records

- Policies (Overtime, employment equity, work organisation, records management, code of conduct, disciplinary procedure and disciplinary resolutions, transfer, recruitment, selection and appointment, skills retention, job description and evaluation, human resource plan, Termination, OHS, smoking, social club HIV and Aids, sexual harassment, employees health and wellness. Working hours and arrangements.

3. Procurement

- Asset Register

4. Library

- Books
- Other informational documents

5. Archives

- Archivalia

6. Heritage and Museums

- Artefacts

7. Sport and recreation

- Sport centres
- Sport equipments
- Sport development programmes

8. Arts and culture

- Arts and culture facilities, provision and maintenance
-

iii) Request procedures

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

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

Nature of the request

- c. A requester must use a form that has been printed in the Government Gazette [Govt Notice R187-15 February 2002] (Form A)
- d. The requester must indicate if the requester is for a copy of the record or if the requester wants to come in and look at the record at the office of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s29 (2)]
- e. If a person asks for access in a particular form then the requester should get access in a manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternative manner, then the fee must be calculated according to the way that the requester first asked for it [s29 (3) and (4)].
- f. 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 [s18 (2)(e)].
- g. If a requester is asking for information on behalf of somebody else, the capacity in which the request is being made should be indicated[s 18(2) (f)].
- h. If a requester is unable to read or write, or has a disability, then they can make the request for the record to be made orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s18 (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:

- i. 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.
- j. The request fee payable to public bodies 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.
- k. After the information officer has made the decision on the request, the requester must be notified of such a decision in a way in which the requester wanted to be notified in.
- l. 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 (i) (f)].

- i. Nature of service:
- Ensure proper provincial archives and records management service
 - Render library and information services
 - Promote and preserve arts, culture and language services
 - Provide human resource management and work study services
 - Provide administration services within the department
 - Preserve provincial heritage resources
 - Render financial management services
 - Promote language services

Arrangements following for public involvement in the formulation of policy and the exercise of power.
Section 14(1)(g)

This includes procedures for consultation with the public and any other means in which in public can participate or influence policy formulation:

Workshops- the public may attend and make representatives at the workshops
Submissions and reports-the annual and citizen's report are available to the public for commentary
Public participation-public participation through Imbizo's
Internship and learnership programmes- there is recruitment policy in place

The services of the Department of Sport, Arts and Culture are activities within directorates where relevant, which are employed or undertaken to fulfil the functions of the Department. There may also be various sub-programmes under each programme.

- ii. How to gain access to this services

To gain access to these services at Department of Sport, Arts and Culture request must be made to the Acting Head of the Department:

Ms B.L. Baloyi
Address:

21 Biccard Street
Polokwane
0700

Postal address:

Private bag x 9549
Polokwane
0700

Telephone:
Fax:

015 284 4000
015 284 4508

F. The remedies available if the provisions of the act are not complied with [section 14(1) (h)]

A requester may appeal to the Member of Executive Council in the Department of Sport, Arts and Culture, if He or She is not satisfied with any decision taken by information officer/ Deputy Information officer.

G. PRESCRIBED FEES AS PRESCRIBED UNDER PART 11 OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON 15 FEBRUARY 2002.

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:

DESCRIPTION	AMOUNT
(a) For every photocopy of an A4-size page or part thereof	R 0.60
(b) For every printed copy of an A4-size page or part thereof held on computer or in electronic or machine-readable form	a 0.40

(C) For a copy in a computer-readable form on –	
(i) stiffer 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:

4.1

DESCRIPTION	AMOUNT
	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) stiffer 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.	

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.

5. 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: -	
Name:.....	
Rank:.....	
Date:.....	
Place:.....	
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	

<p>..... </p> <p>SIGNATURE: DEPUTY INFORMATION OFFICER</p> <p>approved/disapproved</p> <p>.....</p>	<p>.....</p> <p>INFORMATION OFFICER(HOD)</p>	<p>.....</p> <p>DATE</p>
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A. Particulars of public body

<p>INFORMATION OFFICER</p> <p>Ms B.L Baloyi</p>	<p>ADDRESS</p> <p>Private Bag X 9549 POLOKWANE 0700 TEL. NO.: +27 15-284 4000 FAX. NO.: +27 15-284 4508 Baloyib@sac.limpopo.gov.za</p>
<p>DEPUTY INFORMATION OFFICER</p> <p>Mr. Nkatingi, J.H.</p>	<p>ADDRESS</p> <p>Private Bag X9549 POLOKWANE 0700 TEL.: NO.: +27 15-284 4043 FAX. : NO.: 0865460880 Nkatingiji@sac.limpopo.gov.za</p>

General information:	<p>Street Address: - 21 Biccard Street POLOKWANE 0700 Website: www.limpopo.gov.za</p> <p>Postal Address: - Private Bag x99549 POLOKWANE 0700</p> <p>Telephone: +27 15 284 4000 Fax: +27 15 284 4508</p>
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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.

<p>Disability:</p>	<p>Form in which record is required:</p>
<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>	

1. If the record is in written or printed form -			
	copy of record*		inspection of record
2. If record consists of visual images - (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	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)
<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>A postal fee is payable.</p>		
		YES
		NO
<p>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.</p>		
<p>In which language would you prefer the record? :.....</p>		

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?

H. Updating of the manual

It will be updated at intervals of not more than two years

I. Availability of the manual

A copy of each of the three languages will be made available at all libraries, archives and district offices

The manual will be made available on the departmental website

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**Head of Department (SAC)
(Information Officer)**

Date