



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA


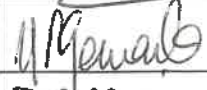
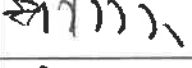


OFFICE OF
THE PREMIER




PAIA MANUAL

VERSION 3

PAIA SECTION 14 MANUAL: LIMPOPO OFFICE OF THE PREMIER

Document Approval Page

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**SECTION 14 MANUAL COMPILED IN COMPLIANCE WITH THE
PROMOTION OF ACCESS TO INFORMATION ACT (ACT NO. 2 OF
2000 AS AMENDED) AND TO ADDRESS REQUIREMENTS OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013.**

THIRD VERSION

2022

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1. LIST OF ACRONYMS AND ABBREVIATIONS.

- 1.1. “DIO” Deputy Information Officer
- 1.2. “IO” Information Officer
- 1.3. “OtP” Office of the Premier
- 1.4. “PAIA” Promotion of Access to Information Act No. 2 of 2000 (as amended)
- 1.5. “POPIA” Protection of Personal Information Act No. 4 of 2013.
- 1.6. “IR” Information Regulator
- 1.7. “PAYE” Pay as You Earn
- 1.8. “UIF” Unemployed Insurance Fund

2. PURPOSE OF THE MANUAL IN TERMS OF PAIA

PAIA Manual is useful for the public to-

- 2.1 Check the nature of the records which may already be available at Office of the Premier, without submitting a formal PAIA request;
- 2.2. Understand how to make a request for access to a record of the Office of the Premier.
- 2.3. Access all the relevant contact details of the persons who will assist the public with records they (public) intended to access;
- 2.4. Know all the remedies from Office of the Premier regarding request for access to the records, before approaching the Information Regulator or the Courts.
- 2.5. the description of the services available to members of the public from the Office of the Premier, and how to gain access to those services;
- 2.6. To identify the structures and functions of the Office of the Premier and describe its record systems to facilitate the objectives of PAIA.
- 2.7. if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information relating thereto;
- 2.8. know if the Office of the Premier has planned to transfer or process personal information outside the Republic of South Africa and recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9. know whether the Office of the Premier has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE OFFICE OF THE PREMIER.

3.1. Objectives / Mandate of Office of the Premier.

The following framework outlines the mandates, responsibilities, and functions of the Office of the Premier:

3.1.1. The Constitution of the Republic of South Africa, Sec. 125, and Sec.127;

3.1.2. The Public Service Act (1994), as amended, Chapter 3 s7(2).

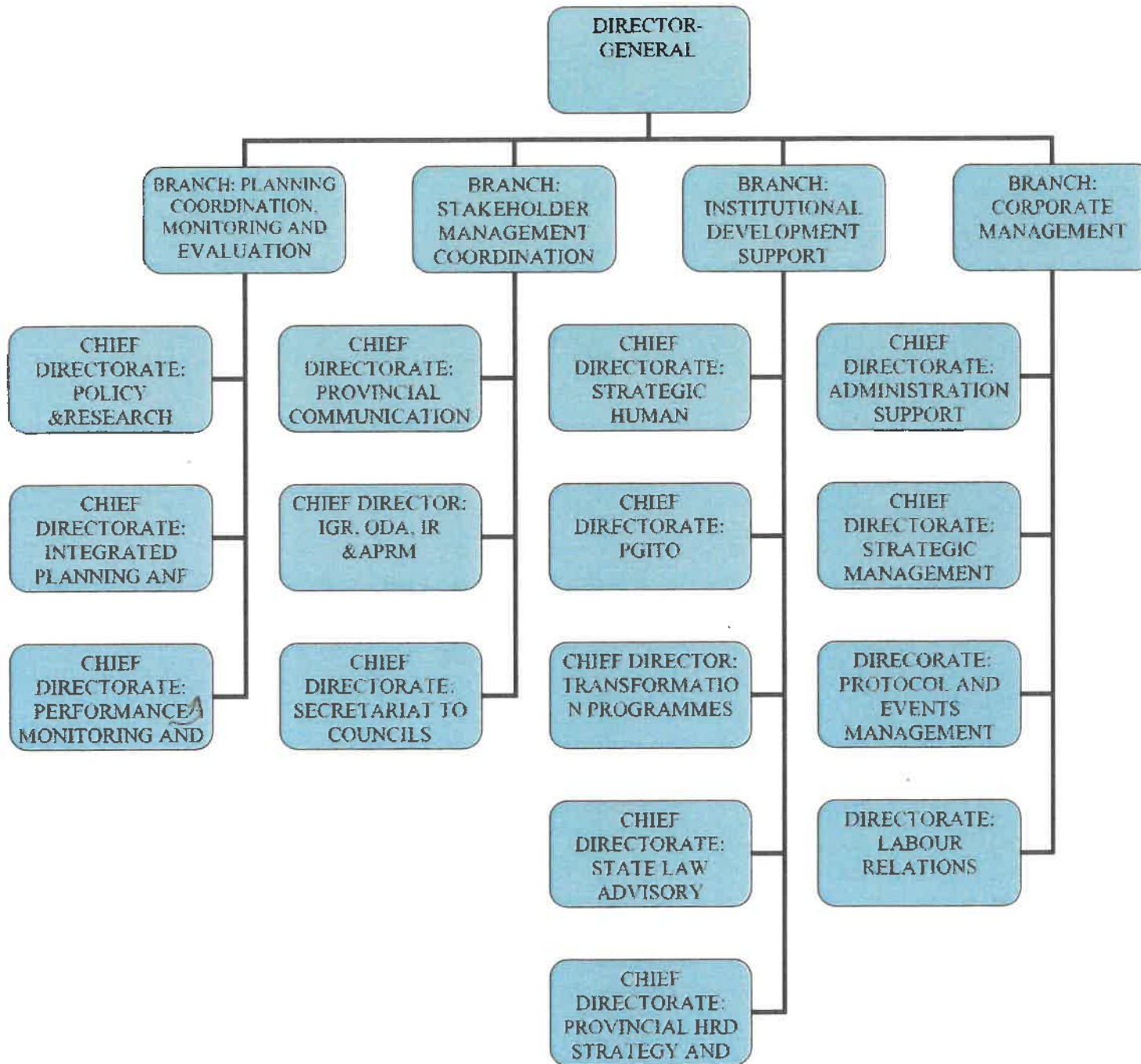
The above-mentioned prescripts mandates that the main responsibility of Office of the Premier (OtP) is to provide technical support to the Premier in ^{the} execution of his / her constitutional mandates earlier referred to, the statutory powers provided for in the Public Service Act and other legislations. The Office is classified under policy making, monitoring and evaluation institution within an additional mandate to oversee planning, and the functions of the provincial administration in its entirety.

It is worth noting that Office of the Premier (OtP) is classified as schedule one (1) Department.

The Office of the Premier is established to provide support to the Premier and other Members of the Executive Council in executing their constitutional functions. Furthermore, the Public Service Act 1994 (as amended) provides for establishment of the Office with the following responsibilities:

- To oversee the administration of provincial legislations and national legislation within the functional areas listed in schedule 4 or 5 and national legislation outside those listed in schedule 4 or 5 which have been assigned to the province in terms of the Acts of the Provincial Legislature/Parliament.
- To coordinate the preparation and initiation of provincial legislation.
- To coordinate the function of the provincial administration and its department.
- To manage performance of provincial administration, monitor, and evaluate service delivery and governance in the province.
- To develop and oversee the implementation of policy and planning in the province.
- To strengthen intra and inter-governmental relations as well as international relations.

4. STRUCTURE AND FUNCTION OF OFFICE OF THE PREMIER



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FUNCTIONS OF THE OFFICE OF THE PREMIER

- Manage financial administration and supply chain management;
- Manage provincial planning coordination, monitoring and evaluation systems and programmes;
- Manage and implement stakeholder management services;
- Manage and facilitate the implementation of institutional development support and integrity management programmes; and
- Provide corporate management services.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE OFFICE OF THE PREMIER.

ITEM	Information Officer	ADDRESS
5.1	Director General	Private Bag X9483 POLOKWANE 0700 Tel.No:015 287 6117 / 6000 Fax: No.: 015 291 4462 Email: paia@premier.limpopo.gov.za .
5.2	Deputy Information Officer(s)	ADDRESS
5.2.1	Chief Director: Administration Management Support Services	Private Bag X9483 POLOKWANE 0700 Tel.: No. 015 287 6312 / 6000 Fax.: No. 015 291 4462 Email: paia@premier.limpopo.gov.za .
5.2.2	Director: Records and Facilities Management	Private Bag X9483 POLOKWANE 0700 Tel.: No. 015 287 6389 / 6000 Fax.: No. 015 291 4462 Email: paia@premier.limpopo.gov.za

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5.2.3	Deputy Director: Records and Knowledge Management	Private Bag X9483 POLOKWANE 0700 Tel.: No. 015 287 6129 / 6000 Fax.: No. 015 291 4462 Email: paia@premier.limpopo.gov.za
5.3	General Information	Street Address 40 Hans Van Ransburg Street POLOKWANE 0700 Website: www.limpopo.gov.za Postal Address Private Bag X9483 POLOKWANE 0700 Tel.: 015 287 6000 Fax.: 015 291 4046 015 295 3840
5.4	Head Office	Street Address 40 Hans Van Ransburg Street POLOKWANE 0700 Website: www.limpopo.gov.za Postal Address Private Bag X9483 POLOKWANE 0700 Telephone : 015 287 6312 / 6389 / 6129 /6000 Fax : 015 291 4046 Website : www.limpopo.gov.za Email : paia@premier.limpopo.gov.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE OFFICE OF THE PREMIER.

Requesters may apply remedies available in accordance with the Act i.e internal appeal; compliant to Information Regulator and application to the court as the last remedial measure.

6.1. Internal appeal process.

6.1.1. Requester

A requester may lodge an internal appeal using prescribed form (Form 4 attached) , within 60 days after notice is given of a decision by the Information Officer/Deputy Information Officer on the following grounds :

- refusal to grant access to the records;
- the tender or payment of the request fee in terms of section 22(1) of PAIA; or
- the access fee to be paid is too excessive; or
- the tender or payment of a deposit in terms of section 22(2) of PAIA; or
- the decision of the Information Officer to grant a request for access ; or
- an extension of period in terms of section 26(1) of PAIA; or
- refusal to grant access to records in a particular form requested , in terms of section 29(3) of PAIA; or
- failure to disclose records ;or
- refusal to grant request to waive the fees;

6.1.2 . Third party

An internal appeal may be lodged within 30 days after notice is given to the third party of the decision appealed against.

6.1.3. Manner of internal appeal

An internal appeal must be lodged by completing the prescribed form (Form 4 attached) and submitted to the Information Officer or Deputy Information Officer.

6.2. Process of complaining to the Information Regulator.

Only after an internal appeal has been lodged and the requester or third party remains unsatisfied with the outcome of the internal appeal a complaint may be lodged to the Information Regulator in writing using the attached prescribed form (Form 5 attached) within 180 days after outcome of internal appeal.

6.2.1. Requester.

A requester may complain to the Regulator in respect of:

- an unsuccessful internal appeal.
- disallowed late appeal;
- refusal of a request for access to information;
- decision about fees;
- decision to extend the time to deal with a request; or o a decision to provide access in a particular form.

6.2.2. Third party.

A third party may complain to the Information Regulator in respect of:

- an unsuccessful internal appeal;
- any grant of a request for access to information.

6.3. Process of approaching the Court with jurisdiction for appropriate relief.

A requester or third party may apply to court for appropriate relief in the event where :

- internal appeal was lodged, and the applicant remains unsatisfied with the outcome of the internal appeal; or
- complaint was lodged with the Information Regulator and the complainant remains unsatisfied with the outcome of the complaint.
- application to court must be made within 180 days after being informed of the outcome of the internal appeal or the decision by the Information Regulator, as the case may be.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE.

- 7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 7.2. The Guide is available in each of the official languages.
- 7.3. The aforesaid Guide contains the description of :
- 7.3.1. the objects of PAIA and POPIA;
 - 7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of :
 - 7.3.2.1. the Information Officer of every public body, and 24
 - 7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA ;
 - 7.3.3. the manner and form of a request for :
 - 7.3.3.1. access to a record of a public body contemplated in section 11 ; and
 - 7.3.3.2. access to a record of a private body contemplated in section 54;
 - 7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging
 - 7.3.6.1. an internal appeal;
 - 7.3.6.2. a complaint to the Regulator; and
 - 7.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - 7.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual
 - 7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively.

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- 7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- 7.3.10. the regulations made in terms of section 92.

7.4. Obtaining access to the Guide.

Members of the public can inspect or make copies of the Guide from the office of the public or private bodies, including the office of the Regulator, during normal working hours. The fees in relation to a copy of the Guide as provided for in Annexure B may apply. The Guide can also be obtained through:

- 7.4.1. upon request to the Information Officer.
- 7.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

8. DESCRIPTION OF SUBJECTS ON WHICH OFFICE OF THE PREMIER HOLDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT :

SUBJECTS	CATEGORIES OF RECORDS
Planning Coordination, Monitoring and Evaluation	<ul style="list-style-type: none">• Minutes and reports• Memoranda of understanding• Maps
Stakeholder Management Coordination	<ul style="list-style-type: none">• Minutes and reports• EXCO Decisions
Institutional Management Support	<ul style="list-style-type: none">• Presidential and Premier Hotline cases• Job Evaluation report• Provincial ICT policies
Corporate Management	<ul style="list-style-type: none">• Human Resource Management policies• Records Management policies• Telecommunication policies• Transport policies• Risk, Security, and Integrity Management policies• ICT policy• Financial Management policies• Supplier Database

9. CATEGORIES OF RECORDS OF THE OFFICE OF THE PREMIER WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS.

CATEGORIES	MANNER OF ACCESS TO RECORDS
9.1. FOR INSPECTION IN TERMS OF SECTION 15 (1) (a) (ii)	
<p>9.1.1. Departmental Strategic Plan</p> <p>9.1.2. Annual Performance Plans</p> <p>9.1.3. Service Delivery Improvement Plans</p> <p>9.1.4. Quarterly Reports</p> <p>9.1.5. Annual Reports</p> <p>9.1.6. Employment Equity Reports</p> <p>9.1.7. Approved Organizational Structure</p> <p>9.1.8. Departmental File Plans</p> <p>9.1.9. Departmental Procedures</p> <p>9.1.10. Promotion of Access to Information Manual</p> <p>9.1.11. Budget Speeches</p> <p>9.1.12. Premier Speeches</p> <p>9.1.13. Circulars of Advertisement of Posts</p> <p>9.1.14. Public Service Advertisement Forms</p> <p>9.1.15. Journals and Magazines</p> <p>9.1.16. Bid Documents</p> <p>9.1.17. Newsletters</p> <p>9.1.18. Departmental Media Statements</p> <p>9.1.19. Limpopo Economic Growth and Development Strategy</p> <p>9.1.20. Library Material</p> <p>9.1.21. State of the Province Address</p> <p>9.1.22. Labour Relations Agreements</p> <p>9.1.23. Memoranda of Understanding</p>	<p>The records may be accessed for copying at the Office of the Deputy Information Officer as follows:</p> <p>Office of the Premier 40 Hans Van Ransburg Street (Mowaneng Building) POLOKWANE 0699</p> <p>Tel: 015 287 6312 Fax: 015 291 4046 Email Address: paia@premier.limpopo.regulator.gov.za.</p>
9.2. FOR PURCHASING IN TERMS OF SECTION 15 (a)(ii)	
<p>9.2.1. Bid Documents</p>	<p>The Bid Documents can be purchased at Financial Management and Accounting Directorate as follows:</p>

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	<p>Office of the Premier 40 Hans Van Ransburg Street (Mowaneng Building) POLOKWANE 0699</p> <p>Tel: 015 287 6312 Fax: 015 291 4046</p> <p>Email Address: paia@premier.limpopo.gov.za.</p>
<p>9.3. FOR COPYING IN TERMS OF SECTION 15 (a)(ii)</p>	
<p>9.3.1. Departmental Strategic Plans 9.3.2. Annual Performance Plans 9.3.3. Service Delivery Innovation Plans 9.3.4. Quarterly Reports 9.3.5. Annual Reports 9.3.6. Employment Equity Reports 9.3.7. Approved Organizational Structure 9.3.8. Departmental File Plans 9.3.9. Departmental Procedures 9.3.10. Promotion of Access to Information Manual 9.3.11. Budget Speeches 9.3.12. Premier Speeches 9.3.13. Circulars of Advertised 9.3.14. Public Service Application Forms (Z83) 9.3.15. Journals and Magazines 9.3.16. Newsletters 9.3.17. Departmental Media Statements 9.3.18. Limpopo Employment Growth and Development Strategy 9.3.19. Library Materials 9.3.20. State of the Province Address 9.3.21. Labour Relations Agreements 9.3.22. Memoranda of Understanding.</p>	<p>The records may be accessed for copying at the Office of the Deputy Information Officer as follows:</p> <p>Office of the Premier 40 Hans Van Ransburg Street (Mowaneng Building) POLOKWANE 0699</p> <p>Tel: 015 287 6312 Fax: 015 291 4046 Email Address: paia@premier.limpopo.gov.za.</p>

9.4. FREE OF CHARGE IN TERMS OF SECTION 15 (a)(ii)	
(i) Journals and Magazines	The records may be accessed free of charge at Office of the Deputy Information Officer as follows: Office of the Premier 40 Hans Van Ransburg Street (Mowaneng Building) POLOKWANE 0699 Tel: 015 287 6312 Fax: 015 291 4046 Email Address: paia@premier.limpopo.gov.za
(ii) State of the Province Address	
(iii) Departmental Events Calendar	
(iv) Public Service Application Forms (Z83)	
(v) Departmental Media Statements.	

10. PROCEDURE FOR ACCESS TO RECORDS HELD BY OFFICE OF THE PREMIER

10.1. The request procedure.

A requester must be given access to a record of the Department 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 (Act 2 of 2000).

10.2. Nature of the request:

- Section 18 of PAIA prescribes the procedure to be followed in making a request for access to information held by the public body. Section 23(1) of POPIA also provides the procedure to access personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 18 of PAIA.
- A requester or data subject must use the prescribed form; Form 2, when requesting access to a record or personal information. Form 2 is attached hereto.

- The requester must indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the Offices of the Department. Alternatively, if the record is not a document, it can be viewed in the requested form, where possible, S 29(2).
- If a person (requester) 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 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 an alternate manner, then the fee must be calculated according to the way that the requester first asked for it, S29 (3) and (4).
- If, in addition to a written reply to their request for the record, the requester wants to be informed about the decision in any way, e.g., telephone, this must be indicated, S18 (2)(e). If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated, S18 (2) (f).
- If a requester is unable to read or write, or has a disability, then he / she can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy, S18 (3).

10.3. There are two types of fees required to be paid in terms of the Act, (being the request and the access fees (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 payable to public bodies is R100-00. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.

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- 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 an access fee must be paid for the search, preparation, and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- Other categories of applicants are exempted from paying fees. Refer to item 14 on prescribed fee schedule.

10.4. The request for information will, in terms of Section 25 of PAIA, be processed by the Information Officer within 30 days after receipt of the request or as soon as is reasonably possible, whereafter the Information Officer will inform the requester of his/her decision, either to grant or reject the request for access to records. The decision must, if it is reasonably possible, be communicated in the manner requested by the requester.

10.5. Section 26 of PAIA prescribes the instances where the period of thirty (30) days referred in Section 25 of PAIA, may be extended once for a further 30 days. The period of 30 days may be extended once for a further period of not more than 30 days, if :

10.5.1. the request is for a large number of records or requires a search through large number of records and compliance with the original period would unreasonably interfere with the activities of the Office;

10.5.2. request requires a search for records in, or collection thereof from, an office the not situated in the same town or city as the office of the Information Officer and cannot reasonably be completed within the original period;

10.5.3. consultation among divisions of the Office or with another public body is necessary or desirable to decide upon the request and such decision-making process cannot reasonably be completed within the original period;

10.5.4. more than one of the circumstances contemplated in paragraphs 10.5.1, 10.5.2. and 10.4.5.3 exist in respect of the request making compliance with the original period not reasonably possible; or

10.5.5. the requester consents in writing to such extension.

- 10.6. If the period has been extended, the information officer must as soon as possible and within 30 days of first receiving the request inform the requester of that extension.
- 10.7. If a request for access to a record has been refused, delayed or granted subject to unreasonable fees or is granted in an unacceptable form, the requester may lodge an internal appeal as per Section 74 of PAIA.
- 10.8. Section 74 of PAIA allows for appeals against the decision of the Information Officer of the Office.
- 10.9. According to Section 78 of PAIA, a requester or third party referred to in Section 74, may only apply to a Court for appropriate relief in terms of Section 82 of the Act, after having exhausted the internal appeal procedure against a decision of the Information Officer.

11. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THOSE SERVICES.

11.1. SERVICES

SPECIAL PROGRAMMES	SERVICE DELIVERY	ANTI-CORRUPTION AND FRAUD
Awareness on the rights of; <ul style="list-style-type: none"> • Children • Women • Disability • Elderly persons • Youth (Bursaries, Internships, Learnerships and Work Integrated Learning) 	<ul style="list-style-type: none"> • Thusong Services Centres • Monitoring of Service Standards • Management of Service Delivery Complaints (Presidential and Premier Hotline) • African Peer Review Mechanism 	<ul style="list-style-type: none"> • Awareness about Fraud and Corruption • Fraud and Corruption Cases • National Anti-Corruption Hotline • Whistle blowing

11.2. HOW TO GAIN ACCESS TO THESE SERVICES.

To gain access to this Services in the Office of the Premier, a request must be made to the Information Officer (Director General): Office of the Premier.

The Director General: Office of the Premier

Physical Address : 40 Hans van Ransburg Street
POLOKWANE

0699

Postal Address : Private Bag X9483
POLOKWANE

0700

Telephone : 015 287 6000

Fax : 015 291 4462

Website : www.limpopo.gov.za

Email : paia@premier.limpopo.gov.za

12. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR EXECISE OF THE POWERS OF PERFORMANCE OF DUTIES BY OFFICE OF THE PREMIER.

The Office of the Premier is committed to consult the members of the Public as widely as as practically possible regarding its mandate.

The following principle of consultation is made obligatory through the following mechanism;

- Monthly public participation where the Premier meets the people
- Presidential and Premier Hotlines;
- Visit by members of the Public to the Office regarding special programmes and other queries;
- Advertisements of internship, Learnership and Bursaries.

Remedies available if the provisions of this Act are not complied with (Sec, 14 (1) (h).

Where a requester is not satisfied with any decision taken by the Information Officer / Deputy Information Officer in the Office of the Premier, a requester may appeal to the person (Appeal Structure) appointed by the Premier.

13. PROCESSING OF PERSONAL INFORMATION.

13.1. Purpose of processing

Office of the Premier uses Personal Information under its care in the following:

- Administration
- Rendering services according to contractual agreements
- Staff administration

13.2. Description of the categories of data subjects and of the information or categories of information relating thereto:

Data subject	Information processed
Clients - Natural Person	Names, contact details, postal address, date of birth, ID number, Tax related information, nationality, gender, confidential person correspondences
Client – Juristic Person / Entities	Name of contact, Name of Legal Entity, Physical and Postal Address and contact details, Registration number, Founding documents, Tax related information, authorized signatories
Service Provider	Name of contact person, Name of Legal Entity, Physical and Postal Address and contact details, Registration Number, Founding documents, Tax related information, authorized signatories, beneficiaries, ultimate beneficial owner
Employees	Gender, Pregnancy, Marital status, Ethnicity, Age, Language, Education Information, Financial Information, Employment History, ID number, Physical and Postal Address, contact details, Criminal behavior – Well - being

13.3. The recipients or categories of recipients to whom the personal information may be supplied

Categories of personal Information	Recipients or Categories of Recipients
Identity number and names, for criminal checks.	South Africa Police
Qualifications for qualification verification	South African Qualification Authority
Credit and payment history, credit information	Credit Bureaus

13.4. Planned transborder flows of personal information.

Section 72 of POPIA provides that Personal may only be transferred out of the Republic of South Africa:

- a) If the recipient’s country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially like the Conditions of lawfully processing as contained in POPIA, or
 - b) If the Data Subject consent to the transfer of the Personal Information; or
 - c) If the transfer is necessary to the performance of contractual obligation between the Data Subject and the Responsible Party; or
 - d) The transfer is necessary for the performance of a contractual obligation between the Responsible Party and the third Party, in the interest of the Data Subject; or
 - e) If the transfer is for the benefit of the Data Subject, would likely provide such consent
- NB: Office of the Premier does not do any Cross – Border transfers of any Personal Information relating to employees, clients, companies, or Organization.

13.5. General Description of Information Security Measures to be implemented by Office of the Premier to ensure the confidentiality, integrity, and availability of the information.

The Office has employed up to date technology to ensure the confidentiality, integrity, and availability of the Personal Information under its care. Measures includes:

- Fire walls;

- Logical and physical access control; and
- Secure setup of hardware and software making up the IT infrastructure.

14. PRESCRIBED FEES

- 14.1. Section 22(1) of PAIA states that fees payable for access to records of Limpopo Office of the Premier are to be prescribed. The prescribed fees are as set out in annexure B, attached hereto.
- 14.2. A requester who seeks access to any record may be required to pay a fee, unless an exempted, as referred to in paragraph 14.3 below.
- 14.3. The requester does not need to pay an access fee to a public body if he or she is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than **R14 712** a year, or
- 14.4. He or she is married and the joint income with his or her partner, after permissible deductions, such as PAYE and UIF, is less than **R27 192** per year.

15. AVAILABILITY OF THE MANUAL.

15.1. The Manual is made available in the following three languages.

- 15.1.1. English
- 15.1.2. Sepedi
- 15.1.3. Tshivenda
- 15.1.4. Xitsonga

15.2. A copy of this Manual or the updated version thereof, is also available as follows;

15.2.1. www.limpopo.gov.za;

15.2.2. At the Head Office (40 Hans Van Rensburg Building) for inspection during normal business hours;

15.2.3. To any person upon request and upon payment of a reasonable prescribed fee. (A fee for a copy of the Manual, as contemplated in annexure B of the Regulations shall be payable per each A4 – size photocopy made).

16. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 16.1. Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.
- 16.2. Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

17. DISPOSAL OF RECORDS

- 17.1. The Office of the Premier will reserve the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service.
- 17.2. Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.
- 17.3. In accordance with section 24(1) of POPIA, the Office may, upon receipt of the request from a data subject:
 - 17.3.1. correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or
 - 17.3.2. destroy or delete a record of personal information about the data subject that the Regulator is no longer authorised to retain in terms of section 14 of POPIA.

18. UPDATING OF THE MANUAL

The Office of the Premier will, if necessary, update and publish this Manual annually.



MR. NCHABELENG N.S
DIRECTOR GENERAL



DATE

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

Note:

1. Proof of identity must be attached by the requester
2. If request made on behalf of another person, proof of authorization, must be attached to this form

TO: The Information Officer

Private Bag X9483

Polokwane

0700

E-mail address : paia@premier.limpopo.gov.za.

Fax number : _____

Mark with an "X"

Request is made in my own name Request is made on behalf of the other person

PERSONAL INFORMATION

Full names			
Identity number			
Capacity in which request is made (When made on behalf of another person)			
Identity number			
Postal Address			
Street Address			
E-mail Address	Tell (B)		Facsimile
Contact numbers	Cellular		

PARTICULARS OF RECORD REQUESTED
 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. (If the provided space is inadequate, please continue on a separate page and attach it to

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this form. All additional pages must be signed.	
Description of record or relevant part of record	
Reference number if available:	
Any further particulars of record	
TYPE OF RECORD (Mark the applicable box with an "X")	
Record is in written or printed form	
Record comprises virtual emerges (this includes photographs, slides, video recordings, computer –generated images, sketches, etc)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine readable form	
FORM OF ACCESS (Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer generated images, sketches etc.	
Transcription of soundtrack (written or printed document)	
Copy of a record on a flash drive (including virtual images, and soundtracks)	
Copy of record or compact disc drive (including virtual images and sound track)	
Copy of record saved on cloud storage server	

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MANNER OF ACCESS	
Personal inspection of record at registered address of public / private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine – readable form)	
Postal Services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed form (including transcription)	
E-mail of information (including soundtrack if possible)	
Cloud share/file transfer	
Preferred language: 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)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the request will be attended b) You will be notified of the amount of the access fee to be paid 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 for exemption	
Reasons	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

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Postal address	Facsimile	Electronic communication (please specify)

Signed at _____ this _____ day of _____ 20_____

Signature of requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by:	
Date received:	
Access fees:	
Deposit (if any)	

Signature of Information Officer/

Deputy Information Officer

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FORM 4

LODGING OF AN INTERNAL APPEAL (Regulation 9)

Reference number _____

PARTICULARS OF PUBLIC BODY			
Name of Public Body			
Name and Surname of Information Officer			
IF THE COMPLAINANT WHO LODGES THE INTERNAL APPEAL			
Full Names:			
Identity number:			
Postal address			
Contact numbers	Tell (B):		Facsimile
	Cellular:		
Email address			
Is the internal appeal lodged on behalf of the other person	Yes	<input type="checkbox"/>	No
If the answer is "yes", capacity in which an internal appeal on behalf of another person is lodged (proof of the capacity in which appeal is lodged, if applicable must be attached)			
PARTICULARS OF A PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED (If lodged by a third party)			
Full name:			
Identity number:			
Postal address:			
Contact numbers	Tell (B)		Facsimile
	Cellular		
Email address			
DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED (mark with an "x")			
Refusal of request for access:	<input type="checkbox"/>		
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26 (1) of the Act:	<input type="checkbox"/>		
Decision in terms of section 29 (3) of the Act to refuse access in the form requested by the requester	<input type="checkbox"/>		
Decision to grant the request for access	<input type="checkbox"/>		
GROUND FOR REFUSAL			
(If the provided space is inadequate, please continue a separate page and attach it to this form, all additional pages must be signed)			
Stage the ground on which the internal appeal is based:			

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

You will be notified in writing on the decision on your internal appeal. Please indicate your preferred manner of notification.

Postal address	Facsimile	Electronic Communication (Please specify)

Signed at _____ this _____ day of _____ 20__

Signature of appellant / Third Party

.....

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by:		
State rank, name, and surname of Information Officer		
Date received:		
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the records relate, submitted by the information officer:	Yes	
	No	
OUTCOME OF APPEAL		
Refusal or request for access Confirmed?	Yes	New decision (if not confirmed)
	No	
Fees (section 22) Confirmed?	Yes	New decision (if not confirmed)
	No	
Fees (section 22) Confirmed	Yes	New decision (if not confirmed)
	No	
Extension (section 26 (1). Confirmed	Yes	New decision (if not confirmed)

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	No			
Access (section 29 (3) Confirmed	Yes		New decision (if not confirmed)	
	No			
Request for access. Confirmed	Yes		New decision (if not confirmed)	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant authority

FORM 5

INFORMATION REGULATOR COMPLAINT FORM

(Regulation 10)

Note:

1. This form is designed to assist the Requester or Third Party (herein referred to as “the Complainant”) in requesting a review of Public or Private Body’s response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No 2 of 2000) (“PAIA”). Please fill out this form and send it to the following email address: PAIAComplaints@infoRegulator.org.za or complete the online complaint form available at <https://www.justice.gov.za/inforeq/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complaint has not first given the public or private (herein referred as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA form 2** and submit it to the body.
4. A copy of this form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attach to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisite below.
6. **Please attach copies of the following documents if you have them:**
 - Copy of the form to the Body requesting access to records;
 - The Body’s response to your complaint or access request;
 - Any other correspondence between you and the Body regarding your request;
 - Copy of the appeal form if your complaint relates to a public body;
 - The Body’s response to your appeal;
 - Any other correspondence between you and the Body regarding the appeal;
 - Documentation authorizing you to act on behalf of another person (if applicable);
 - Court order or court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this for and sign each page.

TO: The Information Regulator

P.O. Box 31533

Braamfontein,

2017

E-mail address: PAIAComplaints@infoRegulator.org.za

Tel number : +27 (0) 10 0 23 5200

CAPACITY OF PERSON / PARTY LODGING A COMPLAINT
(Mark with an "X")

Complainant Personally

Representative of Complainant

Third party

PREREQUISITE			
Did you submit request (PAIA form) for access to record of public / private body?	Yes		No
Has thirty (30) lapsed from the date on which you submitted your PAIA form?	Yes		No
Did you exhaust all the internal appeal procedure against a decision of the information officer of a public body?	Yes		No
Have you applied to Court for appropriate relief regarding this matter?	Yes		No

FOR INFORMATION REGULATOR'S USE ONLY	
Received by: (Full names)	
Position:	
Signature	
Complaint accepted:	Yes <input type="checkbox"/> No <input type="checkbox"/>
Reference number	
Date stamp	

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Postal address	Facsimile	Other electronic communication (Please specify)

**PART A
PERSONAL INFORMATION OF COMPLAINANT**

Full Names:			
Identity Number:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact Numbers:	Tel. (B)		Facsimile
	Cellular		

**PART B
REPRESENTATIVE INFORMATION**
(Complete only if you will be represented. A power of attorney must be attached if complainant is represented, failing which the complainant will be rejected).

Full names of representative			
Nature of representation:			
Identity Number / Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel: (B)		Facsimile
	Cellular		

**PART C
THIRD PARTY INFORMATION**
(Please attach letter of authorization)

Type of Body:	Private		Public	
Name of Public / Private body:				
Registration Number (if any):				
Name, Surname, and Title of person authorized to lodge complaint				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel (B)		Facsimile	
	Cellular			

**PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED**

Type of Body	private		public	
Name of public / private body				

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Registration number (if any)			
Name, surname, and title of person you dealt with at the public or private body to try to resolve your complaint for request to access to information.			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel (B)		Facsimile
	Cellular		
Reference Number given (if any)			
PART E COMPLAINT			
<i>Tell us about the steps you have taken to try to resolve your complaint (complaints should first be submitted directly to the public body for response and possible resolution)</i>			
Date on which request for access to records was submitted.			
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against the private body.			
Have you attempted to resolve the matter with the organization?	Yes		No
If yes, when did you receive it? (Please attach the letter to this application)			
Did you appeal against a decision of the information officer of the public body?	Yes		No
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes		No
If yes, please indicate when the matter was adjudicated by the Court. Please attach Court Order, if there is any.			
PART F DETAILED TYPE OF ACCESS TO RECORDS			
<i>(Please select one or more of the following to describe your complaint to the information Regulator)</i>			

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Unsuccessful appeal: (Section 77A(2)(a) or section 77A(3)(a) of PAIA	I have appealed against the decision of the public body and the appeal is unsuccessful	
Unsuccessful application for condonation: (Section 77A(2)(b) and 75(2) of PAIA	I filed my appeal against the decision of the public body late and applied for condonation. The condonation appeal was dismissed.	
Refusal of a request for access: Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA	I requested access to information held by public body that request was refused or partially refused	
The Body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	Tender or payment of the prescribed fee.	
	The tender or payment or payment of a deposit.	
Repayment of the deposit: (Section 22(4) of PAIA	The information officer refused to repay a deposit paid in respect of a request for access which is refused.	
Disagree with time extension: (Section 26 or 57 of PAIA)	The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension, or a time extension taken to respond to my access request.	
Form of access denied: Section 29(3) or 60(a) of PAIA)	I requested access in a particular and reasonable form and such form of access was refused.	
Deemed refusal: (Section 27 or 57 of PAIA)	It is more than 30 days since I made my request and I have not received a decision.	
	Extension period has expired, and no response was received.	
Inappropriate disclosure of record: (Mandatory grounds for refusal of access to record)	Records (that are subject to the ground for refusal of access) have inappropriately / unreasonably been disclosed.	
No adequate reasons for the refusal of access: (section 56(3)(a) of PAIA	My request for access is refused, and no valid or adequate reasons for the refusal, were given,	

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	including the provision of this Act which were relied upon for the refusal.	
Partial access to record: Section 28(2) or 59 (2) of PAIA)	Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.	
Fee waiver: (Section 22(8) or 54(8) of PAIA)	I am exempt from paying any fee and my request to waive the fees was refused.	
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	The body indicated that some or all of the requested records do not exist and I believe that more records do exist.	
Failure to disclose records:	The body decided to grant me access to the requested records but have not received them.	
No jurisdiction (exercise or protection of any rights): Section 50(1)(a) of PAIA)	The body indicated that the requested records are excluded from PAIA and I disagree.	
Frivolous or vexatious request (Section 45 of PAIA)	The body indicated that my request is manifestly frivolous or vexatious and I disagree.	
Other: (Please explain):		

**PART G
EXPECTED OUTCOME**

How do you think the Information Regulator can assist you? Describe the results or outcome that you seek.

**PART H
AGREEMENTS**

The legal basis for the following agreements is explained in a privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement.

I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right of privacy in South Africa. I understand that the information Regulator will never include my personal

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or other identifying information in any public report, and that my personal information is still protected by the protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

The information in this Complaint Form is true to the best of my knowledge and belief

I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the rights to privacy.

I authorize anyone (such as an employer, service provider, witness) who has information needed to process my complaint, to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

If any of my contact information changes during complaint process, it is my responsibility to inform the Information Regulator, otherwise my complaint could experience a delay or even be closed.

Signed at _____ this _____ day of _____ 20_____

Complainant / Representative / Authorized person of Third party

ANNEXURE B FEES

Fees in respect of Public Bodies

Item	Description	Amount
1	The request fee payable by every requester	R100.00
2	Photocopy of A4-size page	R1.50 per page or part thereof
3	Printed copy of A4-size page	R1.50 per page or part thereof
4	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> • If provided by requestor. • If provided to requester 	R40.00 R40.00 R60.00
5	For a transcription of visual images per A4-size page	Service to be outsourced will depend on quotation from the Service Provider
6	Copy of visual images	
7	Transcription of an audio record, per A4-size page	R24,00
8	8. Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor 	R40,00 R40,00 R60,00
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R100,00 R300,00
10	Deposit: If search exceeds 6 hours.	One third of amount per request calculated in terms of items 2 to 8.
11	Postage, e-mail or any other electronic transfer	Actual expense if any