



human settlements

Department:
Human Settlements
REPUBLIC OF SOUTH AFRICA

PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

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

2018-2019

CONTENTS

FOREWORD..... 4

ACRONYMS 6

DEFINITION OF TERMS 7

1. INTRODUCTION..... 9

2. OBJECTIVES OF THE ACT..... 9

3. PURPOSE OF THE MANUAL..... 10

4. GUIDE ON HOW TO USE PAIA (SECTION 10) 10

5. CONTACT INFORMATION..... 11

6. LEGISLATIVE MANDATE INFORMING THE FUNCTIONS OF THE DEPARTMENT..... 13

7. FUNCTIONS AND STRUCTURE OF THE DEPARTMENT OF HUMAN SETTLEMENTS 13

7.1 STRATEGIC OVERVIEW..... 13

7.2 ORGANISATIONAL STRUCTURE OF THE DEPARTMENT..... 15

7.3 SERVICES RENDERED BY THE DEPARTMENT..... 16

7.4 PROGRAMMES OF THE DEPARTMENT 19

8. ACCESS TO RECORDS HELD BY THE DEPARTMENT..... 20

8.1 CATEGORIES OF RECORDS HELD BY THE DEPARTMENT..... 20

9. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION..... 33

9.1 WHO CAN REQUEST INFORMATION?..... 33

9.2 MANNER OF ACCESSING INFORMATION..... 33

9.2.1 AUTOMATICALLY AVAILABLE RECORDS 33

9.2.2 TELEPHONIC REQUESTS..... 34

9.2.3 ORAL REQUESTS 34

9.3 FORMAL REQUESTS AS PER PAIA REQUIREMENTS..... 34

9.4 TURNAROUND TIMES FOR ATTENDING TO REQUESTS 35

9.5 FEES..... 35

9.5.1 NON-REFUNDABLE REQUEST FEE 35

9.5.2 ACCESS FEE..... 36

9.5.3 DEPOSITS 36

9.5.4 EXEMPTIONS..... 36

10. REFUSED ACCESS AND APPEALS..... 37

10.1 GROUNDS FOR REFUSAL 37

10.2 MANDATORY DISCLOSURE IN PUBLIC INTEREST 37

10.3 DEEMED REFUSAL OF A REQUEST 38

10.4 REMEDIES IF REQUEST FOR ACCESS IS REFUSED..... 38

10.4.1 INTERNAL APPEAL 38

10.4.2 LODGING INTERNAL APPEAL 38

10.4.3 REFERRAL OF INTERNAL APPEAL TO RELEVANT AUTHORITY 38

10.5 APPLICATION TO COURT 39

11. AVAILABILITY OF MANUAL 39

12. UPDATE AND REVIEW OF MANUAL 39

ANNEXURES

A	Schedule of fees
B	Form A (Request for access to record of public body)
C	Form B (Notice of internal appeal)

FOREWORD

Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right of access to any information held by the state or by another person and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), in realisation of these constitutional rights, specifically–

- charges all public bodies with the responsibility to facilitate public access to information/record(s) under their custody;
- provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively and effortlessly as reasonably possible;
- stipulates mechanisms which governmental bodies must put in place, to facilitate access to such information by members of the public; and
- outlines conditions under which restricted access apply, including those relating to personal, commercial, financial, technical or scientific information about a third party; information which may affect court or police proceedings, e.g., police dockets in bail proceedings and certain categories of information about the South African Revenue Service.

There are undoubtedly limitations to public realisation of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA Act, respectively.

In compliance with the statutory requirements of the PAIA and to contribute to the promotion of departmental transparency, accountability and effective governance, the Department of Human Settlements has produced a manual as a mechanism to facilitate public access to information/record(s) under its custody.

It is hoped that this manual will serve as an effective platform/tool for providing the public with the relevant information to enable them to exercise their right of access to information under the custody of the Department.



MS TSHANGANA
DIRECTOR-GENERAL
DEPARTMENT OF HUMAN SETTLEMENTS
DATE: 16/10/2018

ACRONYMS

BNG	: Breaking New Ground
CD	: Chief Director
CSOS	: Community Scheme Ombud Services
DDG	: Deputy Director-General
DHS	: Department of Human Settlements ("the Department")
DIO	: Deputy Information Officer (designated in terms of section 17 of the PAIA)
EAAB	: Estate Agency Affairs Board
FLISP	: Finance Linked Individual Subsidy Programme
HDA	: Housing Development Agency
HS	: Human Settlements
HSS	: Housing Subsidy System
IO	: Information Officer (Director-General of the Department)
M&E	: Monitoring and Evaluation
MTEF	: Medium-Term Expenditure Framework
NHBRC	: National Home Builders Registration Council
NHFC	: National Housing Finance Corporation
NURCHA	: National Urban Reconstruction and Housing Agency
PAIA	: Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
PDHS	: Provincial Department of Human Settlements
RHLF	: Rural Housing Loan Fund
SAHRC	: South African Human Rights Commission
SHRA	: Social Housing Regulatory Authority
SLA	: Service Level Agreement
USDG	: Urban Settlements Development Grant

DEFINITION OF TERMS

	Term	Definition/Description
1.	Access fee	Fee payable by a requester for search, preparation and reproduction of requested records, as prescribed in PAIA section 22(6).
2.	Act	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). Also referred to as the PAIA or "the Act".
3.	Department	The Department of Human Settlements. Also referred to as the DHS.
4.	Deputy Information Officer (DIO)	A person designated by the Director-General to render the public body as accessible as reasonably possible for requesters of its records as prescribed in PAIA section 17(1).
5.	Guide	Document or book produced by the South African Human Rights Commission for the purposes of assisting any person who wishes to exercise any right in terms of the PAIA as prescribed in section 10.
6.	Information Officer (IO)	The Director-General of the Department of Human Settlements as defined in PAIA section 1.
7.	Internal appeal	An appeal against a decision to refuse access to information, as stipulated in PAIA section 74.
8.	Personal information	Information about an identifiable individual, including, but not limited to, information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual as defined in PAIA section 1.
9.	Personal requester	A person seeking access to information/records containing personal information about himself/herself as defined in PAIA section 1.
10.	Public body	Any department of state or administration in the national or provincial sphere of government, any municipality in the local

		sphere of government or any institution performing a public function in terms of any legislation as defined in PAIA section 1. Also referred to as government body or department.
11.	Record	Any recorded information, in any form or medium under the custody of DHS as defined in PAIA section 1.
12.	Records automatically available	Records that can be accessed without a person having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.
13.	Records available on request	Records that can be accessed through following PAIA processes as stipulated in PAIA sections 11 and 18; access to these records may be refused on the basis of sections 33 to 45 of the Act.
14.	Relevant authority	Minister of Human Settlements or the person designated in writing by the Minister to deal with internal appeals as defined in PAIA section 1.
15.	Request fee	A non-refundable fee payable by a requester when submitting a request for access as per the provisions of PAIA section 22(1). (Personal requester excluded from paying request fee).
16.	Request for access	A request for access to a record or records held by the Department made in accordance with PAIA sections 8 and 11.
17.	Requester	Any person making a request for access to information or records of DHS or a person acting on behalf of the person requesting information as defined in PAIA section 1.
18.	Third party	Any person, including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation other than the requester concerned and a public body as defined in PAIA section 1.
19.	Working days	Any days other than Saturdays, Sundays or public holidays as defined in PAIA section 1.

1. INTRODUCTION

This manual is compiled as a statutory requirement in compliance with the provisions of section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), which mandates all government bodies to compile and publish a manual indicating information/records under its custody that are readily available to the public, as well as those that need to be requested through provisions of the Act.

This manual represents only the Department of Human Settlements (DHS) and does not include information/records of the various provincial departments.

2. OBJECTIVES OF THE ACT

The objectives of PAIA according to section 9 are—

- to give effect to the constitutional right of access to information held by the state and any information that is held by another person that is required for the exercise or protection of any rights;
- to give effect to the right of access to information; subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance; and in a manner which balances that right with any other rights, including the rights in the Bill of Rights in Chapter 2 of the Constitution;
- to give effect to the constitutional obligations of the state of promoting a human rights culture and social justice;
- to establish voluntary and mandatory mechanisms or procedures to give effect to the right of access to information in a manner which enables persons to obtain access to records of public and private bodies as swiftly, inexpensively and effortlessly as reasonably possible; and
- to promote transparency, accountability and effective governance of all public and private bodies.

3. PURPOSE OF THE MANUAL

This manual is intended to:

- Provide information on the DHS's structure, functions and services it renders to the public and how to gain access to them;
- Provide information about departmental contact information including details of postal, street and electronic mail addresses; phone and fax numbers of the Information Officer (IO) and the designated Deputy Information Officer (DIO);
- Provide a list of automatically available records under departmental custody;
- Provide a list of records categories accessible to members of the public by following the processes as stipulated in PAIA sections 11 and 18;
- Outline procedures to be followed by members of the public in accessing information under DHS's custody, in accordance with the provisions of PAIA.

4. GUIDE ON HOW TO USE PAIA (SECTION 10)

The South African Human Rights Commission (SAHRC) compiled a guide on the use of the PAIA as prescribed by section 10 of the Act. The guide is available at the offices of the SAHRC.

South African Human Rights Commission

National Head Office

33 Hoofd Street

Braampark Forum III

Braamfontein

Johannesburg, Gauteng

2001

Telephone number: +27 11 877 3600/3645

Fax number: +27 11 403 0668

Email address: paia@sahrc.org.za

Website: www.sahrc.org.za

5. CONTACT INFORMATION

5.1 Information Officer

As provided for in the Act, the Director-General is the IO.

Director-General: Mr M Tshangana
Telephone: +27 12 421 1486
Fax: +27 12 341 1257
Email: InformationOfficer@dhs.gov.za

5.2 Deputy Information Officers

5.2.1 Deputy Information Officer: Mr. M Xaba

Telephone: +27 12 444 9055
Fax: +27 86 471 1939
Email: DeputyInformationOfficer@dhs.gov.za

5.2.2 Deputy Information Officer: Ms. RM Thaga

Telephone: +27 12 444 9012
Fax: +27 86 471 1939
Email: DeputyInformationOfficer@dhs.gov.za

5.3 PAIA Unit

The PAIA unit facilitates the provision of public access to departmental information.

Telephone: +27 12 444 9045/57/58
Fax: +27 86 471 1939
Email: paia@dhs.gov.za

5.4 General information

Postal address: Private Bag X644
PRETORIA
0001

Physical address: Govan Mbeki House
240 Justice Mahomed Street
PRETORIA
0002

Telephone: 0800 146 873

Fax: +27 12 444 9000

Email: info@dhs.gov.za

Website: www.dhs.gov.za

6. LEGISLATIVE MANDATE INFORMING THE FUNCTIONS OF THE DEPARTMENT

- Breaking New Ground (BNG): A Comprehensive Plan for the Creation of Sustainable Human Settlements
- Community Schemes Ombuds Service Act, 2011 (Act No. 9 of 2011)
- Constitution of the Republic of South Africa, 1996
- Development Facilitation Act, 1995 (Act No. 67 of 1995)
- Division of Revenue Act as amended
- Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000)
- Housing Act, 1997 (Act No. 107 of 1997)
- Housing Consumers Protection Measures Act, 1998 (Act No. 95 of 1998)
- Housing Development Agency Act, 2008 (Act No. 23 of 2008)
- Inclusionary Housing Bill
- Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005)
- Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991)
- National Development Plan (NDP), Chapter 8
- National Environment Management Act, 1998 (Act No. 107 of 1998)
- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998)
- Public Finance Management Act, 1999 (Act No. 1 of 1999)
- Rental Housing Act, 1999 (Act No. 50 of 1999)
- Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011)
- Social Housing Act, 2008 (Act No. 16 of 2008)
- Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)

7. FUNCTIONS AND STRUCTURE OF THE DEPARTMENT OF HUMAN SETTLEMENTS

7.1 STRATEGIC OVERVIEW

7.1.1 VISION: A nation housed in sustainable human settlements.

7.1.2 MISSION: To facilitate the creation of sustainable human settlements and improved quality of household life.

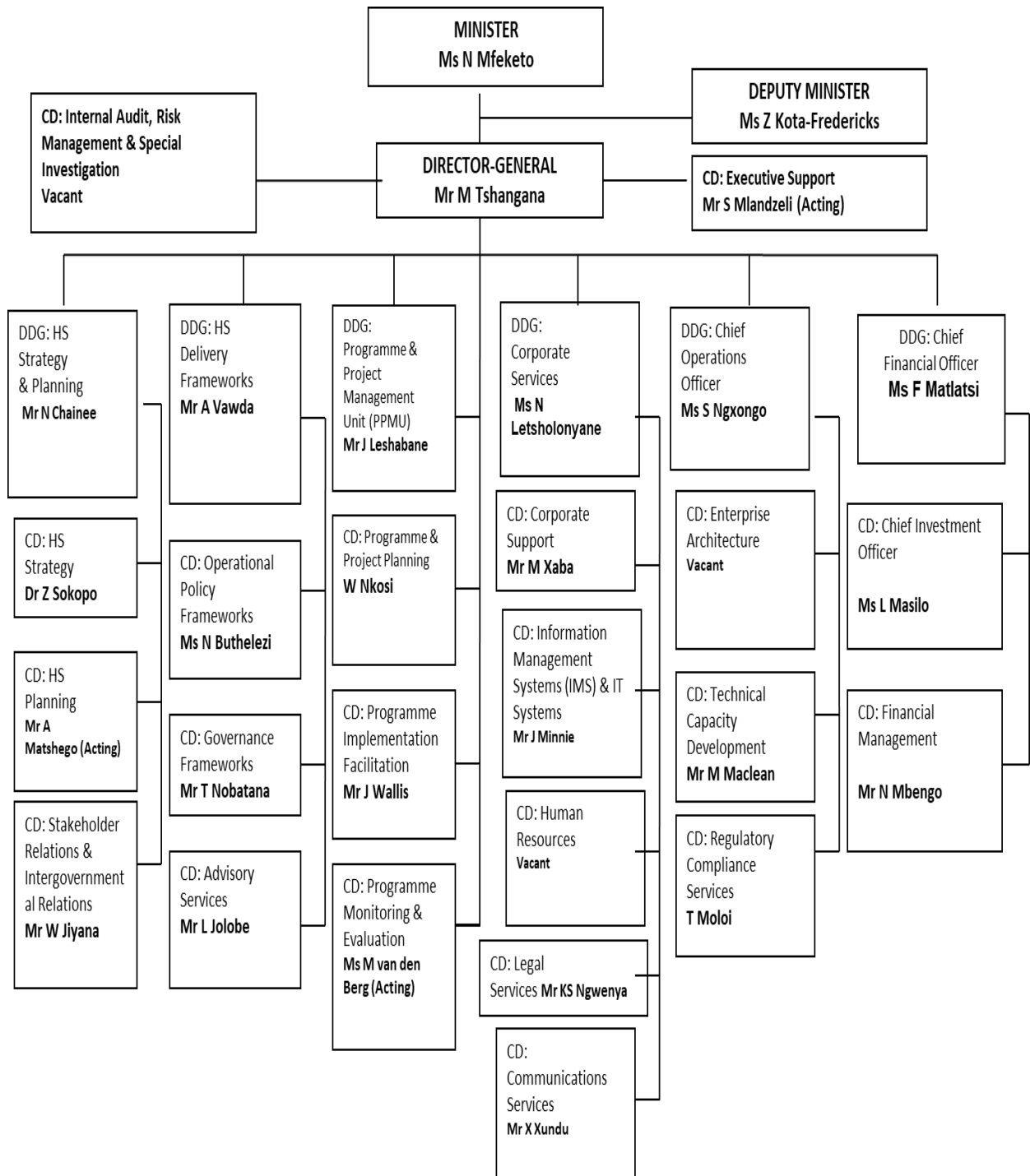
7.1.3 VALUES

The core values guiding and regulating the Department are based on the Constitution and supporting legislations and includes:

- Accountability

- Fairness and equity
- Choice, quality and affordability
- Sustainability
- Innovation
- *Batho Pele* principles

7.2 ORGANISATIONAL STRUCTURE OF THE DEPARTMENT



7.3 SERVICES RENDERED BY THE DEPARTMENT

The Department primarily:

- Establishes and maintains a policy and legislative framework required for facilitation of a sustainable and integrated human settlements objective in line with government's objective and departmental mandate; and
- Facilitates apportionment of annual allocation to provinces and municipalities for human settlements, infrastructure development and land acquisition.

In addition to the role that provinces and municipalities play with regard to human settlements, the following national institutions were established to facilitate the human settlements related needs of the sector:

Institutions	Services	Clients	Obtain information at
Estate Agency Affairs Board (EAAB)	<ul style="list-style-type: none"> • Regulate, maintain and promote the standard of conduct by estate agents having due regard to the public interest; • Issue fidelity fund certificates to qualifying applicants; • Prescribe the standard of training of estate agents; • Investigate complaints against estate agents and institute disciplinary proceedings against offending estate agents where required; and • Manage and control the estate agents fidelity fund. 	Housing consumers and estate agents.	DHS, EAAB offices.
Community Schemes Ombuds Service (CSOS)	<ul style="list-style-type: none"> • Provide a dispute resolution service for community schemes; • Provide training for 	Community scheme body corporate, community	DHS, CSOS offices.

	<p>conciliators, adjudicators and other employees of the ombuds service;</p> <ul style="list-style-type: none"> • Regulate, monitor and control the quality of all sectional title schemes governance documentation; and • Take custody of, preserve and provide public access to scheme governance documentation. 	<p>scheme unit owners and tenants.</p>	
<p>Housing Development Agency (HDA)</p>	<ul style="list-style-type: none"> • Identify, acquire, hold, develop and release well-located land and buildings for the development of housing and human settlements; and • Provide project management support and housing development services. 	<p>Housing consumers, developers and organs of state (municipalities and metros).</p>	<p>DHS, provincial department of human settlements (PDHS), municipalities, HDA offices.</p>
<p>National Home Builders Registration Council (NHBRC)</p>	<ul style="list-style-type: none"> • Regulate the home building environment through home enrolment and home builder registration processes; • Protect the housing consumer against structural defects through building inspections and administration of the warranty reserve; • Promote innovative home building technologies; and • Set home building standards and improve 	<p>Housing consumers and home builders.</p>	<p>DHS, PDHS, municipalities, NHBRC offices.</p>

	the capabilities of home builders through training.		
National Urban Reconstruction and Housing Agency (NURCHA)	<ul style="list-style-type: none"> • Provide bridging finance to small, medium and established contractors building low- and moderate-income housing, and related community facilities and infrastructure; and • Provide programme and fund management services. 	Contractors and developers.	DHS, PDHS, municipalities, NURCHA offices.
National Housing Finance Corporation (NHFC)	<ul style="list-style-type: none"> • Provide innovative and affordable housing finance solutions for the low- to middle-income housing market; • The NHFC provides the following services: <ul style="list-style-type: none"> ▪ Private rental term loans; ▪ Social housing rental facilities; ▪ Bridging finance to developers; ▪ Wholesale incremental housing facilities; ▪ Wholesale homeownership facilities; and ▪ Administration of the Finance Linked Individual Subsidy Programme (FLISP). 	Low-income earners, established housing institutions, social housing institutions, developers, non-banking retail intermediaries and banks' lend to poor households.	DHS, PDHS, municipalities, NHFC offices.
Rural Housing Loan Fund (RHLF)	<ul style="list-style-type: none"> • Empower low-income households in rural areas to access housing credit. • Operates as a wholesale lender and thus attains its mandate by providing loans through retail 	Non-banking retail intermediaries	DHS, PDHS, municipalities, RHLF offices.

	intermediaries to its target market to be utilised for incremental housing purposes.		
Social Housing Regulatory Authority (SHRA)	<ul style="list-style-type: none"> Regulate the social housing sector in South Africa; and Approve, administer and disburse both institutional investment and capital grants (namely the Restructuring Capital Grant and the Institutional Investment Grant). 	Social housing institutions, private developers.	DHS, PDHS, municipalities, SHRA offices.

7.4 PROGRAMMES OF THE DEPARTMENT

Programme 1: Administration	<p>Purpose: To provide strategic leadership and administrative support services to the.</p> <p>Strategic objectives:</p> <ul style="list-style-type: none"> To efficient and effective administrative processes. To have a capacitated and diverse workforce in a conducive working environment. To have effective and efficient legal support. To have ICT infrastructure that is reliable, secure and available. To promote internal and external communication human settlements.
Programme 2: Human Settlements (HS) Policy, Strategy and Planning	<p>Purpose: To manage the development of, and compliance with, sector delivery and intergovernmental relations frameworks and to oversee integrated strategic and planning services.</p> <p>Strategic objectives:</p> <ul style="list-style-type: none"> Policies and programmes for improved alignment. And strengthen partnerships for development.
Programme 3: Programme Monitoring	<p>Purpose: IO supports the execution and monitor and evaluate the implementation of programmes and projects. To manage capacity and</p>

and Delivery Support	skills in the sector and provide oversight of public entities. Strategic objectives: <ul style="list-style-type: none"> • Implementation supports the delivery of adequate housing. • Enhanced sector monitoring and evaluation. • Improved support and capacity for the sector.
Programme 4: Housing Development Finance	Purpose: To fund the delivery of housing and programmes and to manage all matters related to improving access to housing finance and developing partnerships with the financial sector. Strategic objectives: <ul style="list-style-type: none"> • Human settlements grants and monitor lending patterns financial institutions.

8. ACCESS TO RECORDS HELD BY THE DEPARTMENT

Certain records, excluding records that are available on request, are automatically available without having to request access in terms of PAIA. Other records maintained by the DHS must be requested from the DIO in terms of the procedures outlined in sections 11 and 18 of PAIA.

8.1 CATEGORIES OF RECORDS HELD BY THE DEPARTMENT

DHS records are managed in accordance with the provisions and requirements of the National Archives Act of South Africa, 1996 (Act No. 43 of 1996). Categories of records below are provided in accordance with the approved DHS file plan. Some of the records listed in the categories below may be formally requested, but access to parts of these records or the whole record may be refused on the basis of the provisions of PAIA as stipulated in sections 33 to 45.

**Automatically available: Records that can be accessed without having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.*

**Available on request: Records that can be accessed by following the processes as stipulated in PAIA sections 11 and 18; access to these records may be refused on the basis of sections 33 to 45 of the Act.*

No.	Category	Subject	Automatically available*	Available on request*
8.1.1	STATUTORY AND REGULATORY FRAMEWORK	DHS legislation (Bills, Acts, regulations and international commitments)	Yes	No
		Sectorial transformation (plans, commendations and social and change management)	No	Yes
8.1.2	ORGANISATION AND CONTROL	Internal policies	No	Yes
		Risk management	No	Yes
		Anti-fraud and corruption policy framework	No	Yes
		Internal audits	No	Yes
		Disaster management measures and reports	No	Yes
		DHS annual reports and medium-term strategic framework (MTSF 2014-2019); strategic plans; annual performance plans	Yes	No
		Occupational health and safety matters	No	Yes
		Security management	No	Yes
8.1.3	HUMAN RESOURCES MANAGEMENT	Post control, establishment and planning matters.	No	Yes
		Vacancies, appointments and placements.	No	Yes
		Personnel records (Case files)	No	Yes
		Employee health and wellness client files	No	Yes
		Staff retention	No	Yes
		Staff development (plans, engagements, skills and academic programmes, learnerships, bursaries, scholarships, fellowships and reports).	No	Yes
		Planning, utilization, control and monitoring (HR plan, declarations, leave utilisation, overtime, social matters, movements and mobility, termination of services and exits).	No	Yes
		Performance management and	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		development.		
		Labour and employee relation matters (Case Files)	No	Yes
		Organisational transformation plans and reports (Employment Equity, Batho Pele, Change Management and Employee Health and Wellness)	No	Yes
		Organizational transformation (plans, commendations and social and change management).	No	Yes
		Delegation of powers/authority.	No	Yes
		Establishment matters.(Micro Structure)	No	Yes
		Establishment matters (Macro Structure)	Yes	No
8.1.4	FINANCIAL ADMINISTRATIO N	Basic Accounting System (BAS) Reports	No	Yes
		Budget (Estimates of national expenditure for Human Settlements)	Yes	No
		Financial compliance (Treasury, Auditor-General, disclosures and declarations)	No	Yes
		Financial audits	No	Yes
		Claims.(intergovernmental payments)	No	Yes
		Debtors system	No	Yes
		Bank matters	No	Yes
		Financial irregularities	No	Yes
		Reconciliation of accounts	No	Yes
		Financial assistance (donations and sponsorships)	No	Yes
		Invoices, statements and payments	No	Yes
		Printed receipts	No	Yes
		Supplementary accounting records	No	Yes
		Journal transactions	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		Financial system appraisals	No	Yes
		Pay sheets	No	Yes
		Registers (includes salaries, invoices and payments)	No	Yes
8.1.5	SUPPLY CHAIN MANAGEMENT	Demand and acquisition (quotations, requisitions and acquisitions)	No	Yes
		Bids (proposals, specifications, advertisements, awards and committees.	No	Yes
		Acquisition and Procurement Plans	No	Yes
		Registers (includes bids, suppliers database records (transversal), invoice/payment, stocktaking control sheets, commitments, accruals)	No	Yes
		Orders and payments (systems, invoices, service level agreements (SLAs), stock take on inventory (plans), acquisitions)	No	Yes
		Fixed Asset Register, disposals, verification count sheets, assets and inventory lists, monthly reconciliations, asset movements).	No	Yes
8.1.6	TRAVEL AND TRANSPORT SERVICES	Local trips and journeys	No	Yes
		Transport (hired and government-owned vehicles)	No	Yes
		Log sheets	No	Yes
8.1.7	FACILITIES MANAGEMENT	Buildings, grounds and properties (needs identification and analysis, planning and design, acquisition and leases of offices and official residences, allocations, maintenance and alienation).	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		Machinery, Equipment and other facilities (installation, repairs and maintenance).	No	Yes
		Energy efficiency and maintenance (Plan, management, inspections and reports).	No	Yes
		Service Level Agreement, Maintenance, monitoring, inspections and reports (Electrical, Plumbing, Pest Control, Hygiene and Cleaning Services).	No	Yes
8.1.8	INFORMATION SERVICES	Promotion of Access to Information Act (Section 32 Reports: PAIA Manual: Section 15 list)	Yes	No
		Knowledge Management.	No	Yes
		Library Management.	No	Yes
		Records management (file plans; schedule of records other than correspondence files, transfers, disposals, reports and registry registers).	No	Yes
		Security Management.	No	Yes
		Occupational Health and Safety Matters.	No	Yes
		HSS Environment applications (Housing Subsidy System, National Housing Needs Register and National Housing Subsidy Database) Maintenance, Support and Training Services provided to provincial Human Settlements	No	Yes
		Development and Support of Infrastructure Services for the National Department of Human Settlements	No	Yes
		Information Systems & Applications that support the National Department of Human Settlements	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		business process and objectives		
8.1.9	COMMUNICATION SERVICES	Communication strategy.	No	Yes
		Departmental logo/emblem.	No	Yes
		Customer care calls centre and presidential hotline matters.	No	Yes
		Press Releases.	Yes	No
		Profiles of Executive Authorities	Yes	No
		Events, campaigns, launches and publicity programmes (includes speeches of the Minister and Deputy Minister and photographs).	Yes	No
		Departmental publications; Brochures; Newsletters; Magazines and Posters.	Yes	No
		Economic opportunities created by Department of Human Settlements (in 11 official languages).	Yes	No
		Human Settlements Programmes and Subsidies (11 official languages).	Yes	No
		Human Settlements 20-year book.	Yes	No
		DHS Media Monitoring (News Clippings, Copies of media adverts and television series breaking new ground (BNG), which aired on SABC 2.)	Yes	No
		Draft White paper on human settlements	Yes	No
		Social contract for the development of sustainable human settlements	Yes	No
		DHS Corporate Diary	Yes	No
Guide to owning a Government Subsidized House.	Yes	No		
Project Process Guide for Human Settlements	Yes	No		

No.	Category	Subject	Automatically available*	Available on request*
		Programmes		
		Leading Change (Delivering the New Urban Agenda through Urban and Territorial Planning)	Yes	No
8.1.10	LEGAL SERVICES	Appointment of legal experts.	No	Yes
		Legal opinions.	No	Yes
		Claims, litigations and appeals.	No	Yes
		Prosecutions including serving of lawsuit documents.	No	Yes
		Contracts, memoranda of understanding and service level agreements.	No	Yes
		Department of Human Settlements [Legislation [Bills/ Acts/Regulations & International Commitments]	Yes	No
		Towards Policy Foundation for the Human Settlements Legislation (White Paper)	Yes	No
8.1.11	MEETINGS, ATTENDING AND HOSTING OF GATHERINGS	Interface with Committees of Parliament.	No	Yes
	INFORMATION MANAGEMENT SERVICES	Replies to Parliamentary Questions	Yes	No
8.1.12	M & E AND IMPACT ASSESSMENTS	Monitoring evaluation and impact assessment system matters.	No	Yes
		Evaluations, Assessments and monitoring reports (includes impact, performance, project monitoring and beneficiary occupancy audits).	No	Yes
		Report on the evaluation of the impact of the Rural Housing Programme.	Yes	No
		Report on the evaluation of the performance of	Yes	No

No.	Category	Subject	Automatically available*	Available on request*
		Social and Rental Housing Programmes.		
		Measuring success in Human Settlements development: an impact evaluation study of the upgrading of informal settlements programme in selected projects in South Africa.	Yes	No
		Upgrading of Informal Settlements	Yes	No
		Rapid Appraisal of Outcome 8: Delivery Agreements: Sustainable Human Settlements and Improved Quality of Household Life. Output 1: Accelerated delivery of Housing Opportunities	No	Yes
		Spatial and non-spatial information.	No	Yes
		Data acquisition and management (informal settlement, delivery figures, rectification, delivery per project, and blocked (1994/95 up to 2018/19)	Yes	No
		Monitoring Evaluation and Impact Assessment 2013/14-2018/19: Policy and Implementation Framework for the Human Settlements Sector	Yes	No
		Environmental implementation plan: DHS 2015-2020	Yes	No
8.1.13	POLICY DEVELOPMENT ASSISTANCE AND RESEARCH	National Housing Code 2009.	Yes	No
		The Comprehensive Plan for the Creation of Sustainable Human	Yes	No

No.	Category	Subject	Automatically available*	Available on request*
		Settlements of 2004		
8.1.14	HUMAN SETTLEMENT SECTOR PLANNING	Approved National Human Settlements Development Plan (National Business Plan),	No	Yes
		Approved Municipal Urban Settlements Development Grant Plans.	No	Yes
		Neighborhood Planning and Design Guideline (The Red Book)	Yes	No
	CENTRE OF EXCELLENCE ON HUMAN SETTLEMENTS ESTABLISHED	Establishment and Operationalization of Human Settlement Centre of Excellence Research Capacity	No	Yes
		2014-2019 Medium Term Strategic Framework	Yes	No
8.1.15	PROGRAMME IMPLEMENTATION SUPPORT AND MONITORING	Facilitation of the Planning for the National catalytic projects.	No	Yes
		Planning of new catalytic projects	No	Yes
		Facilitation of planning for National HS projects in mining towns/areas	No	Yes
		Blocked Projects	No	Yes
		Upgrading Informal Human Settlements (includes plans, implementation , co-ordination and support)	No	Yes
		Project Process Guide for Human Settlements Programmes	Yes	No
		2015 Impact of the implementation of the social housing programme and evaluation of implementation of Social Housing Programme.	No	Yes
		Social housing: Social Housing Act, 2008; Social Housing Regulations and social housing policy guidelines.	No	Yes
		Tribunals.	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		Tenant support.	No	Yes
		Analysis, assessments, monitoring, reviews, reports and statistics on rental projects and programmes.	No	Yes
		Community Residential Unit Programme {CRUP}.	No	Yes
8.1.16	EQUITY AND PRIORITY PROGRAMMES	Home Loan and Mortgage Disclosure Act, 2000	Yes	No
		Home Loan and Mortgage Disclosure Act, 2000: Home Loan and Mortgage Disclosure Regulations, 2007, Notice 842 of 2007	Yes	No
		Home Loan and Mortgage Disclosure Act 2000 Amendment ,2016, Notice 247 of 2017	Yes	No
		Office of Disclosure annual report 2016 on the performance of financial institutions	Yes	No
		Quarterly report on the performance of financial institutions	Yes	No
		Booklet – Office of Disclosure Complaints handling procedure manual (in 8 languages: English; Afrikaans; isiZulu; Sepedi; Setswana; isiXhosa; Xitsonga and Tshivenda)	Yes	No
8.1.17	HS PROGRAMMES AND PROCESSES	Rental HS programmes: 2007 research report, rental accommodation for public sector professionals, and 2015 impact and evaluation of implementation of social housing programme	No	Yes
		Development of private rental projects: National Housing Programme for the provision of basic services to backyard residents and the approved Gauteng Policy	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		on Backyard Rental Housing		
		Social housing: Social Housing Act, 2008; Social Housing Regulations and social housing policy guidelines	Yes	No
		Tribunals	No	Yes
		Tenant support	No	Yes
		Analysis, assessments, monitoring, reviews, reports and statistics on rental projects and programmes	No	Yes
		Establishment matters relating to housing institutions and entities (Entity Enabling Acts, Memorandum of Incorporation)	No	Yes
		Entity board matters (Names of Board members, term of office, Shareholder Compacts, Mandate documents, Board Evaluation Reports)	No	Yes
		Entity plans/reports (Strategic Plans, Annual Performance Plans)	No	Yes
		Monitoring and review of entities (Quarterly reports, Annual reports)	No	Yes
		Budget information and transfers (Annual budgets, Medium Term Expenditure Framework information, grant allocations, transfers)	No	Yes
8.1.18	STAKEHOLDER RELATIONS AND MOBILISATION	Engagements, alliances and liaisons (includes matters relating to governmental, international and multi-lateral alliances).	No	Yes
		Govan Mbeki Housing Awards.	Yes	No
		Sponsorships for human	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		settlement projects.		
		The enhanced People's Human Settlement Process (EPHP) (includes old debts, pipeline/Rollout unblocking of PHP projects, Partnerships and Dispute resolutions matters).	No	Yes
		International Relation (Study Tours ,Bilateral Agreements)	No	Yes
		Seminars, conferences, symposia and summits (includes campaigns & workshops).	Yes	No
		Policy orientation programmes (includes implementation and collaborations).	No	Yes
8.1.19	PERFROMANCE PLANNING AND REPORTING	Departmental Annual Reports	Yes	No
		Departmental Performance Reports (Quarterly and Mid-term)	No	Yes
		Departmental Guidelines on Performance Reporting and Planning	No	Yes
		Departmental Strategic Plan (5years)	Yes	No
		Departmental Annual Performance Plan	Yes	No
		Departmental Operational Plan.	No	Yes
8.1.20	HUMAN SETTLEMENTS CAPACITY DEVELOPMENT	Beneficiary and Community empowerment (includes implementation and collaborations, assessments monitoring and evaluation)	No	Yes
		Professionalization of the HS sector (includes business plans, qualifications accreditations and matters relating to training providers, institutions and management of HS professional bodies).	No	Yes

No.	Category	Subject	Automatically available*	Available on request*
		HS bursaries and scholarships (includes policy applications and allocations, monitoring and assessments).	No	Yes
		Institutional capacity development (includes business plans matters relating to coordination, implementation and support of provincial programmes as well as assessments monitoring and evaluation).	No	Yes
		National Technical Capacity Development Strategy	No	Yes
		South African Cuban Technical Support Programme	No	Yes
		Skills Transfer Framework	No	Yes
		Housing Consumer Educational Manual	No	Yes
		Training Manuals for Councilors	No	Yes
		Introduction to HS Management	Yes	No

9. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

The PAIA Unit receives requests for access to information on behalf of the DIO and assists any person wishing to lodge a request.

Any enquiries regarding the lodging of request(s) for access to information of the Department should be made by visiting the PAIA Unit at 260 Justice Mahomed Street; sending a fax to 086 471 1939; calling the PAIA Unit at 012 444 9045/57/58; or sending an email to paia@dhs.gov.za.

9.1 WHO CAN REQUEST INFORMATION?

- Any person can request information.
- Personal requesters requesting information about themselves.
- Requesters requesting information on behalf of another person. A requester that is acting on behalf of someone else must produce a letter of authority.

9.2 MANNER OF ACCESSING INFORMATION

9.2.1 AUTOMATICALLY AVAILABLE RECORDS

Certain categories of records are automatically available without a person having to request them through PAIA processes as per the provisions of section 15(1)(a) of the Act. Information/records that are automatically available will be made available on the departmental website, and at departmental offices in the manner or form requested, should this be reasonable and possible.

9.2.2 TELEPHONIC REQUESTS

The DHS also accepts telephonic requests. Attention will be given to any such request made to the DIO or the PAIA Unit at the numbers provided in this manual. Officials at the PAIA Unit will complete the prescribed Form A on behalf of the requester and furnish them with a copy thereof.

9.2.3 ORAL REQUESTS

If an individual is unable to complete the prescribed form because of illiteracy or a disability, such person may make the request orally to the DIO.

The DIO at the DHS must reduce the oral request to writing in the prescribed form and provide a copy thereof to the requester.

9.3 FORMAL REQUESTS AS PER PAIA REQUIREMENTS

STEP 1: Completing the prescribed access request form

- Obtain the prescribed request form, Form A contained in Annexure B of this manual, which is available on the DHS website or at any office of the DHS upon request.
- Complete the prescribed form in full, clearly indicating the record(s) requested, and sign the request form in the space provided.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the request is made, to the reasonable satisfaction of the DIO.

STEP 2: Payment

The requester must pay the prescribed request fee if due and when requested to do so by making a deposit into the account number provided below. Persons listed in paragraph 9.5.4 of this manual are exempted from paying the request fees.

PAYMENT METHOD

Account name	Department of Human Settlements
Bank	Standard Bank
Account number	010160310
Branch name	Pretoria, Van der Walt Street
Branch code	010145
Reference	Promotion of Access to Information Act

STEP 3: Submission of request

The requester must submit the application form to the DIO through the PAIA Unit at the address, fax number or email address provided in this manual. The request form should be accompanied by proof of payment for the request fee. No proof of payment is attached by people qualifying for exemption, but the reasons for exemption should be clearly stated on the form.

9.4 TURNAROUND TIMES FOR ATTENDING TO REQUESTS

In terms of section 25 of the Act, the DHS must decide whether to grant or refuse a request and give notice with reasons to that effect within 30 days of receipt of the request.

The 30 days within which the DHS has to decide whether to grant or refuse the request may be extended once for a period of not more than 30 days if the request is for large amounts of information or if the request requires a search for information held at another office of the DHS and the information cannot be reasonably obtained within the original period of 30 days.

The DHS must notify the requester in writing if an extension is required.

9.5 FEES

The Act provides for two types of fees, namely:

9.5.1 NON-REFUNDABLE REQUEST FEE

A requester, other than a personal requester, requesting access to information held by the Department will be required to pay the prescribed request fee of R35, 00, as specified on Form A, before the request will be processed. Persons listed under paragraph 9.5.4 of this manual are exempted from paying request fees.

The DIO will withhold a record(s) until the requester concerned has paid the applicable fees (if any).

9.5.2 **ACCESS FEE**

- An access fee is payable in all instances where a request for access to information is granted for reproduction costs and, if applicable, the postal fee and the time reasonably required to search for and prepare the record for disclosure.
- Persons listed under paragraph 9.5.4 of this manual are exempted from paying an access fee.
- A requester requesting copies of records that are publicly available does not have to pay the request fee of R35, 00, but must pay the access fee for reproduction, if applicable. For applicable fees, refer to schedule of fees in annexure A.

The DIO will withhold a record until the requester has paid the applicable fees if any.

9.5.3 **DEPOSITS**

If the search for a record(s) and the preparation of the record(s) for disclosure, including arrangements to make it available in the requested format, would require more than the hours prescribed for this purpose in the regulations, the DIO must by notice require the requester to pay as a deposit the prescribed portion (not more than a third) of the access fee which would be payable if the request is granted.

If a deposit has been paid in respect of a request for access which is then refused, the DIO of the DHS will refund the deposit to the requester.

9.5.4 **EXEMPTIONS**

The following persons are exempted from paying the access fee contemplated in section 22(6) of the Act:

- A single person whose annual income after permissible deductions does not exceed R14 712, 00 per annum.
- Married persons or life partners whose combined annual income after permissible deductions does not exceed R27 192,00 per annum.
- Where the cost of collecting any fee in respect of the search and preparation of a record for disclosure exceeds the amount charged, such fee does not apply.
- The search and preparation cost do not apply to the personal records of a requester.

- The request and access fees do not apply to records requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998), or the Regulations made under section 44 of that Act.

10. REFUSED ACCESS AND APPEALS

10.1 GROUNDS FOR REFUSAL

The DHS may refuse a request for access to its information if the requested information relates to:

- Mandatory protection of privacy of a third party who is a natural person, including a deceased individual.
- Mandatory protection of certain records of South African Revenue Service.
- Mandatory protection of commercial information of a third party.
- Mandatory protection of certain confidential information and protection of certain other confidential information of a third party.
- Mandatory protection of safety of individuals and protection of property.
- Mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings.
- Mandatory protection of records privileged from production in legal proceedings.
- Defence, security and international relations of the Republic.
- Economic interests and financial welfare of the Republic and commercial activities of the Department.
- Mandatory protection of research information of a third party and protection of research information of the Department.
- Operations of the Department.
- Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources of the Department.

10.2 MANDATORY DISCLOSURE IN PUBLIC INTEREST

A request for access to a record that could otherwise be refused on the grounds for refusal in terms of PAIA may be granted, however, in circumstances where the disclosure of the record is in the public interest, and if such public interest clearly outweighs the harm contemplated in the grounds for refusal.

10.3 DEEMED REFUSAL OF A REQUEST

If the DIO fails to give a decision on a request for access to the requester within the prescribed 30 day period, the DIO will be deemed to have refused such a request. The requester may then lodge an internal appeal against such refusal.

10.4 REMEDIES IF REQUEST FOR ACCESS IS REFUSED

10.4.1 INTERNAL APPEAL

A requester aggrieved by a decision of the DIO to refuse a request for access to information may lodge an internal appeal with the Minister of Human Settlements against the said decision.

10.4.2 LODGING INTERNAL APPEAL

An internal appeal:

- Must be lodged within 60 days after the requester is informed of the decision taken on the request.
- Must be completed on the prescribed internal appeal form contained in Annexure C of this manual, which is also available on the DHS website [www.dhs.gov.za], or from any office of the DHS, upon request.
- Must be completed in full on the prescribed internal appeal form indicating the decision against which the internal appeal is lodged.
- Must be signed in the space provided on the internal appeal form.
- Must be submitted to the DIO through the contact details or address provided in this manual.

10.4.3 REFERRAL OF INTERNAL APPEAL TO RELEVANT AUTHORITY

- The DIO must, within 10 working days of receipt of an internal appeal, refer the internal appeal, together with reasons for his or her decision regarding the request, to the relevant authority.
- The relevant authority must consider and decide on the internal appeal within 30 days after the notice of internal appeal is received.
- The decision of the relevant authority must confirm or set aside the decision of the DIO or, where applicable, substitute a new decision for it.

10.5 APPLICATION TO COURT

A requester who has been unsuccessful in an internal appeal may, within 180 days of receipt of notice of the decision regarding the internal appeal, apply to the court for appropriate relief as stipulated in section 78(2).

11. AVAILABILITY OF MANUAL

11.1 This manual will be made available in eleven (11) official languages on the DHS website, three (3) official languages (in print) at all departmental offices and to the Human Rights Commission.

11.2 This manual may be published in the *Government Gazette*.

12. UPDATE AND REVIEW OF MANUAL

This manual will be reviewed by the Department annually and as and when necessary and may be updated and published as contemplated in PAIA.

**GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING**

**DEPARTMENT OF JUSTICE
DEPARTEMENT VAN JUSTISIE**

No.R.223

9 March 2001

**PROMOTION OF ACCESS TO INFORMATION ACT, 2000
REGULATIONS RELATING TO THE PROMOTION OF ACCESS TO
INFORMATION**

The Minister for Justice and Constitutional Development has, under section 92 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates -

"the Act" means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

Form of request

2. A request for access to a record, as contemplated in section 18(1) of the Act, must be made in the form of Form A of the Annexure.

Fees for records of public body

3. (1) The fee for reproduction, referred to in section 15(3) of the Act, is 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
(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 transcript of an audio record	
		for an A4-size page or part thereof	12,00
	(ii)	For a copy of an audio record	17, 00

(2) The request fee payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is R 35, 00.

(3) The access fees payable by a requester referred to in section 22(7) of the Act, *unless* exempted under section 22(8) of the Act, 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
(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 the record for disclosure, R15, 00 for each hour or part of an hour excluding the first hour reasonably required for such search.	
(g)			

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.

(5) 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.

Form of request

A request for access to a record, as contemplated in section 53(1) of the Act, must be made in the form of Form B of the Annexure.

Fees for records of private body

5. (1) The fee for reproduction referred to in section 52(3) of the Act, is as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on -	
(i) floppy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(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	20,00
(ii) For a copy of an audio record	30,00

(2) The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is R 50, 00.

(3) The *access* fees payable by a requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0.75
(c) For a copy in a computer-readable form on -	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40.00
(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	20,00
(ii) For a copy of an audio record	30, 00
(f) To search for the record for disclosure, R30, 00 for each hour or part of an hour reasonably required for such search.	

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.

(5) For purposes of section 54(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.

Notice of internal appeal

6. Notice of an internal appeal, as contemplated in section 75(1) of the Act, must be lodged in the form of Form C of the Annexure.

Appeal fees

7. The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3)(a) of the Act. is R 50,00 .

Value - added tax

8. Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of these regulations.

Commencement

9. These regulations shall come into operation on 9 March 2001.

ANNEXURE B: Form A



Department of Human Settlements

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000, (Act 2 of 2000))

[Regulation 6]

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 DEPUTY INFORMATION OFFICER		

A. Particulars of public body

Send or deliver your completed request form to:

PAIA Centre			
Postal address:	The Deputy Information Officer Department of Human Settlements Private Bag X644 PRETORIA Republic of South Africa 0001		
Street address: (For delivery by hand.)	The Deputy Information Officer Department of Human Settlements 260 Justice Mahomed Street Sunnyside PRETORIA 0002		
Fax number	086 471 1939		
Email address	paia@dhs.gov.za		
Office hours:	07:30–09:30 09:45–12:15 13:00–14:30 14:45–16:00	Cashier hours:	10:00–11:00 14:00–14:30
Banking details	Account name : Department of Human Settlements Bank : Standard Bank, Van der Walt Street (010145) Account number : 010160310		

B. Particulars of person requesting access to the record

Please mark the appropriate box with an X

<p>Personal requester (Seeking access to record containing personal information about yourself.) NOTE: Please attach a copy of your Identification Document to prevent wrongful disclosure of personal information.</p>	
<p>Requester (A person requesting access to a record of the Department of Human Settlements.)</p>	
<p>Public body requester (Only those public bodies that are exercising a public power or performing a public function in terms of legislation.)</p>	

- | | |
|----|---|
| a) | <i>The particulars of the person who requests access to the record must be given below.</i> |
| b) | <i>Give an address and/or fax number in the Republic to which the information must be sent.</i> |
| c) | <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i> |

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

Email 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 record: _____

2. Reference number, if available: _____

3. Any further particulars of record, i.e. the type of record(s), e.g. minutes: _____

4. Department/Directorate where the record is held (if known): _____

E. Fees

- a) *A request for access to a record, other than a record containing personal information about entities, will be processed only after a **request fee** has been paid.*
- b) *You will be notified of the amount required to be paid as request fee.*
- c) *The **fee payable for access** to a record depends on the form in which access is required and reasonable time required to search for and prepare the record.*
- d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

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 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
.....
<i>Mark the appropriate box with an X</i>	
Notes:	
a) <i>Compliance with your request for access in the specified form may depend on the form in which the record is available.</i>	
b) <i>Access in the form requested may be refused in certain circumstances. In such case you will be informed if access will be granted in another form.</i>	
c) <i>The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i>	
1. If the record is in written or printed form:	

	copy of record*		inspection of record
2. If the 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 the record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack (audio cassette)		transcription of the soundtrack* (written or printed document)
4. If the record is held on computer or in electronic or machine-readable form:			
	printed copy of record*		printed copy of information derived from the record* copy in computer readable form* (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? Postage is payable.			YES NO
<i>Note that if the record is not available in the language you prefer or if you have not indicated a preference, 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 the request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed 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 _____ 20 _____

SIGNATURE OF REQUESTER/
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE C

FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act 2000 (Act No. 2 of 2000))

[Regulation 8]

STATE YOUR REFERENCE NUMBER: _____
--

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of requester/third party who lodges the internal appeal

- | |
|--|
| <p>a) <i>The particulars of the person who lodge the internal appeal must be given below.</i></p> <p>b) <i>Proof of the capacity in which the appeal is lodged, if applicable, must be attached.</i></p> <p>c) <i>If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.</i></p> |
|--|

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

Email address: _____

Capacity in which an internal appeal on behalf of another person is lodged: _____

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname: _____

Identity number: _____

D. The decision against which the internal appeal is lodged

*Mark the decision against which the internal appeal is lodged with an **X** in the appropriate box:*

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

E. Grounds for appeal

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. **You must sign all the additional folios.***

State the grounds on which the internal appeal is based: _____

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

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner: _____

Particulars of manner: _____

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF APPELLANT

**FOR DEPARTMENTAL USE:
OFFICIAL RECORD OF INTERNAL APPEAL:**

Appeal received on _____ (date) by _____
_____ (state rank,
name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on _____ (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED/NEW DECISION SUBSTITUTED

NEW _____ DECISION:

DATE _____ RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
FROM THE RELEVANT AUTHORITY ON
(DATE): _____