



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

**PROMOTION OF ACCESS TO
INFORMATION MANUAL**

**COMPILED IN COMPLIANCE WITH SECTION 14 OF
THE
PROMOTION OF ACCESS TO
INFORMATION ACT
(ACT NO. 2 OF 2000)**

2010



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SECTION 1

INTRODUCTION

This Manual has been compiled in accordance with the Promotion of Access to Information Act of 2000 (Act No. 2 of 2000) (The Act). The Act prescribes that a public body must provide details of records held by such public body so that any request for information may be accommodated.

The Manual is to serve as a guide on how members of the public can access the information that is being kept in the records of the Department of Labour. The Manual gives effect to the right of access to information as contained in the Constitution of the Republic of South Africa and the Promotion of Access to Information Act 2 of 2000 (PAIA) This provides for the right of access to information held by the State or other public bodies by members of the public. The Manual also prescribes the manner in which the information must be accessed. Set out below is the procedure with regard to the lodging of a request for access to the Department of Labour's information.

The Manual also contains information of the designated Information Officer and Deputy Information Officer who are responsible for handling all the applications that are made for access to information as well as the name of each Programme and it's core function and a list of all records kept by the Department of Labour.

SECTION 2

DEFINITIONS

For the purpose of this Manual, unless the context otherwise indicates,

'The Act' means the Promotion of Access to Information Act 2000 (Act No. 2 of 2000);

'the Manual' means this manual together with all the annexures and which are available at the Department of Labour;

"BAS" means Basic Accounting Systems;

"BCEA" means Basic Conditions of Employment Act of 1997 (Act No. 75 of 1997);

"CCMA" means The Commission for Conciliation, Mediation and Arbitration;

“**CEE**” means Commission for Employment Equity;

“**CF**” means Compensation Fund;

“**CFO**” means Chief Financial Officer;

‘**COIDA**’ means the Compensation for Occupational Injuries and Diseases Act of 1993 (Act No. 130 of 1993);

“**DG**” means Director-General: Labour;

‘**DoL**’ means the Department of Labour;

“**EEA**” means the Employment Equity Act of 1998 (Act No.55 of 1998);

“**ECC**” means Employment Conditions Commissions;

‘**HRD**’ means Human Resource Development;

“**HRM**” means Human Resource Management;

“**IES**” means Inspection and Enforcement Services;

“**MISS**” means Minimum Information Security;

“**MTEF**” means Medium-Term Expenditure Framework;

‘**NEDLAC**’ means The National Economic Development and the Labour Council;

“**NPI**” means National Productivity Institute;

“**NASA**” means National Archives of South Africa;

‘**NASA Act**’ means the National Archives Act and Records of South Africa Act of 1996 (Act No.43 of 1996);

“**NIA**” means National Intelligence Agency;

“**The Minister**” means the Minister of Labour;

“**OHS**” means Occupational Health and Safety;

“**PEM**” means Provincial Executive Manager;

“**PES**” means Public Employment Services;

'PFMA' means the Public Finance Management Act of 1999 (Act No. 1 of 1999);

"Programmes" means forming the new adopted structure of DoL comprised of four independent branches. See organogram below for more details;

'Records' means the records as defined in terms of section 1 of The Act;

'SAHRC' means the South African Human Rights Commission;

"SAPS" means the South African Police Services;

"SARS" means South African Revenue Services;

"SLA" means Service Level Agreement;

"SOP" means Standard Operating Procedure;

"UI Board" means The Unemployment Insurance Board;

'UIA' means Unemployment Insurance Act of 2001 (Act No. 63 of 2001);

"UIF" means The Unemployment Insurance Fund";

SECTION 3

CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

INFORMATION OFFICER

| | |
|-----------------------|---|
| Designation | : Director-General |
| Postal Address | : Private Bag X117, Pretoria, 0001 |
| Telephone No. | : +27 012 309 4988 |
| Fax No. | : (012) 320 6084 |
| E-mail Address | : jimmy.manyi@labour.gov.za |

Description of the Functions

To provide departmental direction to DoL and ensure a transparent, accountable and professional and efficient client service, that include litigants, parliament and government.

DEPUTY INFORMATION OFFICER

Designation : Chief Legal Administration Officer
Advocate Nkholeng Phasha
Postal Address : Private Bag X117,
Pretoria, 0001
Telephone No : +27 12 309 4370
Fax No. : (012) 309 4758
E-mail Address : nkholeng.phasha@labour.gov.za

Description of the Functions

To co-ordinate all matters relating to transparency, legislation and to process requests in terms of the Act.

SECTION 4

GUIDE OF ALL MANUALS IN SOUTH AFRICA – SECTION 10 OF THE ACT

The SAHRC has in terms of **section 10 of The Act** compiled a guide on the use of The Act. The guide is available at the SAHRC. The SAHRC will further upon receiving each and every Manual from public and private bodies compile a final directory (Guide). This Directory would be similar to a telephone directory and will contain the “Address” where a Body’s Manual could be found apart from the SAHRC.

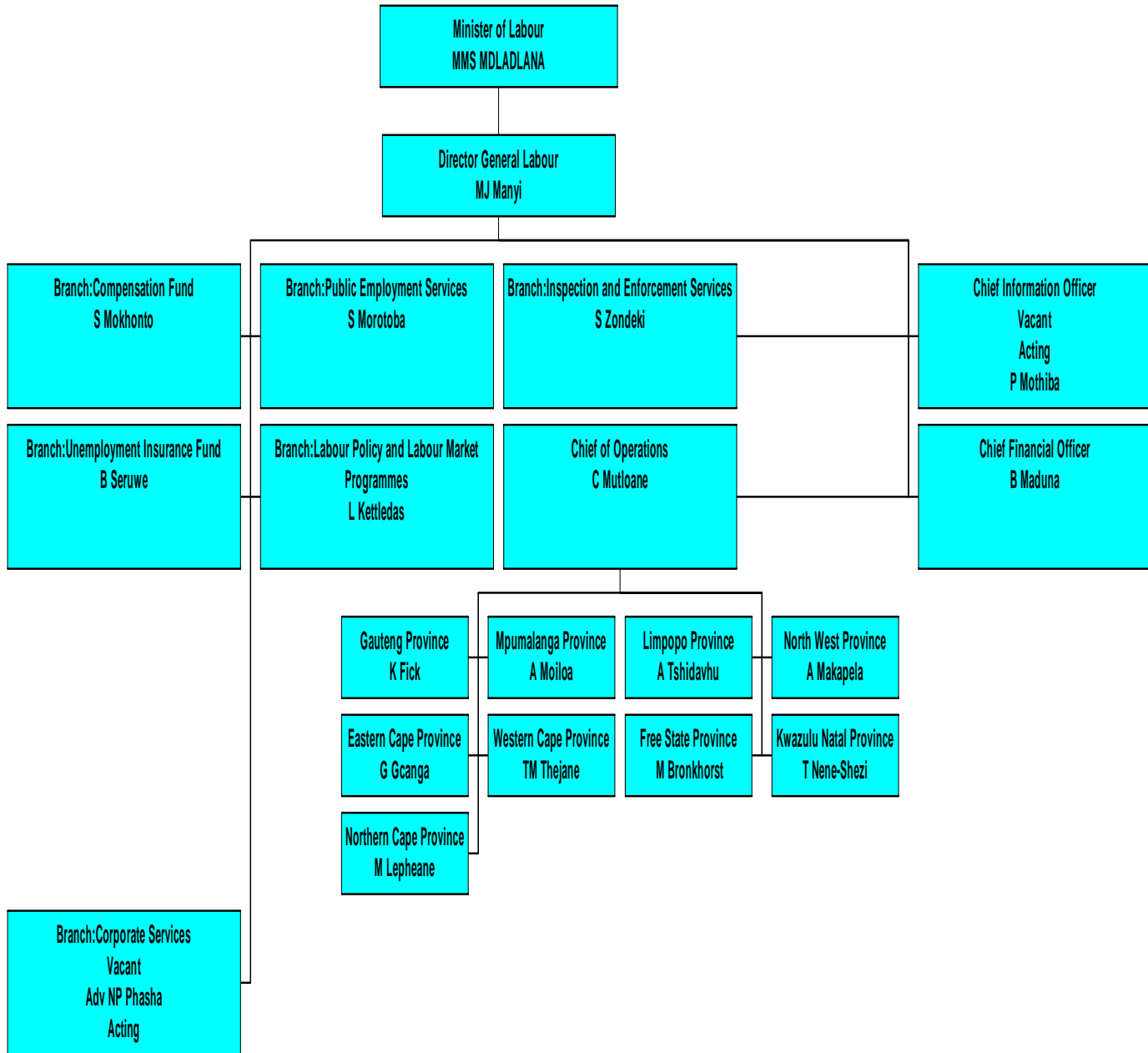
Any queries relating to the guide should be directed to SAHRC, at:

PAIA (Promotion of Access to Information)
Information and Communications
Private Bag X2700
Houghton
2041

Telephone : +27 11 484 8300
Fax : (011) 484 1360
e-Mail : paia@sahrc.org.za

SECTION 5

ORGANOGRAM OF DoL



SECTION 6

MANDATE

AIM:

The aim of DoL is to regulate the labour market, unemployment, poverty and inequality through policies and programmes developed in consultation with social partners, which are aimed at:

- Improved economic efficiency and productivity;
- Employment creation;
- Sound labour relations
- Eliminating inequality and discrimination in the workplace;
- Alleviating poverty in employment;
- Enhancing occupational health and safety awareness and compliance in the workplace; and
- Nurturing the culture of acceptance that worker rights are human rights.

OUR VISION

DoL will strive for a labour market which is conducive to investment, economic growth, Employment Creation and decent work.

OUR MISSION

- Regulate the South African labour market for a sustainable economy through:
 - Appropriate legislation and regulations;
 - Inspection, compliance monitoring and enforcement;
 - Protection and observance of human rights;
 - Provision of Employment Services;
 - Promoting equity;
 - Social and income protection; and
 - Social dialogue.

OUR VALUES

- We treat employees with care, dignity and respect;
- We respect and promote:
 - Client centered services;
 - Accountability;
 - Integrity and ethics;
 - Learning and development;
- We live Batho Pele Principles;
- We live the principles of DoL's Service Charter;
- We inculcate these values through our performance management system.

DoL's 9 key Result Areas (KRA) 2010-2015

These KRA broadly outline the interventions to be undertaken in order to address the strategic objectives, key outcomes and the priorities:

- Contribution to employment creation;
- Promote equality in the labour market;
- Protecting vulnerable workers;
- Strengthening multilateral and bilateral relations;
- Strengthening social protection;
- Promoting sound labour relations;
- Strengthening the capacity of labour market institutions;
- Monitoring the impact of legislation; and
- Strengthening the institutional capacity of DoL.

SECTION 7

LEGISLATION MANAGED BY DoL

- Labour Relations Act of 1995 (Act No. 65 of 1995);
- Basic Conditions of Employment Act of 1997 (Act No.75 of 1997);
- Employment Equity Act of 1998 (Act No.55 of 1998);
- Occupational Health and Safety Act of 1993 (Act No. 85 of 1993);
- Compensation for Occupational Injuries and Diseases Act of 1993 (Act No. 130 of 1993);
- Unemployment Insurance Act of 2001 (Act No. 63 of 2001) and;
- NEDLAC Act of 2002 (Act No. 35 of 1994).

SECTION 8

STRUCTURE AND FUNCTIONS OF DoL

DoL is structured to undertake the fulfillment of its mandate as outlined in its mission and vision statement. DoL's key mandate is to ensure that the South African labour market functions optimally through the process of intensive labour law reform and the creation of appropriate institutions to support economic growth and job creation, labour market stability and promote social debate.

DoL will endeavour to enhance the quality and accessibility of services by improving efficiency and accountability to the citizens and service beneficiaries.

DoL will continue to transform the labour market and to provide improved service delivery by enhancing access to services and information aimed at improving the quality of all South African citizens.

The structure of DoL is set out in the Organogram. From the Organogram, it can be seen that the Minister of Labour is the Executive Authority with the Director-General as head of Administration as well as the Accounting Officer.

SECTION 9

PROGRAMMES OF DoL

DoL is made up of the following Programmes (Branches)

9.1 PROGRAMME 1 : ADMINISTRATION

PURPOSE:

Provides overall management, strategic support and advisory services to DoL and the Ministry.

PROGRAMME OVERVIEW

DIRECTOR-GENERAL : Mr Jimmy Manyi

Description of Functions

Oversees the effective implementation of DoL's Mandate and the overall accounting of DoL.

9.1.1 MANAGEMENT

Deputy Director-General (Acting) : Advocate Nkaholeng Phasha

OFFICE OF THE CHIEF OPERATIONS OFFICER

Chief Operations Officer : Ms Caroline Mutloane

Description of Functions

Will ensure effectiveness in all operations.

INTERNAL AUDIT

Senior Executive Manager : Mr Vernon Macleod

Description of Functions

Provides Management and the Audit Committee with independent objective assurance that improves effectiveness of governance, risk management and control processes.

RISK MANAGEMENT

Executive Manager : Tayron Tshitaudzi

Description of Functions

Pro-actively manages/addresses risks that have a negative impact on DoL's performance.

SECURITY SERVICES

Executive Manager : Mr Eunice Madzivhandila

Description of Functions

Renders security support aimed at protecting DoL's staff and assets.

9.1.2 CORPORATE SERVICES

COMMUNICATION

Senior Executive Manager : Mr Page Boikayo

Description of Functions

Creates awareness about available services in DoL.

HUMAN RESOURCE MANAGEMENT

Senior Executive Manager (Acting) : Mr Risimati Chauke

Description of Functions

Ensures effective and efficient utilisation of human resources.

CHIEF INFORMATION OFFICER

Senior Executive Manager (Acting) : Mr Phineas Mothiba

Description of Functions

Develop information technology (IT) systems in support of key business processes.

LEGAL SERVICES

Chief Legal Administration Officer : Advocate Nkahloleng Phasha

Description of Functions

Ensures well drafted and binding contracts, policies, legislation, legal opinions and to ensure cost effective office and minimized litigation.

9.1.3 OFFICE OF THE CHIEF FINANCIAL OFFICER (CFO)

Chief Financial Officer : Mr Bheki Maduna

Description of Functions

Ensure accurate financial Systems and management information; ensure effective financial oversight: Public Entities; ensure effective office administration and supply chain management.

9.2 PROGRAMME 2 : INSPECTION AND ENFORCEMENT SERVICES (IES)

DEPUTY DIRECTOR-GENERAL : Ms Siyanda Zondeki

PURPOSE

Ensure implementation of and compliance with DoL's policies and programmes through monitoring, evaluation and inspections.

PROGRAMME OVERVIEW

MANAGEMENT AND SUPPORT SERVICES:

Senior Executive Manager : Mr Thobile Lamati

Description of Functions

Inspection and Enforcement Services manages the delegated administrative and financial responsibilities of the office of the Deputy Director-General: Inspection and Enforcement Services and provides corporate support to line function subprogrammes within the Programme.

OCCUPATIONAL HEALTH AND SAFETY:

Senior Executive Manager : Mr Thobile Lamati

Description of Functions

Promotes health and safety at the workplace by regulating dangerous activities and the use of plant and machinery.

REGISTRATION: INSPECTION AND ENFORCEMENT SERVICES

**Executive Managers x3 : Mr Tibor Szana, Mr Jacob Malatse
Ms Milly Ruiters**

Description of Functions

Registers incidents relating to labour practices and occupational health and safety matters, as reported by members of the public and communicates these to the relevant structures within the Compliance, Monitoring and Enforcement subprogramme for investigation.

COMPLIANCE, MONITORING AND ENFORCEMENT

Executive Manager : Mr Zakes Mogwathle

Description of Functions

Ensures that employers and employees comply with labour legislation through regular Inspections and following up on reported incidents.

TRAINING OF STAFF: INSPECTION AND ENFORCEMENT SERVICES

Assistant Manager : Mr Lucas Masango

Description of Functions

Defrays all expenditure relating to staff training within this programme in order to easily identify this expenditure for reporting purposes.

9.3 PROGRAMME 3 : PUBLIC EMPLOYMENT SERVICES

DEPUTY DIRECTOR-GENERAL : Mr Samuel Morotoba

PURPOSE

To provide Public Employment Services to assist companies and worker to adjust to changing labour market conditions and to regulate Private Employment Services.

PROGRAMME OVERVIEW

MANAGEMENT AND SUPPORT SERVICES: PUBLIC EMPLOYMENT SERVICES

Executive Manager : Mr Noel Scwebu

Description of Functions

Manages delegated financial responsibilities, co-ordinates all planning, monitoring and evaluation functions and provides corporate support for line function subprogramme.

EMPLOYER SERVICES

Senior Executive Manager : Vacant

Description of Functions

Facilitates registering vacancies, generates and disseminates scarce skills information, issues immigrant corporate and work permits, records migrating skilled South Africans, overseas placements, responds to companies in distress, provides a social plan and regulates private employment agencies.

REGISTRATION AND PLACEMENT SERVICES: PUBLIC EMPLOYMENT SERVICES

**Executive Managers x 2 : Ms Zodwa Mabaso
Vacant**

Description of Functions

Registers work-seekers, retrenched workers, work vacancies, training and income generating opportunities on the employment services system, and facilitates access to employment and income generating opportunities for the unemployed and under-employed. Funding is mainly used for salaries, personnel related costs and delivering frontline client services.

DESIGNATED GROUPS SPECIAL SERVICES

This service is provided for a certain group of persons, that is, the disabled.

Senior Executive Manager : Vacant

Description of Functions

Facilitates the transfer of subsidies to national councils to promote the employment of people with various disabilities and facilitates collaboration with sheltered employment factories and other relevant bodies to promote employing people with disabilities.

SHELTERED EMPLOYMENT FACTORIES AND SUBSIDIES TO DESIGNATED WORKSHOPS

Senior Executive Manager : Mr Silumko Nondwanga

Description of Functions

Facilitates transfers to subsidised workshops for the blind and subsidised work centres for people with disabilities and aims to improve administration, production and financial control of sheltered employment factories and workshops.

PRODUCTIVITY SOUTH AFRICA

Senior Executive Manager : Vacant

Description of Functions

Transfers funds to Productivity South Africa to promote improvements in workplace productivity and for social plan of action where necessary.

9.4 PROGRAMME 4: LABOUR POLICY AND LABOUR MARKET PROGRAMMES

DEPUTY DIRECTOR-GENERAL : Mr Les Kettledas

PURPOSE

Provide for the establishment of an equitable and sound labour relations environment and the promotion of South Africa's interests in international labour matters through research, analysing and evaluating labour policy and providing statistical data on the labour market, including providing support to institutions that promote social dialogue.

PROGRAMME OVERVIEW

MANAGEMENT AND SUPPORT SERVICES: LABOUR POLICY AND LABOUR MARKET PROGRAMMES

Senior Executive Manager : Vacant

Description of Functions

Manages delegated administrative and financial responsibilities, co-ordinates all planning, monitoring and evaluation functions and provides corporate support to line function subprogrammes.

STRENGTHEN CIVIL SOCIETY

Manager : Mr Steven Rathai

Description of Functions

Manages delegated administrative responsibilities and to strengthen the capacity of workers and employers to contribute to a stable smoothly functioning labour market by providing resources, support and expertise to improve the independence and self-reliance of workers and employers through transfers to the Development Institute for Training, Support and Education for Labour, the Workers' College Kwa-Zulu Natal, the South African Labour Bulletin, the Southern Cape Committee Trust, selected rural advice offices, the Congress of South African Trade Unions and the South African Confederation of Trade Unions.

COLLECTIVE BARGAINING

Senior Executive Manager : Mr T Mkalipi

Description of Functions

Manages delegated administrative responsibilities and manages the implementation of the Labour Relations Act (1995) through Policies and Practices that promote sound labour relations. Funds are mainly used to: register labour organisations and de-register those that are non-compliant; publish and extend collective agreements; support and advance participation in collective bargaining structures; participate in the government structures for Commission for Conciliation, Mediation and Arbitration; and to participate in the relevant National Economic Development and Labour Council activities.

EMPLOYMENT EQUITY AND STANDARDS

Executive Managers : Mr Virgil Seafield and Mr Ntsoaki Mamashela

Description of Functions

Promotes equity in the labour market through improving enforcement of the Employment Equity Act (1996) and protects vulnerable workers in the labour market by administering the Basic Conditions of Employment Act (1997). Funds are mainly used for reviewing JSE Securities Exchange listed companies for employment equity substantive compliance, publishing employment equity substantive compliance, and marketing the employment equity online reporting facility. Funds are also used to extend sectoral determinations to increase the protection of vulnerable workers and promote the protection of children.

COMMISSION FOR CONCILIATION MEDIATION AND ARBITRATION

Executive Manager : Mr T Mkalipi

Description of Functions

Transfers funds to the Commission for Conciliation, Mediation and Arbitration which promotes social justice and fairness in the workplace through dispute management and dispute resolution services.

RESEARCH, POLICY AND PLANNING

Senior Executive Manager : Mr K S Molapo

Description of Functions

Researches and monitors working conditions and policies affecting the labour market in South Africa. Funds are mainly used for research, monitoring and evaluation activities and publishing research findings.

LABOUR MARKET INFORMATION AND STATISTICS

Senior Executive Manager : Mr K S Molapo

Description of Functions

Collects, collates, analyses and disseminates internal and external market statistics about changes in the South African labour market that impact legislation.

INTERNATIONAL RELATIONS

Senior Executive Manager : Mr K S Molapo

Description of Functions

Facilitates compliance with international obligations, multi-and bilateral relations and makes transfers to these bodies for membership fees.

NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL

Deputy Director General : Mr Les Kettledas

Description of Functions

Transfers funds to the National Economic Development and Labour Council which promotes economic growth, participation in economic decision making and social equity.

SECTION 10

STATUTORY BODIES THAT REPORT TO THE MINISTER OF LABOUR

ADVISORY COUNCIL FOR OCCUPATIONAL HEALTH AND SAFETY

Deputy Information Officer : Mr Thobile Lamati
Postal Address : Private Bag X117 Pretoria 0001
Telephone No. : 012 309 4377
Fax No. : 012 309 0923

Description of functions of the Service

The Council has been established in terms of section 2 of the Occupational Health and Safety Act, 85 of 1993. The Council must advise the Minister with regard to matters of policy arising out of or in connection with the application of the provisions of the OHS and any matter relating to the OHS. The Council with a view to the performance of its functions, do such search and conduct such investigations as it may deem necessary.

COMMISSION FOR CONCILIATION MEDIATION AND ARBITRATION (CCMA)

Information Officer (Head Office) : Nersan Govender

**Postal Address : Private Bag X94 Marshall
Town 2107**
Telephone No. : 011 377 6650
Fax No. : 011 834 7351

Description of functions of the Service

The CCMA was established in terms of Section 112 of the Labour Relations Act 66 of 1995 (LRA), as a dispute prevention and resolution body. The Commission's brief is to conciliate disputes and to arbitrate disputes that remain unresolved after conciliation.

COMMISSION FOR EMPLOYMENT EQUITY (CEE)

**Deputy Information Officer : Mr Mpho Nkeli (Acting
Chairperson)**
Postal Address : Private Bag X 117 Pretoria 0001
Telephone No. : 012 309 4034
Fax No. : 012 309 4739

Description of functions of the Service

The CEE has been established in terms of Section 28 of the Employment Equity Act 55 of 1998 (EEA). The CEE advises the Minister on codes of good practice issued by the Minister; regulations made by the Minister; policy and any other matter concerning the EEA. The CEE monitors employers to ensure that they eliminate unfair employment discrimination by promoting equal opportunity and fair treatment and advise a diverse workforce that is broadly representative of South Africa's people.

COMPENSATION BOARD (THE BOARD)

Deputy Information Officer : Mr Shadrack Mkhonto
Postal Address : PO Box 955 Pretoria, 0001
Telephone No. : (012) 319 9458
Fax No. : (012) 357 1750

Description of functions of the Service

The Board has been established in terms of section 10 of the Compensation for Occupational Injuries and Diseases Act, 130 of 1993 (COIDA). The Board must advise the Minister on matters of policy arising out of or in connection with the Application of COIDA; the nature and extent of the benefits that must be payable to employees or dependents of employees, including the adjustment of pensions; the appointment of assessors.

EMPLOYMENT CONDITIONS COMMISSION (ECC)

Deputy Information Officer : **Prof Evance Kakula**
Postal Address : **Private Bag X 117 Pretoria, 0001**
Telephone No. : **012 309 4025**
Fax No. : **012 309 4709**

Description of functions of the Service

The ECC was established in terms of Section 59 of the Basic Conditions of Employment Act 75 of 1997 (BCEA). The functions of the ECC are to advise the Minister on sectoral determinations; On any matter concerning the BCEA; on the effect of the policies of the government on employment on trends in collective bargaining; to advise the Minister of Welfare and Population Development, on any matter concerning the employment of children and the Minister for Public Service and Administration on any matter concerning the basic conditions of employment in the public service.

NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL (NEDLAC)

Deputy Information Officer : **Mr Herbert Mkhize**
Postal Address : **PO Box 1775, Saxonwold 2132**
Telephone No. : **011 328 4200**
Fax No. : **011 447 2089**

Description of functions of the Service

The Nedlac Council was established by section 2 of the NEDLAC Act 35 of 1994. NEDLAC strives to promote the goals of economic growth, participation in economic decision making and social equity. It seeks to reach a consensus and conclude agreements pertaining to social and economic policy; Considers all proposed labour legislation relating to labour market policy before it is introduced in Parliament; Encourage and promote the formulation of co-ordinated policy on social and economic matters.

PRODUCTIVITY SOUTH AFRICA

Deputy Information Officer : Mr Mmbatho Mackay
Postal Address : Private Bag 235, Midrand, 1685
Telephone No. : (011) 848 5386
Fax No. : (011) 848 5555

Description of functions of the Service

Productivity SA is a tripartite Advisory Council and Board drawn from government, organised labour and business. Its mandate is to enhance productivity in order to contribute to Africa's socio-economic development and competitiveness.

UNEMPLOYMENT INSURANCE BOARD (UI BOARD)

Deputy Information Officer : Ms Siyanda Zondeki
Postal Address : PO Box 1851, Pretoria, 0001
Telephone No. : (012) 309 4759
Fax No. : (012) 309 4625

Description of functions of the Service

The UI Board has the task of advising the Minister of Labour on unemployment Insurance Policy; Policies arising out of the application of the UIA; Policies for minimising unemployment and the creation of schemes to alleviate the effects of unemployment.

SECTION 11

DIVISIONS IN DoL

These divisions form part of DoL and report to DoL

UNEMPLOYMENT INSURANCE FUND (UIF)

Deputy Information Officer : Mr Boas Seruwe
Postal Address ; PO Box 1851 Pretoria, 0001
Telephone No. : (012) 337 1880
Fax No. : (012) 337 1946

Description of functions of the Service

To lead, direct and manage the management team and all units to ensure effectiveness of the UIF; To develop strategic plans in line with the mission and to translate them into achievable objectives and to motivate others to develop on the organisational mandate; To execute the duties of the Accounting Officer of the fund as prescribed by the PFMA; To execute the duties of the Accounting Office of the fund as prescribed by the UIA and delegated by the Director-General of DoL; to represent the Fund at relevant structures to enhance the value of the UIF and at bilateral negotiations with the Minister on International visits; To champion institutional transformation and change in order to implement new initiatives and deliver on service delivery commitments; To avail the required reports and statistics from all units in the UIF function monthly, quarterly and annually or as and when required.

COMPENSATION FUND

Deputy Information Officer : **Mr Shadrack Mkhonto**
Postal Address : **PO Box 955, Pretoria, 0001**
Telephone No. : **(012) 3199 458**
Fax No. : **(012) 357 1750**

Description of functions of the Service

To develop policy in relation to COIDA in order to protect vulnerable workers in the workplace; To design and develop systems to process claims to meet client expectation; To prevent irregular, fruitless and wasteful expenditure in line with the Public Finance Management Act;
To liaise with the stakeholders; To provide subsidies for the prevention of accidents.

SECTION 12

RECORDS IN THE POSSESSION OF DoL

This Chapter deals with the provisions of **Section 14(1)(d)** of The Act, which states that DoL must provide details of records in its possession in order to give effect to requests for access to information. Details of the various subjects on which DoL holds records and the categories of records within these subjects are detailed below.

Some of these records are automatically available and no request form or fees need to be paid for such records.

12.1 ACCESS TO RECORDS IN TERMS OF SECTION 14(1)(e) (Automatic Disclosure)

The Minister must, in terms of **Section 15(2)** of the Act, publish in the Government Gazette a notice of records that are **automatically available**. This information is also available on DoL's website: www.labour.gov.za.

12.2 VOLUNTARY DISCLOSURES

Primary and Secondary Legislation

- **Parliamentary Programmes**
 - Legislative programmes since 1994 to date
 - Records on legislative amendments
 - Equity legislative measures and plans

DoL's Primary Laws

- Labour Relations Act, 1995
- Basic Conditions of Employment Act, 1997
- Employment Equity Act, 1998
- Occupational Health and Safety Act, 1993
- Compensation for Occupational Injuries, 1993
- Unemployment Insurance Act, 2001
- NEDLAC Act, 1994

DoL's Secondary Legislation (Regulations and Notices)

(the list below is not exhaustive)

- Regulations under the Basic Conditions of Employment Act;
- Regulations under the Compensation for Occupational Injuries and Diseases Act;
- Regulations under the Employment Equity Act;
- Regulations under the Occupational Health and Safety Act;
- Regulations under the Unemployment Insurance Fund (UIF);
- Medical Tariffs;
- Pension Increase.

Basic Guides

- Basic Conditions of Employment Act, 1997;
- Compensation for Occupational Injuries and Diseases Act 1993;
- Employment Equity Act, 1998;
- Occupational Health and Safety Act, 1993;
- Unemployment Insurance Act, 2001;
- Labour Relations Act, 1995

Codes of Good Practise

- Basic Conditions of Employment
- Employment Equity
- Labour Relations
- Occupational Health and Safety

Sectoral Determination

Sectoral Determination is a certain sector of workers in a particular industry that have their own conditions of service

The following are the Sectoral Determinations issued by DoL for each particular industry:

- Children
- Civil Engineering Sector
- Contract Cleaning
- Domestic Workers
- Farm Workers
- Forestry Sector
- Hospitality Workers
- Learnerships
- Private Security Sector

- Taxi Sector
- Wholesale and Retail Sector

CONVENTIONS, AGREEMENTS AND TREATIES

- Unemployment Convention, 1919 (No. 2) (Signed in 1924)
- Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19) (Signed in 1926)
- Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) (Signed in 1932)
- Forced Labour Convention , 1930 (No. 29) (Signed in 1997)
- Workmen's Compensation (Occupational Disease) Convention (Revised), 1934 (No. 42) (Signed in 1952)
- Underground Work (Women) Convention, 1935 (No. 45) (Signed in 1936)
- Convention concerning Statistics of Wages and Hours of Work, 1938 (No.63) excluding parts II and IV (Signed in 1939)
- Final Articles Revision Convention, 1946 (No. 80) (Signed in 1947)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (Signed in 1996)
- Night Work (Women) Convention (Revised), 1948 (No. 89) (Signed in 1950)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (Signed in 1996)
- Equal Remuneration Convention, 1951 (No. 100) (Signed in 2000)
- Abolition of Forced Labour Convention, 1957 (No.105) (Signed in 1997)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (Signed in 1997)
- Final Articles Convention, 1961 (No. 116) (Signed in 1963)
- Minimum Age Convention, 1973 (No. 138) (Signed in 2000)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) (Signed in 2003)
- Occupational Safety and Health Convention, 1981 (No.155) (Signed in 2003)
- Safety and Health in Mines Convention, 1995 (No. 176) (Signed in 2000)
- Worst forms of Child Labour Convention, 1999 (No. 182) (Signed in 2000)
- Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No 27) (Signed in 1933)

OTHER PUBLICATIONS

- Annual Reports
- Newsletters
- Booklets
- Pamphlets
- Brochures
- Any other literature intended for public viewing which may be published from time to time

OTHER

- Registration of Electricians Information
- Registration of Government Competency Certificate
- Registration of Divers Information;
- Registration of Explosive Companies
- Documents establishing the Rules for the Compensation Tribunal;
- Documents establishing the rules for the OHS Enquiries.
- Documents establishing the Rules for the Commission for Conciliation, Mediation and Arbitration

12.3 MANNER OF ACCESS FOR AUTOMATICALLY AVAILABLE RECORDS

Section 15 of the Act stipulates that DoL must publish in the Government Gazette the list of records that are automatically available in DoL. In order to access these records, it is not a requirement to fill in the prescribed **FORM A**. It is also not a requirement that requestor fees be paid unless voluminous copies of such record needs to be made. Each and every office of DoL must provide the means to access records that are automatically available. Where records that are automatically available are already placed with NASA for archiving purposes, the records will be made available in compliance with the laws applicable to the perusal of such records:

- The Promotion of Access to Information Act (Act No. 2 of 2000);
- The Protection of Information Act (Act No. 84 of 1982); and
- The National Archives and Records of South Africa Act (Act No. 42 of 1996) (NASA Act).

12.3.1 ADMINISTRATION

OFFICE OF THE CHIEF FINANCIAL OFFICER

- Records on fiscal policy of DoL which relates to structures of decision
- financial controls
- debt management policy
- PFMA
- Treasury Regulations
- Financial Procedure Manual
- Revenue Recognition
- Subsidised Motor Transport Policy
- Commodity Policy Guidelines
- MTEF guidelines
- Supply Chain Management Policies and Tender Regulations Documents
- Asset Management Policy
- Travel and Subsistence Policy
- Disposal Policy

HUMAN RESOURCE MANAGEMENT

- Various Policies
- Organisational Design Guide/Framework
- Change Management
- Strategy
- Ministerial and DG Reports
- Guidelines on the Recruitment and Selection Process in DoL
- Guidelines to Disciplinary and Grievance Procedure
- Revised Establishment/Recruitment and Selection Standards and
- Recognition Agreement,
- Job Evaluation Guide
- Job Evaluation Interpretation Guide

INTERNAL AUDIT

- Policies and Procedure Manuals
- Structures and Planning Documents
- Annual Reports.
- Job Evaluation SOP and Revised
- Establishment/Recruitment and Selection Standards

COMMUNICATONS

- Press Releases
- DoL's Annual Report
- Leaflets, Newsletters, and Booklets issued by DoL

RISK MANAGEMENT

- Risk Management Framework
- Risk Management Strategy
- Risk Management Policy
- Fraud Prevention Strategy

SECURITY

- Policy on Security
- Minimum Information Security Standard (MISS)
- Security Procedure Manual

12.3.2 INSPECTION AND ENFORCEMENT SERVICES (IES)

- Polices
- Procedures and Manuals (OHS Directives)
- Structures and Planning Documents (OHS Workplan)

12.3.3 LABOUR POLICY AND LABOUR MARKET PROGRAMMES

EMPLOYMENT EQUITY DIRECTORATE

Employment Equity Reports

LABOUR MARKET (Information Statistics)

- Industrial Action Report
- Job Opportunity and unemployment in the South African labour market
- Annual Labour Market Bulletin Report
- Client Satisfaction Survey Report
- Budget Speeches

RESEARCH POLICY AND PLANNING

- Speeches

PUBLIC EMPLOYMENT SERVICES

- Policies and Procedures,
- Manuals
- Progress Reports
- Public Entities workplan progress reports

UNEMPLOYMENT INSURANCE FUND

- Policies and Procedures
- Board Services
- Standard Operating Guide
- Axson Systems Reports

COMPENSATION FUND

- Policies and Procedures
- Board Services
- Standard Operating Guide
- Systems Reports

12.4 ACCESS TO RECORDS IN TERMS OF SECTION 14(1)(d)

DESCRIPTION OF SUBJECTS ON WHICH DoL HOLDS RECORDS AND CATEGORIES OF RECORDS HELD

This section of the Manual serves as a reference to the records that the DoL holds in order to facilitate a request in terms of the Act.

12.4.1 ADMINISTRATION

FINANCE

- Receipts and various Payments,
- Annual Financial Statements,
- Tender Documents
- Records of Budget
- Expenditure and Projections for DoL
- Asset Registers
- Orders
- Invoices
- Quotations
- Estimates of Income and Revenue
- Data Base of Suppliers
- BAS
- Electronic systems

HUMAN RESOURCE MANAGEMENT

- **Organisational Structures**
- **Staff establishment**
- Bursary files
- Selections
- Electric systems
- Persal
- Personal files of employers
- Performance contracts
- Performance evaluation reports
- Leave files
- Salary files
- Case files:disciplinary hearings
- Appointments
- DG and Ministerial Submissions
- Memorandums
- Letters

LEGAL SERVICES

- Legal Opinions
- Contracts
- Service Level Agreements
- Legal Documents
- DG/ Ministerial Submissions
- Memorandums
- Letters

INTERNAL AUDIT

- Employee information and Labour Relations issues
- Correspondence with Internal and External Clients Agreements
- Legal Documents
- Financial Records
- Statements Budget Plans
- Monthly Projections
- Annual Audit Reports.

COMMUNICATIONS

- Internal Communications
- Corporate Image Management
- Media Design
- Research
- Media Liaison
- Photographic and Video Footage images.

RISK MANAGEMENT

- Antifraud and corruption investigation files
- Inspection Reports

SECURITY

- Correspondences with NIA
- SAPS and Disaster Management
- Security Appraisal Reports from SAPS
- Information Security Audit Reports from NIA
- Security Breaches Investigation Reports
- Security Clearance Reports.

12.4.2 INSPECTION AND ENFORCEMENT SERVICES (IES)

- Correspondence with Internal and External Clients (Exemptions, DG/Ministerial Submissions, Memorandum and Letters)
- Tender Documents (Procurement for Goods and Services less than R500 000).

12.4.3 LABOUR POLICY AND LABOUR MARKET PROGRAMMES

COLLECTIVE BARGAINING DIRECTORATE

- Register of registered trade unions
- Register of registered employers' organizations
- Register of federations of trade unions whose constitution have been submitted to the Registrar
- Register of federations of employers' organisations whose constitution have been submitted to the Registrar
- Extended collective agreements to non-parties
- Legal requirements of labour organisations (financial statements, membership fees and update of their contact details)
- Proceedings of registrations and refusals of labour organisations
- Cancellation records for non-genuine and non-compliant labour organisations.

EMPLOYMENT EQUITY DIRECTORATE

- Employment Equity Plans of companies (those that are subjected to the DG review processes)
- DG review recommendations.

EMPLOYMENT STANDARD DIRECTORATE

- Applications of variations
- Granted applications
- Applications for Children in Performing Arts, Granted permits.

LABOUR MARKET (Information Statistics)

- Minister's Briefing Notes.

RESEARCH POLICY AND PLANNING

- Research Monitoring and Evaluation
- Research briefs.

12.4.4 PUBLIC EMPLOYMENT SERVICES

- Correspondence with external Clients
- Service Level Agreements
- Employee Information and Labour Relations issue
- Financial Records and Statements
- Asset Management Register
- Structures and Planning Documents. correspondence with other government departments
- Supply Chain documentation and procurement documents
- Staff Development Reports
- Bursary applications and academic reports
- Donor funded Personnel files
- Attendance Performance Management Records
- Audit queries and response
- Parliamentary enquiries and responses
- Career counselling and response.

12.4.5 RECORDS FOR THE UNEMPLOYMENT INSURANCE FUND

- Bank Reconciliations
- Financial Reporting
- Financial Systems Management
- Treasury and Actuarial Services
- Budget

12.4.6 RECORDS FOR THE COMPENSATION FUND

- Bank Reconciliations
- Financial Reporting
- Financial Systems Management
- Treasury and Actuarial Services
- Budget

SECTION 13

REQUEST PROCEDURE

13.1 TELEPHONIC REQUESTS

Informal telephonic requests are permitted by the Department. Any such request made to the Information Officer/Deputy Information Officer at the telephone number given in this Manual will be attended to unless the Deputy Information Officer indicates that the provisions of the Act must be carried out – in this case the request will commence with the completion of **FORM A** and **payment of requisite fees if applicable**.

13.2 VOLUNTARY ACCESS

Information that is automatically available – automatically available meaning without having to complete **FORM A** and paying the requester's fee – will be made available either at the offices of DoL or in the manner requested, should this be reasonable and possible. The manner of access will include:

- Perusal with copying of material if needed and at the prescribed fee for copies;
- Access to visual, audio-visual material with transcription, dubbing or copying or both, if required.

13.3 SECTION 14(1)(d) REQUESTS

A Requester must be given access to a record of DoL 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.

Nature of the request

- A requester must complete the form similar to the one printed in the Government gazette (Government Notice R 187 -15 February-**FORM A**);(attached at the end of the Manual).
- The requester must indicate the form or manner of access sought as prescribed by section 29;
- DoL will endeavour to give access in the form requested unless this would tamper with the smooth running of DoL;
- Giving access will give due consideration to preservation of material, infringement of copyright and request or access fees as prescribed must be paid before a request is processed and, search and preparation fees are also payable before access is given;
- A requester representing another must give details of the capacity in which they act; s18(2)(f)
- A requester who cannot read nor write or needs assistance in completing a request form, may present the request orally and the Deputy Information Officer is obliged to assist such a requester. 18(3)
- If the Information Officer fails to give the decision on a request for access to the requester concerned within 30 days after the request is received, the Information Officer is, regarded as having refused the request.

13.4 FRIVOLOUS OR VEXATIOUS REQUESTS OR SUBSTANTIAL AND UNREASONABLE DIVERSION OF RESOURCES

13.4.1 The Information Officer may refuse a request for access to a record if:

- the request is manifestly frivolous or vexatious;
- the work involved in processing the request would substantially and unreasonably divert the resources of the DoL.

13.5 MANDATORY DISCLOSURE IN THE INTEREST OF THE PUBLIC

Despite any other provision in PAIA, the Information Officer must grant a request for access to a record of DoL if :

- a) the disclosure of the record would reveal evidence of –
 - a substantial contravention of, or failure to comply with the law; or
 - an imminent and serious public safety or environmental risk; and
- b) the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.

13.6 RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

13.6.1 If all reasonable steps have been taken to find a record requested and there are reasonable grounds for believing that the record is in DoL's possession but is lost or damaged or does not exist then the Information Officer must by way of an affidavit notify the requester that it is not possible to give access to that record.

13.6.2 The affidavit must give a full account of all steps taken to find the record in question or to determine whether the record exists, including communicating with every person who conducted the search on behalf of the Information Officer.

13.7 PAYMENT OF FEES IN TERMS OF THE REQUEST

Personal Requester

A requester who seeks information on records about himself or herself or next of kin if the information is about a deceased individual, is exempted from paying fees.

Request Fees

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 before further processing the request;
- The request payable to public bodies is R35.00.
- After the information officer has made a decision on the request, the requester must be notified of such a decision in the way in which the requester wanted to be notified in;
- If the request is granted, then a further access fee must be paid for the search, preparation and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

13.8 PAYMENT METHOD

Every requester who is not a personal requester, must pay the required request fee. The requester must deposit the request fee into DoL's bank account (details of which will be given to the requester by DoL). The proof of the deposit slip must be forwarded to DoL's Deputy Information Officer before any request can be processed.

DETAILS OF DOL'S BANK ACCOUNT:

Bank ; First National Bank

Account Holder : Department of Labour

Account Number ; 62025135577

Branch : 253145

It is important to note the provisions of **section 22(1)** of the Act to the effect that no request may be processed unless a request fee is paid.

See attached fee schedule prescribed by PAIA at the end of the Manual

SECTION 14

NATURE OF SERVICES PROVIDED BY DoL

DoL provides services to settle disputes and ensure fairness in the workplace. The current Labour Legislation, is the product of extensive consultation with government, labour and employers. DoL facilitates and recognises Foreign and International laws to ensure that the labour legislations are in line with universally accepted Human Rights Principles.

SECTION 15

ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATING POLICY AND EXERCISE OF POWER

- 15.1 Each Branch of the department has external advisors who are invited to give public comment in the development of policy.
- 15.2 The South African Law Commission calls for public comments on legislation from experts and the general public.
- 15.3 Draft legislation is published in the Government Gazette for perusal and comment.
- 15.4 DoL's Annual Report and other reports are open to public viewing, reading and commentary.

SECTION 16

REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH [s 14(1)H]

16.1 REFUSAL OF REQUEST AND INTERNAL APPEALS AGAINST DECISIONS

16.1.1 The Act provides for an internal appeal. A decision of the IO or DIO on the following grounds:

- (a) a refusal to grant access; or
- (b) a decision taken in terms of sections 22, 26(1) or 29(3).

The Director-General is the relevant authority to review any decision taken on appeal.

An aggrieved party has to approach the Courts if dissatisfied with the decision of the Director-General.

16.2 THE INTERNAL APPEAL PROCEDURE

- .When the requester / third party lodges an appeal, the prescribed appeal Form (Annexure B attached to the end of the Manual), has to be completed and lodged with the Information Office within 60 days.
- The internal appeal must identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant.
- The internal appeal must state the manner and provide the particulars which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply and specify a postal address or fax number.
- The Information Officer will forward all internal appeals and accompanying documentation to the Deputy Information Officer, who will then forward it to the Relevant Authority, which in this case is the Director General.
- The Information Officer will inform the requester / third party of the outcome of the internal appeal.

- A requester / third party who is dissatisfied with the outcome of the internal appeal may, within 30 days of receipt of the response, submit an application to the court for a final decision.

16.3 APPLICATION TO COURT

16.3.1 Applications regarding the decision of the Director-General or the person designated in writing by the Director-General

A requester or third party may only, after exhausting the internal appeal procedure against a decision of an Information Officer or Deputy Information Officer, apply to a court for appropriate relief.

A requester whose internal appeal has been unsuccessful or aggrieved by a decision of the Director-General or the person designated in writing by the Director-General to disallow the late lodging of the appeal in terms of section 75(2) of the Act, may by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

- **Other supportive measures**
 - Reasons for an administrative action in terms of the Promotion of Administrative Justice Act, 2000 (Section 5); must be furnished where a person's rights have been materially and adversely affected by that administrative action.

SECTION 17

UPDATING THE MANUAL [Section 14(2)]

The Manual will be updated within one year after publication of this Manual or whenever changes to the information contained in the manual require an update.

DoL will publish the Manual in three official languages.

SECTION 18

AVAILABILITY OF THE MANUAL [Section 14(3)]

The Manual will be available in places prescribed by the Legal Deposit Act, 1997 (Act No. 54 of 1997), SAHRC Offices and all Centres of DoL.

The Manual will be made available on the website of DoL: www.labour.gov.za.

SECTION 19

PRESCRIBED FEES FOR PUBLIC BODIES

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

1. The fee for the copy of the manual as contemplated in regulation 5(c) is for every copy of an A4-size page or part.

R1.00
2. The fees for reproduction referred to in regulation 7(1) are as follows:
 - a) for every photocopy of an A4-size or part thereof

R1.00
 - b) for every printed copy of an A-size 4 page or part thereof held on a computer or in an electronic or machine readable form

R0.40
 - c) for a copy in a computer-readable- form on:
 - (i)stiffy disc

R5.00
 - (ii)Compact disc

R40.00
 - d) (i) for a transcription of an audio record, for an A4-size page or part thereof

R22.00
 - (ii) for a copy of visual images

R60.00

| | |
|--|--------|
| e)(i) for a transcription of an audio record, for an A4-size page or part thereof | R12.00 |
| (ii) for a copy of an audio record | R17.00 |
| 3. The request fee payable by every requester, other than a Personal requester, referred to in regulation 7(2) | R35.00 |
| 4. The access fee payable by a requester referred to in Regulation 7(2) are as follows: | |
| 1)(a) for every photocopy of an A4-size page or part thereof | R0.60 |
| (b) for every printed copy of an A-sized page or part thereof held on a computer or in electronic or machine readable form | R0.40 |
| (c) for a copy in a computer-readable form on: | |
| (i) Stiffy disc | R5.00 |
| (ii) Compact disc | R40.00 |
| (d) (i) for a transcription of visual images, for an A4-size page or part thereof | R22.00 |
| (ii) for a copy of visual images | R60.00 |
| (e) (i) for a transcription of an audio record, for an A4-size page or part thereof | R12.00 |
| (ii) for a copy of an audio record | R17.00 |

(f) to search for and prepare the record for disclosure, R15.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.

(2) For purposes of Section 22(2) of The Act, the following applies :

(a) Six hours as the hours to be exceeded before a deposit is payable; and

(b) one-third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

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

Request fee (if any): R.....

Deposit (if any): R

Access fee: R.....

.....Signature of information officer/deputy Information Officer

A Particulars of public body
The Information Officer/Deputy Information Officer:

[Empty rectangular box]

[Empty rectangular box]

B Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

(a) *Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
(b) *If the provided space is inadequate, please continue on a separate folio and attach it to this form.*
The requester must sign all the additional folios.

- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

E. Fees

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

| | | | | | | |
|---|--|--------------------------|---|--------------------------|---|----|
| <u>Disability:</u> | Form in which record is required: | | | | | |
| <p>Mark the appropriate box with an X. NOTES: (a) Compliance with your request for access in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p> | | | | | | |
| 1. If the record is in written or printed form: | | | | | | |
| <input type="checkbox"/> | copy of record* | <input type="checkbox"/> | Inspection of record | | | |
| 2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc): | | | | | | |
| <input type="checkbox"/> | view the images | <input type="checkbox"/> | copy of the images* | <input type="checkbox"/> | transcription of the images* | |
| 3. If record consists of recorded words or information which can be reproduced in sound: | | | | | | |
| <input type="checkbox"/> | listen to the soundtrack (audio cassette) | <input type="checkbox"/> | transcription of soundtrack* (written or printed document) | | | |
| 4. If record is held on computer or in an electronic or machine-readable form: | | | | | | |
| <input type="checkbox"/> | printed copy of record ¹ | <input type="checkbox"/> | printed copy of information derived from the record* | <input type="checkbox"/> | copy in computer readable form* (stiffy or compact disc) | |
| *If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable. | | | | | YES | NO |
| Note that <i>if</i> the record is not available in the language you prefer, access may <i>be granted</i> in the language in <i>which</i> the record is available. | | | | | | |
| In which language would you prefer the record? | | | | | | |

G. Notice of decision regarding request for access

You will be notified 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 thisday of..... 20

SIGNATURE OF REQUESTER 1 PERSON ON
WHOSE BEHALF REQUEST IS MADE

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:

.....
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.....

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

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.....

FORM B: NOTICE OF INTERNAL 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.....year.....

.....
SIGNATURE OF APPELLANT

FOR DEPARTMENT USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (dated) by

.....

..... (state rank, name and surname and 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 offer 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):