

**Manual on the Promotion
of Access to Information
Act No 2 of 2000**

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COMPILED BY:

The Office of the Chief State Law Adviser
International Law

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This manual is also available in Sesotho and Zulu

For more information about the department visit our website



www.dfa.gov.za

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1. INTRODUCTION

The Constitution of the Republic of South Africa, Act No. 108 of 1996 stipulates that every one has the right of access to any 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 and that national legislation must be enacted to give effect to this right.

The Promotion of Access to Information Act, No. 2 of 2000, gives effect to this constitutional right and came into effect on 9 March 2001. The object of the Act is to foster a culture of transparency and accountability in public and private bodies and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

In terms of the Act, the Director-General of the Department of Foreign Affairs is the Information Officer for the Department. The Director-General has appointed a Deputy Information Officer for each of the Branches within the Department.

The Office of the Director-General will act as nodal point for requests for information.

The aim of this Manual is to enable members of the public to acquaint themselves with the procedures to be followed to access records that are in the possession of the Department of Foreign Affairs.

2. FUNCTIONS AND STRUCTURE OF ORGANISATION

2.1 VISION

Our vision is of an African Continent that is prosperous, peaceful, democratic, non-racial, non-sexist and united, and which contributes to a world that is just and equitable.

2.2 MISSION

We are committed to promoting South Africa's national interests and values, the African Renaissance and the creation of a better world for all.

2.3 FUNCTIONS

The functions of the Department of Foreign Affairs are:

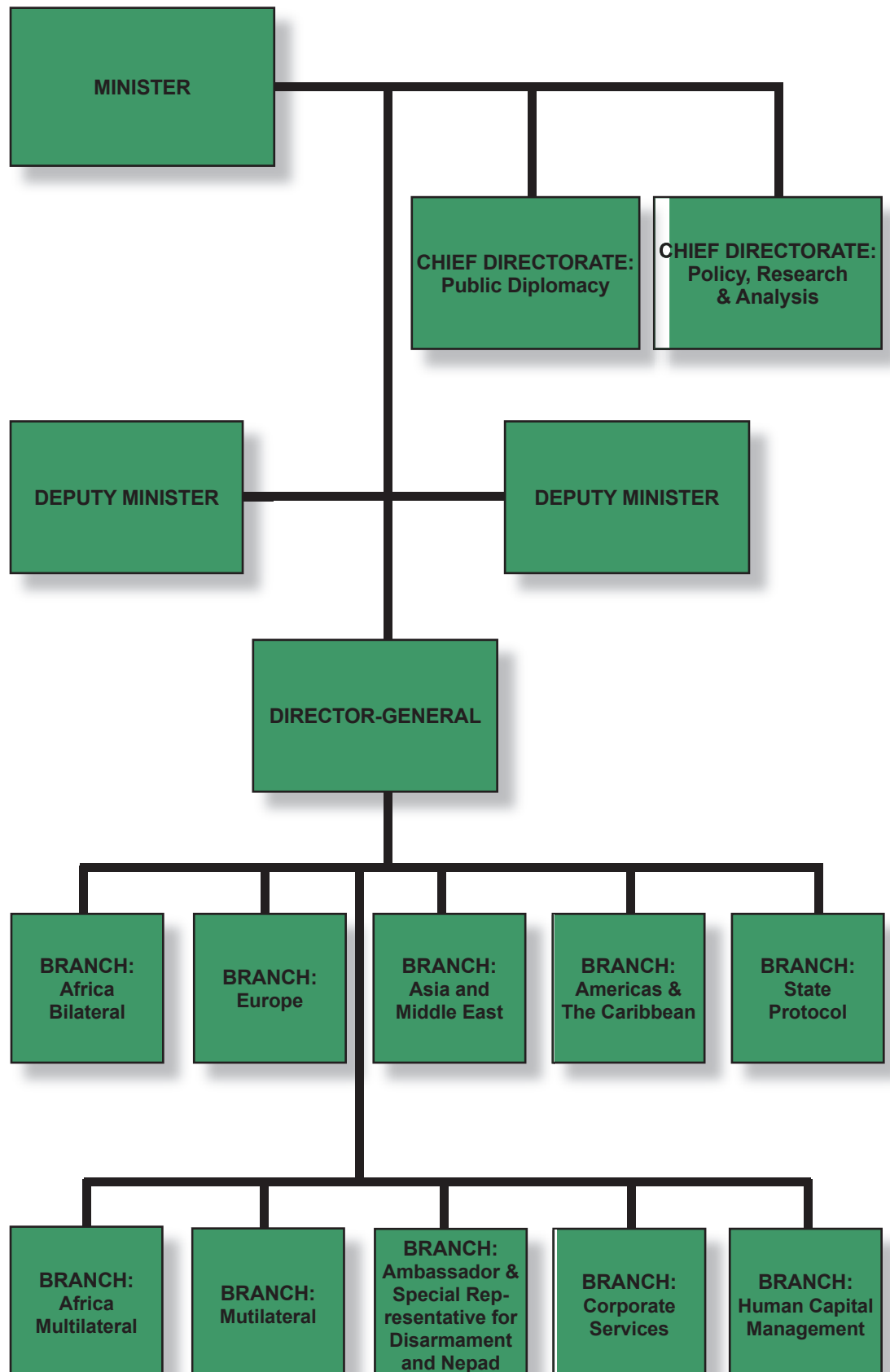
- To protect and promote South African national interests and values
- To conduct and co-ordinate South Africa's international relations and promote its foreign policy objectives
- To monitor international developments and advise government on foreign policy and related domestic matters
- To protect South Africa's sovereignty and territorial integrity
- To contribute to the formulation of international law
- To provide consular services to South African nationals abroad
- To provide a South African State Protocol Service

2.4 STRUCTURE

The structure of the Department of Foreign Affairs consists of: the Office of the Minister of Foreign Affairs, the Office of two Deputy Ministers of Foreign Affairs, the Office of the Director-General, and ten Branches namely: State Protocol, Africa Bilateral, Africa Multilateral, Asia and Middle East, Europe, Americas and the Caribbean, Multilateral, Corporate Services, Human Capital Management and Ambassador and Special Representative for Disarmament and Nepad.

2.5 SCHEMATIC DIAGRAM OF STRUCTURE

DEPARTMENT OF FOREIGN AFFAIRS ORGANISATIONAL STRUCTURE



3. CONTACT DETAIL

3.1 INFORMATION OFFICER

Designation: Director-General
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0200 • Fax: (012) 351 0257

3.2 NODAL POINT FOR ALL REQUESTS FOR INFORMATION:

Director-General
Private Bag x152, Pretoria, 0001

3.3 DEPUTY INFORMATION OFFICERS

Designation: Chief of State Protocol
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0318 • Fax: (012) 351 0355

Designation: Deputy Director-General Africa Bilateral
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0400 • Fax: (012) 325 8449

Designation: Deputy Director-General Africa Multilateral
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0430 • Fax: (012) 351 0449

Designation: Deputy Director-General Asia and the Middle East
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 301 8550 • Fax: (012) 323 0439

Designation: Deputy Director-General Americas & The Caribbean
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0800 • Fax: (012) 351 0822

Designation: Deputy Director-General Europe
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0800 • Fax: (012) 351 0822

Designation: Deputy Director-General Ambassador and
Special Representative for Disarmament and Nepad
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 1500 • Fax: (012) 351 1239

Designation: Deputy Director-General Multilateral
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 1422 • Fax: (012) 351 1564

Designation: Deputy Director-General Corporate Services
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 1300 • Fax: (012) 351 1306

Designation: Deputy Director-General Human Capital Management
Postal address: Private Bag x152, Pretoria, 0001
Tel: (012) 351 0600 • Fax: (012) 351 0603

4. GUIDE ON HOW TO USE THE ACT

4.1 INFORMATION THAT MAY BE REQUESTED

Any existing recorded information in the possession of the Department of Foreign Affairs may be requested.

4.2 REQUEST PROCEDURES

4.2.1 Access to information listed above can be requested by:

- Completing the prescribed Form A as printed in Government Gazette Notice R187 of 15 February 2002 (see schedule 2); and
- Payment of the prescribed fee as stated in schedule 1 of this Manual. However, a requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.

4.2.2 The requester must indicate if the request is for a copy of the record or if the requester wants to inspect the records at the offices of the Department of Foreign Affairs.

4.2.3 Access to the aforesaid information will only be granted to the requester in a manner requested, unless such manner would unreasonably interfere with the running and operation of the Department of Foreign Affairs or damage its records or infringe its copyright.

4.2.4 If for practical reasons, access cannot be given in the requested manner but in an alternative manner, then the fee for access will be calculated according to the manner that the requester had requested.

4.2.5 If the requester is unable to read or write, or has a disability, then he or she can make the request for the record orally, in which event the Information Officer will complete the form on behalf of such requester and furnish the requester with such completed form.

4.2.6 The requester must clearly indicate on the request form:

- If they wish to be informed of the success of their request telephonically or in any manner.
- The capacity in which the request is made, in the event the information is requested on behalf of somebody else.

4.2.7 The requester must forward his or her request to the nodal point as indicated above, who will then process the request.

4.2.8 After the Information Officer has made a decision on the request the requester must be notified of such a decision in such manner, which the requester wanted to be notified in.

4.3 INTERNAL APPEAL PROCEDURES AGAINST REFUSAL OF ACCESS TO INFORMATION

4.3.1 If after complying with the procedural requirements mentioned in 4.2 above:

- The Deputy Information Officer refuses to grant access to information; and
- such refusal is not based on any ground of refusal mentioned in the Act the requester may appeal against the decision of such Deputy Information Officer to the Information Officer.

4.3.2 If the requester lodges an internal appeal, the prescribed appeal form (Form B) as printed in Government Gazette Notice R187 of 15 February 2002 has to be completed.

4.3.3 If the requester is not satisfied with the decision of the Information Officer as stated in 4.3.1 above, then an appeal may be lodged with the Minister of the Department of Foreign Affairs.

4.3.4 The requester may lodge a Court application for further relief if not satisfied with the appeal decision of the Minister of the Department of Foreign Affairs. If no such application is filed within 37 days of the decision, the decision of the Minister of the Department of Foreign Affairs will be adhered to.

4.3.5 **Fees payable**
See Schedule 1.

5. ACCESS TO RECORDS

5.1 AUTOMATIC DISCLOSURE

In terms of the Act, certain records can be accessed without a person having to request access in terms of the Act.

- Information on the following subjects is available on the web site of the Department of Foreign Affairs and can be accessed without formal request:
 - Consular services abroad
 - Foreign relations: bilateral and multilateral
 - Foreign representation in South Africa
 - Foreign representation abroad
 - Documentation: e.g. Annual reports
Strategic plan
Foreign policy programme
Media statements
Speeches and messages
Parliamentary briefings
International reports
- Vacancies in Department

These records can be accessed on the web site of the Department of Foreign Affairs: www.dfa.gov.za

5.2 INFORMATION TO BE FORMALLY REQUESTED

The Department of Foreign Affairs holds information pertaining to the following subjects which must be formally requested in terms of clause 4.2.1:

- 5.2.1 Administration:
- Premises & furniture
 - Regulations and instructions
 - Estates
 - Provincial Administration
 - Public Service
 - Works Study projects
 - Public works
 - Contracts and tenders
 - Retirements

- 5.2.2 Communication:
 - State Information Service
 - Posts and telegraphs
 - Publicity
 - Communication security
 - Liaison by SA institutions with specialised agencies
 - Press
 - Information/general

- 5.2.3 Culture:
 - Exhibitions
 - Celebrations
 - Museums
 - Cinematography and photography
 - Constitutional flags
 - Memorials and monuments
 - Publications
 - Libraries
 - Honors, titles, medals etc.

- 5.2.4 Geographical issues:
 - Lands
 - Boundaries
 - Maps
 - Archaeology
 - Countries

- 5.2.5 Finance:
 - Accounts
 - Irregularities and losses
 - Budgets
 - Taxes and taxation

- 5.2.6 Land and Agriculture:
 - Fisheries
 - Forestry
 - Agriculture
 - Housing

- 5.2.7 Legislation and legal issues:
 - Legislation
 - Labour law issues
 - Defence
 - Treaties and/or international agreements
 - Mandates and/or delegations
 - Claims and/or litigation
 - Extradition
 - Contracts/agreements
 - Policy

- 5.2.8 Meetings / Conferences:
 - Conferences and congresses
 - Circulars

- 5.2.9 Organisations:
 - Societies, leagues and associations
 - Organisations

- 5.2.10 Political:
 - President
 - Vice President
 - Ambassadors/other representatives
 - High Commissioners
 - Trade representatives
 - Parliament
 - Bilateral relations
 - Multilateral relations

- 5.2.11 Population:
 - Nationality

- 5.2.12 Protocol and consular:
 - Honorary consuls
 - Passports and visa
 - State visits
 - Gifts and presentations
 - Repatriations

- Immigration
- Foreign diplomatic and consular representation in South Africa
- Diplomatic privileges and immunities
- Reparations
- Refugees
- Deportations
- Consular and agency services
- Guests

- 5.2.13 Science and Technology
 - Meteorology
 - Plants and plant research
 - Research
 - Atomic energy
 - Computer services

- 5.2.14 Security
 - Peace
 - Armistice
 - Enemy property
 - Security matters

- 5.2.15 Social services
 - Humanitarian relief
 - Human rights and freedom

- 5.2.16 Trade and Industry
 - Customs
 - Trade, Commerce and Industries

- 5.2.17 Transport:
 - Railways, Harbours and Transport
 - Aviation
 - Shipping

6. MISCELLANEOUS

6.1 UPDATING OF THE MANUAL

This Manual will be updated in terms of section 14(1) of the Act, at intervals of not more than one year.

6.2 AVAILABILITY OF THE MANUAL

Regulation 187 of 15 February 2002 prescribes in section 4(1) that the Information Officer of a public body must make the Manual available in the following manner:

- At the Human Rights Commission;
- At every place of legal deposit as set out in the Legal Deposit Act, No. 54 of 1997;
- At the offices of the public body, in this case, all libraries in the Department of Foreign Affairs; and
- On the website of the public body, in this case at: www.dfa.gov.za

SCHEDULE 1

PRESCRIBED FEES

1.	Request Fee	R 35.00
2.	Reproduction Fees	
(a)	For every photocopy of an A4-size page or part thereof	0.60 cents
(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 cents
(c)	For a copy in a computer-readable form on-	
(i)	stiffy disk:	R 5.00
(ii)	compact disk:	R 40.00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof:	R 22.00
	(ii) For a copy of visual images:	R 60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof:	R 12.00
	(ii) For a copy of an audio record:	R 17.00
3.	Access Fees	
(a)	For every photocopy of an A4-size page or part thereof:	0.60 cents
(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 cents
(c)	For a copy in a computer-readable form on-	
(i)	Stiffy disk:	R 5.00
(ii)	Compact disk:	R 40.00
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof:	R 22.00
	(ii) For a copy of visual images:	R 60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof:	R 12.00
	(ii) For a copy of an audio record:	R 17.00
(f)	To search for the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation:	R 15.00
(g)	For purposes of section 22(2) of the Act, the following applies:	
(h)	Six hours as the hours to be exceeded before a	
(i)	deposit is payable; and	
(ii)	one third of the access fee is payable as a deposit by the requester	

4. Postal Fee

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

5. Appeal Fee

No appeal fee is payable.

6. All fees are payable at:

Departmental Cashier:

Room 214

Boschendal Building

Tulbach Park Office Complex

1234 Church Street, Colbyn, Pretoria.

Telephone number (012) 351-1302

Alternatively a cheque or postal order can be forwarded, made out in favour to:

The Director-General: Foreign Affairs

Attn: Mrs R Janse van Vuuren

Room 107

Eikendal Building

Tulbach Park Office Complex

1234 Church Street. Colbyn, Pretoria

If payment is send by mail, send it to:

Mrs R Janse van Vuuren

Department of Foreign Affairs

Private Bag x152

Pretoria

0001

SCHEDULE 2

PRESCRIBED FORMS FOR ACCESS TO RECORDS

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 2]

FOR DEPARTMENTAL USE	Reference number: _____
Request received by _____ (state rank, name and surname of information officer/deputy information officer)	
on _____ (date) at _____ (place).	
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
_____ SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. PARTICULARS OF PUBLIC BODY

The Information Officer/Deputy Information Officer:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

<i>(a)</i>	<i>The particulars of the person who requests access to the record must be recorded below.</i>
<i>(b)</i>	<i>Furnish an address and/or fax number in the Republic to which information must be sent.</i>
<i>(c)</i>	<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: _____ 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 therefor.*

Reason for exemption from payment of fees: _____

F. FORM OF ACCESS TO RECORD

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: _____ _____	Form in which record is required: _____ _____
----------------------------	--

Mark the appropriate box with an "X".

NOTES:

(a) Your indication as to the required form of access depends 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.

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 -

printed copy of record*

printed copy of
information derived from
the record*

copy in computer readable form*
(stiffy or compactdisc)

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

A postal fee is payable.

YES

NO

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

G. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20_____

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF
REQUEST IS MADE

FORM B

NOTICE OF INTERNAL APPEAL

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

[Regulation 6]

STATE YOUR REFERENCE NUMBER:

NOTE: A person who lodges an internal appeal may have to pay an appeal fee.

If an appeal fee is payable, the decision of the internal appeal may be deferred until the fee is paid.

A. PARTICULARS OF PUBLIC BODY

The Information Officer/Deputy Information Officer:

B. PARTICULARS OF REQUESTER/THIRD PARTY WHO LODGES THE INTERNAL APPEAL

(a) *The particulars of the person who is lodging the internal appeal, must be completed below.*

(b) *Proof of the capacity in which appeal is lodged, if applicable, must be attached.*

(c) *If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be stated at C below.*

Full names and surname: _____

Identity number: _____

Postal address: _____

_____ Fax number: _____

Telephone number: _____ E-mail 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) is lodging 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 determined in terms of section 22 of the Act.
	Decision regarding the extension of the period within which 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 as 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 upon 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 thereof 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/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by information officer/deputy information officer on _____ (date) to the relevant authority.

OUTCOME OF APPEAL:

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

NEW DECISION: _____

RELEVANT AUTHORITY: _____ DATE: _____

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