



NORTH WEST DEPARTMENT OF EDUCATION AND SPORT DEVELOPMENT (NW DoE & SD)

PROMOTION OF ACCESS TO INFORMATION ACT, 2000 SECTION 14 MANUAL

Compiled by: Director Legal Services: Mr Xolani Nyoka

Contact details: Tel : 018 -388 3012

Fax : 018 -388 1800

Email : LegalEdu@nwpgr.gov.za

TABLE OF CONTENTS

1.	Introduction	3
2.	Purpose	3
3.	Regulatory Framework	5
4.	The Vision, Mission and Values of the NW DoE& SD	16
5.	The structure, Functions and services of the NW DoE & SD	17
6.	Access to records held by the NW DoE & SD	19
7.	Categories of NW DoE & SD records	20
8.	How to submit a request for access to information to the NW DoE & SD	23
9.	Remedies available if the provisions of the Act are not Complied with. section 14(1)(h)	24
10.	Updating of the manual	24
11.	Availability of the manual	25
-	Appendix A: Contact details of the NW DoE & SD information officer and deputy information officers	26
-	Appendix B: List of public schools NW DoE & SD in the North West Province	29
-	Appendix C: Form A: Request for access to records of public body	30
-	Appendix D: Form B: Notice of Internal Appeal	35
-	Appendix E: NW DoE & SD access to information process flow chart	39

1. INTRODUCTION

- 1.1 The right of access to information is entrenched in section 32 of the Constitution of the Republic of South Africa. Section 32 provides that everyone has the right of access to any information held by the state or held by any other person, which is to be used for the protection or exercise of any right. In order to give effect to section 32 of the Constitution, Parliament passed the Promotion of Access to Information Act, (“**PAIA**”) on 2 February 2000, which came into effect on 9 March 2001. The implementation of this Act is monitored by the South African Human Rights Commission (SAHRC).
- 1.2 The purpose of the Act is to promote transparency, accountability and good governance by public bodies. Furthermore, its purpose is to empower and educate the public to:
 - understand the functions and operations of public bodies; and
 - effectively scrutinize and participate in decision-making by public bodies that affects their rights.
- 1.3 PAIA empowers any person, who is directly or indirectly affected by an administrative act, to request records from a public and/or private body. Section 25(1), 49, and 56 of PAIA imposes an obligation on public and private bodies, to respond within 30 days to a request for access to information.
- 1.4 The NW DoE & SD, like other organizations and State Owned Entities are required to compile a manual to serve as an index of records held by a public body. This manual must also serve as a guide for requesters for access to information.

- 1.5 The manual describes the procedure to be followed when requesting records. Section 32 of PAIA requires every information officer to report annually to the SAHRC on statistics relating to requests for access to information in terms of PAIA and how such requests were dealt with.
- 1.6 The NW DoE & SD welcomes the opportunity to have a manual which set out PAIA's guidelines into its policies and procedures, so as to engender open communication with the North West citizenry and within the NW DoE & SD. The NW DoE & SD further welcomes the opportunity help its officials to comply with the Constitution and PAIA, through a process for handling requests for access to information within the NW DoE & SD as detailed in this manual.
- 1.7 This manual is also available in Setswana, Afrikaans and Xhosa. Copies in other official languages may be made available by the information officer on request.
- 1.8 Forms for requests for access to information are attached in appendix D form A of this manual.
- 1.9 This manual is published in accordance with section 14 of the PAIA. It contains a description of the structure, functions and services of the NW DoE & SD, the availability of its records as a public body and the requirements for accessing the different types of records.

2. PURPOSE

The purpose of this manual is to: -

- 2.1 identify the structure and functions of the NW DoE & SD;
- 2.2 to describe the organization's records system in order to facilitate the implementation of the PAIA;
- 2.3 inform a person desirous of requesting information on how to obtain access to records held by the NW DoE & SD, thereby giving effect to section 14 of the PAIA;
- 2.4 foster a culture of transparency and accountability in the NW DoE & SD, by giving effect to the right of access to information; and
- 2.5 actively promote a society in which the people of South Africa have effective access to information held by the NW DoE & SD to enable them to exercise and protect all of their rights more fully.

3. REGULATORY FRAMEWORK

A myriad of legislative prescripts find relevance and application when one has regard to the question of access to information. The following legislative prescripts are relevant-

3.1 The Constitution Act 108 of 1996

- 3.1.1 Section 2 provides that the Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled.+

- 3.1.2 Section 8 of the Constitution provides for the horizontal application of the rights in the Bill of Rights to juristic persons to the extent required by the nature of the rights and the nature of those juristic persons;
- 3.1.3 Section 32 (1) (a) of the Constitution provides that everyone has the right of access to any information held by the State;
- 3.1.4 Section 32 (1) (b) of the Constitution provides for the horizontal application of the right of access to information held by another person to everyone when that information is required for the exercise or protection of any rights;

3.2 The Promotion of Access to Information Act 2 of 2000

- 3.2.1 The long title of this Act provides that .

%To give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights;+

- 3.2.2 Section 1 of the Act, deals with definitions. The following definitions are relevant-

'information officer' of, or in relation to, a public body-

- (a) in the case of a national department, provincial administration or organisational component-

- (i) mentioned in Column 1 of Schedule 1 or 3 to the Public Service Act, 1994 (Proclamation 103 of 1994), means the officer who is the incumbent of the post bearing the designation mentioned in Column 2 of the said Schedule 1 or 3 opposite the name of the relevant national department, provincial administration or organisational component or the person who is acting as such; or
- (ii) not so mentioned, means the Director-General, head, executive director or equivalent officer, respectively, of that national department, provincial administration or organisational component, respectively;

‘personal information’ means information about an identifiable individual, including, but not limited to-

- (a) information relating to the 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;
- (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number, symbol or other particular assigned to the individual;
- (d) the address, fingerprints or blood type of the individual;

- (e) the personal opinions, views or preferences of the individual, except where they are about another individual or about a proposal for a grant, an award or a prize to be made to another individual;
- (f) correspondence sent by the individual that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the individual;
- (h) the views or opinions of another individual about a proposal for a grant, an award or a prize to be made to the individual, but excluding the name of the other individual where it appears with the views or opinions of the other individual; and
- (i) the name of the individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual, but excludes information about an individual who has been dead for more than 20 years;

‘public body’ means-

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
- (b) any other functionary or institution when-

- (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
- (ii) exercising a public power or performing a public function in terms of any legislation;

'record' of, or in relation to, a public or private body, means any recorded information .

- (a) regardless of form or medium;
- (b) in the possession or under the control of that public or private body, respectively; and
- (c) whether or not it was created by that public or private body, respectively;

3.2.3 Section 7 deals with application of the Act to records required for criminal or civil proceedings after commencement of proceedings. It provides that-

- (1) This Act does not apply to a record of a public body or a private body if-
 - (a) that record is requested for the purpose of criminal or civil proceedings;
 - (b) so requested after the commencement of such criminal or civil proceedings, as the case may be; and
 - (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided for in any other law.

- (2) Any record obtained in a manner that contravenes subsection (l) is not admissible as evidence in the criminal or civil proceedings referred to in that subsection unless the exclusion of such record by the court in question would, in its opinion, be detrimental to the interests of justice.+

3.2.4 Section 9 provides that .

%The objects of this Act are-

- (a) to give effect to the constitutional right of access to-
 - (i) any information held by the State; and
 - (ii) any information that is held by another person and that is required for the exercise or protection of any rights;
- (b) to give effect to that right-
 - (i) 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
 - (ii) 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;
- (c) to give effect to the constitutional obligations of the State of promoting a human rights culture and social justice, by including public bodies in the definition of ~~requester~~ allowing them, amongst others, to access information from private bodies upon compliance

with the four requirements in this Act, including an additional obligation for certain public bodies in certain instances to act in the public interest;

- (d) to establish voluntary and mandatory mechanisms or procedures to give effect to that right 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
- (e) generally, to promote transparency, accountability and effective governance of all public and private bodies by, including, but not limited to, empowering and educating everyone-
 - (i) to understand their rights in terms of this Act in order to exercise their rights in relation to public and private bodies;
 - (ii) to understand the functions and operation of public bodies; and
 - (iii) to effectively scrutinise, and participate in, decision-making by public bodies that affects their rights.+

3.2.5 Section 11 deal with the right of access to records of public bodies. It states that -

- %d) A requester must be given access to a record of a public body if-
 - (a) that requester complies with all the procedural requirements in this Act relating to a request for access to that record; and
 - (b) access so that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- (2) A request contemplated in subsection (1) includes a request for access to a record containing personal information about the requester.
- (3) A requester's right of access contemplated in subsection (1) is, subject to this Act, not affected by-
 - (a) any reasons the requester gives for requesting access; or
 - (b) the information officer's belief as to what the requester's reasons are for requesting access.+

3.2.6 The designation of deputy information officers, and delegation is provided for in section 17 of the Act, which reads as follows-

- (1) For the purposes of this Act, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.
- (2) The information officer of a public body has direction and control over every deputy information officer of that body.
- (3) The information officer of a public body may delegate a power or duty conferred or imposed on that information officer by this Act to a deputy information officer of that public body.
- (4) In deciding whether to delegate a power or duty in terms of subsection (3), the information officer must give due consideration to the need to render the public body as accessible as reasonably possible for requesters of its records.

- (5) Any power or duty delegated in terms of subsection (3) must be exercised or performed subject to such conditions as the person who made the delegation considers necessary.
- (6) Any delegation in terms of subsection (3)-
 - (a) must be in writing;
 - (b) does not prohibit the person who made the delegation from exercising the power concerned or performing the duty concerned himself or herself; and
 - (c) may at any time be withdrawn or amended in writing by that person.
- (7) Any right or privilege acquired, or any obligation or liability incurred, as a result of a decision in terms of a delegation in terms of subsection (3) is not affected by any subsequent withdrawal or amendment of that decision.+

3.2.7 Section 19 imposes a duty to assist requesters.

- (1) If a requester informs the information officer of .
 - (a) a public body that he or she wishes to make a request for access to a record of that public body; or
 - (b) a public body (other than a public body referred to in paragraph (a) or (b) (l) of the definition of ~~public body~~q in section 1) that he or she wishes to make a request for access to a record of another public body, the information officer must render such reasonable assistance, free of charge, as if

necessary to enable that requester to comply with section 18 (1).

- (2) If a requester has made a request for access that does not comply with section 18 (1), the information officer concerned may not refuse the request because of that non-compliance unless the information officer has-
 - (a) notified that requester of an intention to refuse the request and stated in the notice .
 - (i) the reasons for the contemplated refusal; and
 - (ii) that the information officer or another official identified by the information officer would assist that requester in order to make the request in a form that would remove the grounds for refusal;
 - (b) given the requester a reasonable opportunity to seek such assistance;
 - (c) as far as reasonably possible, furnished the requester with any information (including information about the records, other than information on the basis of which a request for access may or must be refused in terms of any provision of Chapter 4 of this Part held by the body which are relevant to the request) that would assist the making of the request in that form; and
 - (d) given the requester a reasonable opportunity to confirm the request or alter it to comply with section 18 (1).

- (3) When computing any period referred to in section 25 (1), the period commencing on the date on which notice is given in terms of subsection (2) and ending on the date on which the person confirms or alters the request for access concerned must be disregarded.+

3.3 South African Schools Act 84 of 1996

3.3.1 Basic Education which in South Africa regulates the following categories of schools-

- (a) Preparatory schools;
- (b) Secondary Schools;

3.3.2 Basic education in South Africa is regulated in terms of theSouth African Schools Act 84 of 1996 and Regulations.

3.3.3 Section 59 imposes upon schools a duty to provide information. It provides that -

- (1) A school must make information available for inspection by any person, insofar as such information is required for the exercise and protection of such person's rights.
- (2) Every school must provide such information about the school as is reasonably required by the Head of Department or the Director-

General of the National Department of Education in consultation with the Head of Department.

4. The vision, mission and values of the NW DoE & SD

The NW DoE & SD adopted and approved a vision and mission as part of the strategic objectives of the Department in order to help drive the delivery of basic education in the province. The vision, mission and values of the NW DoE & SD are -

4.1 Vision

Towards Excellence in Education& Sports Development

4.2 Mission

We provide quality basic education for high learner achievement through educator excellence as well as sport development, nation building and social cohesion.

4.3 Values

(a) Excellence

We move beyond compliance by going an extra mile.

(b) Innovation

We will continually strive for better and new ways of doing things.

(c) People-centred

People are the department's strength.

(d) Communication

We share information in a responsible and transparent manner.

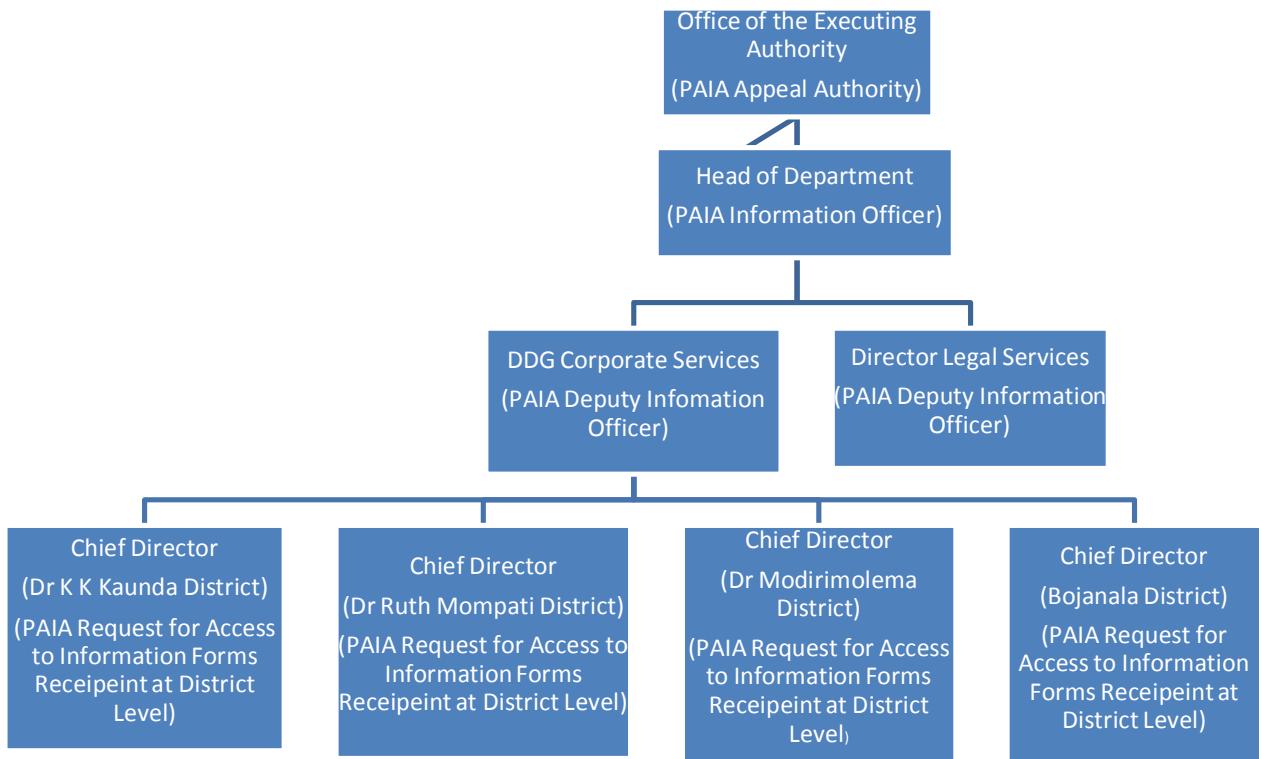
(e) Integrity and Honesty

We respond to our fellow employees and other stakeholders with honesty, fairness and respect.

5. THE STRUCTURE, FUNCTIONS AND SERVICES OF THENW DoE & SD

5.1 Structure

5.1.1 The structure of the NW DoE & SD at a high level is as depicted herein below .



5.2 Functions

5.2.1 The functions of the Department of Education, can be summarized as .

- (a) To establish and maintain an effective and efficient public education system in the North West Province;
- (b) To regulate an independent basic educations system in the North West Province;
- (c) To set education norms and standards in the North West Province;
- (d) To enforce the improvement of education standards.

5.3 Services

5.3.1 The services rendered by the Department of Education, can be summarized as .

- (a) To develop, evaluate, co-ordinate, manage and maintain policy, programmes and systems relating to ABET and FET Colleges;
- (b) To develop, evaluate, co-ordinate, manage and maintain policy, programmes and systems relating to GET and FET band at school level (Gr R to 12);
- (c) To facilitate the effective and efficient interfacing between the corporate centre and district offices.

5.3.2 The Department of Education, in addition to the services set out in 5.3.1, also renders corporate services and compliance with other statutory prescripts.

6 ACCESS TO RECORDS HELD BY THE NW DOE & SD

6.1 The NW DoE & SD has in its custody various types of records. However, some records are automatically available without a person having to request them through PAIA procedure.

6.2 This automatic access is to the exclusion of records with restricted access, which would require a person to request them through PAIA procedure as set out in this PAIA manual.

6.3 The NW DoE & SD also has in its custody other records which must be requested from the information officer in terms of the procedures defined in sections 17 to 32 of the PAIA, read with this PAIA manual.

7 CATEGORIES OF THE NW DoE & SD RECORDS

Although the list may not be exhaustive, the following are the various categories of reports in the custody of the NW DoE & SD-

7.1 Automatic access & disclosures – section 15(1)(a), Regulation 5 A

All information available on the NW DoE & SD website

<http://www.nwpg.gov.za> is voluntarily disclosed.

- (a) Annual reports of the NW DoE & SD;
- (b) Audit reports of the NW DoE & SD;
- (c) Quarterly reports of the NW DoE & SD;
- (d) Budget and strategic plans of the NW DoE & SD;
- (e) Corporate communication publications;
- (f) Stakeholder and public affairs information;
- (g) General reports on.

7.2 The following documents are not automatically available – section 33

According to the PAIA these documents should be made available on request from members of the public following certain procedures required by the act and at certain times disclosure may be refused:

7.2.1 Operational information and agreements relating to the following categories:-

- (a) NW DoE & SDG application for independent schools;
- (b) NW DoE & SDG internal investigation files;
- (c) Directives, resolutions and instructions of MEC, EXCO Governance Cluster, EXCO;
- (d) Agreements with any of the NW DoE & SDG stakeholders be it any individual, government or administration;
- (e) Rental agreements, title deeds, mortgage bonds and notarial bonds relating to movable and immovable property;
- (f) Memorandums of understanding with NW DoE & SDG donor partners.

7.2.2 Financial and accounting records relating to the following categories:

- (a) Bank account records;
- (b) Books of account and financial statements;

- (c) Annual budget and corporate plan as provided for in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (d) VAT, SITE and PAYE records;
- (e) Accounting records;
- (f) Asset registers;
- (g) Tender and/or bid documentation by bidders;
- (h) Service level agreements with suppliers.

7.2.3 Human resource records relating to the following categories:

- (a) Individual Personnel files;
- (b) Contracts, conditions of service and other agreements;
- (c) Statutory employee records;
- (d) Pension fund records of the pension fund established;
- (e) Medical scheme records;
- (f) Budget and budget projections ;
- (g) Employee wellness records;
- (h) Employee payments and benefits;
- (i) Correspondence with internal and external parties;
- (j) Minutes of staff, EXCO and Audit Committee meetings.

8 PROCEDURE ON HOW TO SUBMIT A REQUEST FOR ACCESS TO INFORMATION TO THENW DoE & SD

- 8.1 A person desirous of procuring access to information from the NW DoE & SD~~s~~ records may do so by submitting a request for access to information to head office, Office No. 2nd Floor, Garona Building, Mahikeng or to any of the district offices, listed in appendix A below. The request must be submitted on the prescribed form. A copy of the form A attached as appendix D. The form must be completed by the requester.
- 8.2 Copies of request for access to information forms, will be available at NW DoE & SDhead office and all district offices.
- 8.3 Upon completion of the request for access to information form, the form must be forwarded to a deputy information officer. The names, addresses and contact details of all deputy information officers, or Access to information form recipient at district level are listed in appendix A.
- 8.4 In terms of the PAIA, where the records requested do not contain personal information of the requester, a request fee is payable by the requester before the request can be dealt with. A further access fee is payable before access to the relevant records is granted.

9 REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH– SECTION 14(1)(H)

- 9.1 Any person who requested access to information and is dissatisfied with any decision of the NW DoE & SD in respect of a request for access to a record held by the NW DoE & SD, may approach the High Court or another court of similar status to seek redress.
- 9.2 Section 25(3) (c) read with chapter 4 of PAIA make provision for internal appeals within the NW DoE & SD to the responsible Member of the Executive Council. A requester will be entitled to approach the North West High Court where the requester is also dissatisfied with the appeal against any finding of the responsible Member of the Executive Council.

10 THE UPDATING OF THE MANUAL

The NW DoE & SD PAIA manual shall be reviewed and updated annually in order to ensure that the functions and records are up-to-date.

11 AVAILABILITY OF THE MANUAL

This NW DoE & SD PAIA manual shall be available on NW DoE & SD website.

Printed copies of the NW DoE & SD PAIA manual may be obtained at the NW DoE & SD Head office and district offices at the address in Appendix A.

Signed and dated on this **14** day of **SEPTEMBER 2016** in Mmabatho.

**DR I.S MOLALE
SUPERINTENDENT GENERAL
DEPARTMENT OF EDUCATION AND SPORT DEVELOPMENT**

Signed and dated on this **19** day of **SEPTEMBER 2016** in Mmabatho.

**MR J.S LEHARI
MEMBER OF THE PROVINCIAL LEGISLATURE
DEPARTMENT OF EDUCATION AND SPORT DEVELOPMENT**

Appendix A: Contact details of the NW DoE & SD Information Officer and Deputy Information Officers

NW DoE & SD Head office contact details:-

Postal address: Private Bag X2044 Street address: 2nd. Floor
MMABATHO Garona Building
2735 Dr James Moroka
Mmabatho

Email: SGEdu@nwpq.gov.za

Deputy information officers: Chief Operation Officer
Provincial Head Office
Telephone: (018) 388 3411/33 Fax: 086 514 0126
Email: DDGEdu@nwpq.gov.za

Deputy information officers: Director Legal Services
Provincial Head Office
Telephone (018) 388 3012 Fax: (018) 388 1800
Email: LegalEdu@nwpq.gov.za

Access to information form recipient: District Offices

Bojanala District Office

Office of the Director [Rustenburg]

Name		
Telephone	(014) 590 4802	Fax N/A Email : pmokhutle@nwpg.gov.za ematshidiso@nwpg.gov.za mabumolefi@nwpg.gov.za
Postal address	Private Bag X821100 RUSTENBURG 0300	Street address Cnr Heysteck & Kok Streets RUSTENBURG 0300

Bojanala District Office

Office of the Director [Brits]

Name		
Telephone	(012) 250 1910 259 1913	Fax N/A Email : mseshibe@nwpg.gov.za Phiritsholofelo27@nwpg.gov.za
Postal address	Private Bag X5082 BRITS 0250	Street address 6 Pendoring Street BRITS 0250

Ngaka Modiri Molema District Office

Office of the Director

Telephone	(018) 388 3383	Fax	086 513 9881
Postal address	Private Bag X 10 MMABATHO 2735	Street address	Piet Hugo Building 1st Floor 10 Nelson Mandela Dr Mahikeng 2735

Ruth Segomotsi Mompati District Office

Office of the Director

Telephone	(053) 928 0201/2	Fax	086 555 9860
Postal address	Private Bag X21 VRYBURG 8600	Street address	Mini Garona Building 2 nd . Floor Block D Cnr. North and Molopo Street Vryburg 8600

Dr Kenneth Kaunda District Office

Office of the Director

Telephone	(018) 299 8264	Fax	(018) 294 8234
Postal address	Private Bag X1256 POTCHEFSTROOM 2531	Street address	8 O.R Tambo Street Potchefstroom 2520

Appendix B:

List of public schools NW DoE & SD is responsible for in the North West Province

Please note that a list of schools may be obtained by visiting:

<http://nwdesd.co.za/resources/findschool.html>

OR

<http://www.education.gov.za/Programmes/EMIS/EMISDownloads.aspx>

Appendix C:

Form A: Request for access to records of public body

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

[Published under GN R187 in GG 23119 of 15 February 2002, in terms of Section 18(1) of the Promotion of Access to Information Act,2000 (Act No. 2 of 2000).]

FOR DEPARTMENTAL USE Reference number: _____

Request received by _____
(name, surname and rank of
information officer or deputy information officer) at _____ (place) on
_____ (date).

Request fee (if any): R

Deposit (if any): R

Access fee: R

INFORMATION OFFICER OR DEPUTY INFORMATION OFFICER (signature)

A. Particulars of public body

The Deputy Information Officer:

Deputy Director General

Department of Education & Sport Development

Private Bag X2044

MMABATHO

2735

Tel.: 018 388 3433 / 388 3411

Fax: 086 514 0126

Email:DDGEdu@nwpg.gov.za

B. Particulars of person requesting access to the record**Notes**

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

Full names and surname: ..õ õ õ õ õ õ ..õ õ õ õ õ õ õ õ ..

Identity number: ..õ õ õ õ õ õ ..õ õ õ ..

Postal address: ..õ õ õ õ õ õ ..õ õ ..

.....

Fax number: ..õ õ ..

Telephone number: ..õ ..

Fax number: ..õ ..

Email address: ..õ ..

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

.....õ ..

.....õ ..

C. Particulars of person on whose behalf request is made**Note**

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

Full names and surname: ..õ ..

Identity number: ..õ ..

D. Particulars of record**Notes**

- (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

Notes

- (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 therefore.

Reason for exemption from payment of fees:

.....

.....

.....

.....

F. Form of access to record

Note

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.

State your disability:
.....

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.

Mark the appropriate option below with an "X".

1. **If record is in written or printed form –**

copy of record*inspection of record

2. **If record consists of visual images –**

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

view the images copy of the images* transcription of the images*

3. **If record consists of recorded words or information that can be reproduced in sound –**

listen to the soundtrack (audio cassette)transcription of soundtrack* (written or printed document)

4. **If record is held on computer or in an electronic or machine-readable form –**

printed copy of record*printed copy of information derived from record*copy in computer readable form*(stiffy or compact disk)* 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

In which language would you prefer the record?.....

(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.)

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved or 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 (place) on this day of (month)
..... (year)

**SIGNATURE OF REQUESTER
OR PERSON ON WHOSE BEHALF REQUEST IS MADE**

Appendix D: Form B: Notice of Internal Appeal

A. Particulars of public body

The Appeal Authority
Office of the MEC
Department of Education and Sport Development
Private Bag X2044
MMABATHO
2735

Telephone: (018) 388 2970 / 388 2560
Email: AppealEdu@nwpq.gov.za

B. Particulars of the person who is lodging the internal appeal

If applicable, proof of the capacity in which the appeal is lodged must be attached.
If the person lodging the appeal is not the requester (the person who originally requested the information), the particulars of the requester must be given at C below.

Full names and surname:

.....
.....

Identity number:

.....
.....

Postal address:

.....
.....

Telephone number:

Fax Number:

Email address :

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

.....
.....
.....

C. Particulars of requester [To be completed ONLY if a third party, and not the requester, is lodging the appeal.]

Full names and
surname:.....
.....

Identity number:
.....

D. Decision against which the appeal is lodged [Place an X alongside the appropriate option.]

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.

Decision to grant request for access.

E. (1) Please state the grounds on which the appeal is based. [If the provided space is inadequate, please continue on a separate page and attach it to this form. Each separate page must be signed.]

.....
.....
.....

(2) Please state any other information that may be relevant when the appeal is considered.

.....
.....
.....
.....
.....
.....
.....

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.]

Manner: Telephone Email Fax
Particulars:

.....
.....
.....
.....
.....

Signed at (place) on this day of
..... (month) (year).

SIGNATURE OF APPELLANT

Appendix E: NW DoE & SD access to information process flow chart

FLOW CHART ACCESS TO INFORMATION MANAGEMENT SYSTEM

