



rural development
& agrarian reform

Department:
Rural Development & Agrarian Reform
PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF RURAL DEVELOPMENT AND AGRARIAN REFORM

Promotion of Access to Information Act (PAIA) Manual

Prepared in terms of Section 14 of the Promotion of Access to Information Act, 2000(Act No.2 of 2000 (as amended)

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1. DEFINITIONS

Term / abbreviation	Description
Department/ DRDAR	Eastern Cape Department of Rural Development and Agrarian Reform
DIO	Deputy Information Officer
Guide	Information Regulator's Guide to PAIA
HOD	Head of Department
IO	Information Officer
Manual	DRDAR Manual
MEC	Member of the Executive Council responsible for DRDAR
PAIA	Promotion of Access to Information
Personal Information	information relating to an identifiable, living, natural person as set out in section 1 of PAIA
POPIA	the Protection of Personal Information Act, No. 4 of 2013
Regulator	Information Regulator
Requester	Any person making a request for access to a record of that public body or a person acting on behalf of the person making a request for access to a record

2. PURPOSE OF THE MANUAL

This PAIA manual is useful for the public to:

- 2.1. check the nature of the records which may already be available at DRDAR, without the need for submitting a formal PAIA request;
- 2.2. have an understanding of how to make a request for access to a record of DRDAR;
- 2.3. access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4. know all the remedies available from DRDAR regarding requests for access to the records, before approaching the Regulator or the Courts;
- 2.5. know the description of the services available to members of the public from DRDAR, and how to gain access to those services;
- 2.6. have a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7. know if DRDAR will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8. know if DRDAR has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9. know whether DRDAR has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF DRDAR

The mandate of the department is derived from section 27(1) (b) and 2 of the Constitution: “take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of the right (of everyone) to have access to sufficient food”. The Eastern Cape Provincial Department of Rural Development and Agrarian Reform is an integral part of the South African Public Service established in terms of section 197 of the Constitution and read with section 7 (1) and 7 (2) of the Public Services Act of 1994.

The South African Constitution section 197 (1) indicates that, within public administration there is public service for the Republic which must function and be structured. It compels the public

service to execute the policies of the government of the day. The South African Constitution requires government departments to plan for their service delivery programmes.

The South African Constitution divides socio-economic development services into three spheres of government: the national sphere, the provincial sphere and the local sphere. The mandate of the Provincial Governments is to ensure service delivery and support to the Local Sphere of Government.

The mandate of the department is to:

- Support and promote enterprise development in rural areas using Eastern Cape Rural Development Agency (ECRDA) as the implementing agent for High Impact Projects (HIPS) which provide high returns on investment;
- Facilitate Rural Development which is planning and alignment of rural development activities, promotion of social facilitation, initiating capacity building programmes, support of rural business and non-farm rural activities, increased rural participation and social mobilisation and attracting rural investments and partnerships, referrals, monitoring, evaluation and reporting;
- Create short term jobs (agricultural infrastructure) through the Expanded Public Works Programme (EPWP) Integrated Grant for Provinces and the Comprehensive Agricultural Support Programme (CASP) conditional grant;
- Increase crop production and improve production;
- Apply technologically advanced diagnostic procedures for diagnosis and research on animal diseases of economic importance to the province and zoonotic diseases that may pose a risk to human health;
- Support human capital development initiatives in order to boost skills in the agricultural sector in the province through the implementation of the Agriculture Education and Training Sector Strategy;
- Expand on the research support to commercial and emerging farmers to boost productivity and enhance access to marketing services; and,
- Provide agricultural training to commercial farmers, emerging farmers, agricultural students and people residing in rural areas.

VISION

A sustainable agricultural sector, integrated rural development and food security for all.

MISSION

To improve agricultural production to stimulate economic development, food security and integrated rural development through:

- Integrated rural development;
- Agrarian reform;
- Sustainable livelihoods;
- Support land reform for agricultural production;
- Facilitating partnerships to commercialise and transformation of the agriculture sector;
- Innovation, research, technology development to increase productivity and competitiveness; and
- Access to opportunities for youth, women and other vulnerable groups

VALUES

Ethical leadership: We lead with respect for ethical beliefs and values and for the dignity and rights of others.

Honesty & Integrity: Commitment to be transparent with all stakeholders.

Innovation: Commitment to keep abreast of new developments in relevant fields of expertise and be innovative in carrying out the mandate of the Department.

Excellence: We are committed to exceeding our customer's expectations for quality, responsiveness, efficiency and service excellence.

Working hand in hand "**Bambisanani**": We believe that the sum of our collective efforts will be greater than the total of our individual efforts.

Mutual respect: We value each other's contribution as we seek to realise the vision and goals of the Department.

People centeredness: “Bonke abantu esisebenza nabo, siya kusebenzisana nabo ngokufanelekileyo nangokulinganayo”.

4. STRUCTURE OF DRDAR

The structure of DRDAR consists of the Head Office situated in Bhisho and 6 (six) district offices situated in the six district municipalities of the province, Research Institutes and Institutions namely:

Sarah Baartman District

O.R. Tambo District

Joe Gqabi District

Chris Hani District

Amathole District

Alfred Nzo District

Dohne Research Institute

Tsolo Agricultural College

Mpofu Training Centre

The Department has 8 main Programmes and 26 sub-programmes on which service delivery interventions are made

Administration

- Office of the MEC
- Senior Management
- Corporate Services
- Financial Management
- Communication Services

Sustainable Resource Management

- Engineering Services
- Land Care
- Land Use Management
- Disaster Risk Management

Farmer Support and Development

- Farmer Settlement and Development
- Extension and Advisory Services
- Food Security

Veterinary Services

- Animal Health
- Export Control
- Veterinary Public Health
- Veterinary Laboratory Services

Research and Technology Development Services

- Research
- Technology Transfer Services
- Infrastructure Support Services

Agricultural Economics Services

- Production Economics and Marketing Support
- Agro-Processing Support
- Macro-economic Support

Structured Agricultural Education and Training

- Higher Education and Training
- Agriculture Skills Development

Rural Development

- Rural Development Coordination
- Social facilitation

5. CONTACT DETAILS FOR DRDAR

HEAD OFFICE	
Postal Address	Department of Rural Development and Agrarian Reform Private Bag X0040 BHISHO 5606
Physical Address	10th Floor Dukumbana Building Independence Avenue BHISHO 5606 Email: Chera-Lee.Oliver@drdar.gov.za

6. KEY CONTACT DETAILS

DEPUTY INFORMATION OFFICER	CONTACT DETAILS
Ms Siphokazi Ndudane Head of Department Department of Rural Development and Agrarian Reform	10th Floor Dukumbana Building Independence Avenue BHISHO 5606 Tel: +27 (0) 40 602 5006/7 Email: Siphokazi.Ndudane@drdar.gov.za Chera-Lee.Oliver@drdar.gov.za

- 6.1. Requests must be hand delivered or emailed to the Deputy Information Officer of DRDAR, who has been delegated by the Information Officer of the Province to attend to all requests on behalf of DRDAR.
- 6.2. Requesters are encouraged to forward requests for information by way of email where practically possible. When the postal services are utilised, it is imperative that registered mail be used. It is essential that the proof of registered mail must be retained and provided upon request.
- 6.3. When letters are hand delivered, please ensure that the letters are stamped and signed at DRDAR as proof of delivery and date thereof.

7. REQUEST PROCEDURE

a) *How to make a request for access to a record?*

- A requester must fill out **Form 2** attached as **Appendix A** and submit it, duly completed, to the Deputy Information Officer (DIO) at the address provided in page 9 above to enable a response to the requester.
- The Deputy Information Officer must assist a requester if a requester needs assistance with the process or with completing the forms, including illiterate or disabled requesters.
- The requester must provide sufficient detail of the information request on the request form to enable the Deputy Information Officer to identify the information or records and the requester.
- The requester must also indicate if the requester wants a copy of the record or if the requester wants to come and review the record at the offices of the public body. Alternatively, if the record is not a paper document it can then be viewed in the requested form, where possible.
- If a requester asks for access in a particular form (e.g.: a paper copy, electronic copy, etc.) then the requester should get access in that form. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access

cannot be given in the required form but in another form, then the fee must be calculated according to the way that the requester first asked for it.

- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated.
- If a requester is asking for the information on behalf of somebody else, the capacity and proof of authority in which the request is being made must be indicated, and provided in writing duly signed.
- The requester must indicate if he/she wishes to be informed of the decision of the request in a particular manner and must provide the details.
- The request must not be for records which are subject to the refusal grounds as provided for under Chapter 4 of the PAIA.
- The Deputy Information Officer must make a decision within 30 days after receiving a request and notify the requester of the decision.
- The Deputy Information Officer may extend the period of 30 days once for a further period of not more than 30 days. The Department must notify the requester of such extension and the reasons thereof.

b) Required attachments:

A requester must be given access to records of DRDAR if that request complies with **all the procedural requirements**, provided that access to that record is not refused on any of the grounds as provided in Chapter 4 of PAIA¹.

- i* Completed **Form 2 (Appendix A)**.
- ii* If the request is made on behalf of another person or juristic person, then proof of the capacity in which the requester is making the request, must be attached to Form 2.
- iii* Certified copy of identification of the requester.
- iv* Proof of payment of the required fees.

c) *Fees payable for a request and notification of decision on access.*

- Every requester who is not a personal requestor must pay the request fee of R100 (or as may be amended from time to time by way of written notice) in respect of each and every request for access to information or internal appeal submitted to the Deputy Information Officer.
- The Deputy Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed request fee (if any) and deposit (if any) before further processing the request.
- The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of a fee.
- After the Deputy 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 reproduction and for search and preparation for any time required in excess of stipulated hours to search and prepare the record for disclosure.
- Access to a record will be withheld until all the applicable fees have been paid.

d) *Granting or refusal of request*

A requester must be given access to a record of a public body 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.

7.1. Telephone Requests

Telephonic requests are not forbidden by the Act. A requester, who cannot read or write or has a disability, can make such a request to the Deputy Information Officer at the telephone number given in this manual. The Deputy Information Officer will complete the form on behalf of such requester and furnish the requester with such completed form.

7.2. Records That Cannot Be Found or Do Not Exist

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

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 Deputy Information Officer.

7.3. Disposal of Record

The Deputy Information Officer reserves the right to lawfully dispose of certain records in terms of authorities obtained from the Archives and Records.

Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

In accordance with section 24(1) of POPIA, the Deputy Information Officer may, upon receipt of the request from a data subject –

correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that the Regulator is no longer authorised to retain in terms of section 14 of POPIA.

8. REMEDIES AVAILABLE IN RESPECT OF ACTS

8.1. Internal appeal

8.1.1. Where a requester is dissatisfied with the outcome of a request for access to information, the requester may lodge an internal appeal against the decision

of the Deputy Information Officer by completing and delivering **Form 4 (Appendix D)** within 60 days to the Deputy Information Officer.

8.1.2. An internal appeal may be lodged against any one of the following decisions of the Deputy Information Officer:

- 8.1.2.1. Refusing a request for access;
- 8.1.2.2. Fees charged;
- 8.1.2.3. Extension of period to deal with a request; and
- 8.1.2.4. Access in a particular form.

8.1.3. The requester must pay the prescribed internal appeal fee (where applicable) when lodging the appeal. The decision on the internal appeal may, however, be deferred until the fee is paid.

8.1.4. As soon as reasonably possible, but within 10 working days after receipt of an internal appeal, the Deputy Information Officer must submit the internal appeal to the Member of the Executive Council (MEC) of the department.

8.1.5. The MEC must make a decision on the internal appeal within 30 days after the internal appeal was delivered to the Deputy Information Officer.

8.2. Complaint to the Information Regulator

A requester may submit a complaint to the Information Regulator by duly completing and delivering **Form 5 (Appendix E)**, but only after that requester exhausted the internal appeal procedure against a decision of the Deputy Information Officer of DRDAR.

8.3. Approach Court

Although DRDAR recommends that requesters try to resolve disputes about access to information without approaching the courts, a requester may, if still aggrieved, approach a court after the internal appeal process.

9. THE INFORMATION REGULATOR GUIDE

- 9.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (Guide, as initially compiled by the SAHRC).
- 9.2. The purpose of the aforesaid Guide is to provide information that is needed by any person who wishes to exercise any right contemplated in PAIA and POPIA.
- 9.3. This Guide will specifically assist a person, also called a data subject, on how to access his/her or its personal information in terms of section 23 of POPIA.

The aforesaid Guide contain the description of

- 9.3.1. the objects of PAIA and POPIA;
- 9.3.2. the postal and street address, phone and fax number and, if available,
- 9.3.3. electronic mail address of the Information Officer of every public body, and
- 9.3.4. the manner and form of a request for access to a record of DRDAR contemplated in section 11 of PAIA;
- 9.3.5. the assistance available from the IO of DRDAR in terms of PAIA and POPIA;
- 9.3.6. the assistance available from the Regulator in terms of PAIA and POPIA;
- 9.3.7. all remedies available in law regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging
 - 9.3.7.1. an internal appeal;
 - 9.3.7.2. a complaint to the Regulator;
 - 9.3.7.3. an application to a court against a decision by the Information
 - 9.3.7.4. Officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body.
- 9.3.8. The Guide is available on the DRDAR website at www.drdar.gov.za
- 9.3.9. Members of the public can inspect or make copies of the Guide from the Head Office and any District office of DRDAR.

10. RECORDS HELD BY DRDAR

For purposes of facilitating a request in terms of the Act, the subjects on which DRDAR holds records and the categories of records held on each subject are as follows:

Office of the MEC

- Records on political directives given in the form of the Policy Speech

Senior Management

- Records on policies and priorities that have been translated into strategies

Corporate Services

- Records on human resource management, strategy management and Information Technology

Financial Management

- Records on financial planning & control, financial accounting, asset management and compliance risk management

Communication Services

- Records on departmental marketing information

Engineering Services

- Records on certificates issued on agriculture infrastructure

Land Care

- Records on implementation of land care projects in order to enhance sustainable natural resource management - awareness campaigns conducted on land care

Land Use Management

- Records on land use plans and disaster interventions

Farmer Settlement and Development

- Records on appropriate agricultural infrastructure provided

Extension and Advisory Services

- Records on extension and advisory services provided to farmers

Food Security

- Records on food security interventions

Veterinary Services

- Records on technical advice, support and interventions on livestock development

Research and Technology Development Services

- Records on agricultural research technologies

Agricultural Economics

- Records on agricultural cooperatives established and support given

Micro-economics and Statistics

- Records on support given on development of business plans and access to markets

Structured Agricultural Education and Training

- Records on agricultural education and training support given to farmers and other stakeholders

Rural Development

- Records on rural development interventions

On the website of DRDAR, www.drdar.gov.za, records are available for viewing or downloading without a person having to make such a request in terms of the said Act.

11. RECORDS OF DRDAR WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The records on the website of the Province of the Eastern Cape <https://www.ecprov.gov.za> are available for viewing or downloading without a person having to make such a request in terms of the said Act.

Category	Document Type	Available on Website	Available upon request
News	- Newsletters and reports	X	
General information	- Profile of the MEC - Profiles of the HOD - Information on the Departmental projects - Mandate - Districts in the Eastern Cape Province	X	

Media	- Media Statements - Photographs - Publications - Speeches - Videos	X	
Procurement	- Bid documentation - Forms	X	X
Knowledge Hub	- Reports - Plans - Forms - Policies	X	
Careers	- Internship and Training - Bursaries - Vacancies	X	

12. PROCESSING OF PERSONAL INFORMATION

12.1. Purpose of Processing

DRDAR uses the Personal Information under its care in the following ways:

- Conducting reference checks and assessments to service providers and potential employees.
- Administration of agreements.
- Rendering services to its beneficiaries.
- Detecting and prevention of fraud, crime, money laundering and other malpractice.
- Conducting market or customer satisfaction surveys.
- Staff administration.
- Keeping of accounts and records.
- Complying with legal and regulatory requirements.

12.2. Categories of Data Subjects and their Personal Information

Data Subjects refers to a person to whom personal information relates, i.e. service providers, employees, and farmers/ beneficiaries, potential employees may have records held by DRDAR:

Category of Data Subjects	Processed Personal Information
Farmers: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; nationality; gender; confidential correspondence,
Entities	Names of contact persons; the name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information
Contracted Service Providers	Names of contact persons; the name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax-related information; authorised signatories; beneficiaries; ultimate beneficial owners; shareholding information; BBBEE information
Employees	Gender; pregnancy; marital status; race; age; language; education information; financial information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being, beneficiaries/dependants.
Applicants/ Potential Employees	Gender; marital status; race; age; language; education information; employment history; ID number; physical and postal address; contact details; opinions; criminal record; well-being.

12.3. Categories of Recipients for Processing the Personal Information

DRDAR may share Personal Information with its stakeholders and affiliated organisations, who may use it to submit Data Subjects product and service information. DRDAR can disclose personal information to anyone to whom it has delegated or transferred any of its rights or obligations under any arrangement/agreement, as well as to service providers that provide the following services:

- Capturing and organising of data;
- Storing of data;
- Sending of emails and other correspondence to customers;
- Conducting due diligence checks e.g. vetting, pre-screening of qualifications;
- Administration of the Medical Aid and Pension Schemes.
- Administration of tax information.
- Court litigations.

12.4. Actual or Planned Trans-Border Flows of Personal Information

Personal Information may not be sent or stored trans-border to DRDAR authorised stakeholders and suppliers in other countries, unless in compliance with Chapter 9 of the POPI Act (2013).

12.5. Information Security Measures

To ensure the confidentiality, integrity, and availability of personal information under its control, DRDAR uses cutting-edge technology. Measures for information security include:

- Firewalls
- Virus and Spyware protection software and update protocols
- Logical and physical access control;
- Outsourced Service Providers who process Personal Information on behalf of DRDAR are contracted to implement security controls;
- Disaster Recovery measures.

13. AVAILABILITY OF THE MANUAL

This Manual will soon become available in the following three official languages, i.e. English, Xhosa, and Afrikaans. The Xhosa and Afrikaans versions of this manual are being translated and are expected to become available in December 2022, when it will be published on the DRDAR's website.

The English version of this Manual is immediately available on the website of DRDAR at www.drdar.gov.za.

14. UPDATING OF THE MANUAL

DRDAR will, if necessary, update and publish this Manual annually.

Issued by:



MS S NDUDANE
HEAD OF DEPARTMENT
DRDAR

28/07/2023

DATE

15. APPENDIX

15.1. APPENDIX A – FORM 2

Province of the Eastern Cape

DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

REQUEST FOR ACCESS TO RECORD

APPENDIX A – FORM 2

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7.]

Note:

- 1. Proof of identity must be attached by the requester.*
- 2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Deputy Information
Officer

(Address)

E-mail address: _____

Fax

number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full names:			
Identity number:			
Capacity in which request is made <i>(when made on behalf of another person):</i>			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity number:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
PARTICULARS OF RECORD REQUESTED			
<p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available:			
Any further particulars of record:			

TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>

Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>

Personal inspection of record at registered address of public body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected:	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

- a) A request fee must be paid before the request will be considered.*
- b) You will be notified of the amount of the access fee to be paid.*
- c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption*

Reason:	

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (<i>state rank, name and surname of Deputy Information Officer</i>)	
Date received:	
Access fees:	
Deposit (if any):	

.....
Signature of Deputy Information Officer

15.2. APPENDIX B – FORM 3

Province of the Eastern Cape

DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

OUTCOME OF REQUEST AND OF FEES PAYABLE

APPENDIX B – FORM 3

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

[\[Regulation 8.\]](#)

Note:

1. *If your request is granted the-*
 - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
 - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

TO:

Your request, dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public (*including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form*) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B of the Regulations.

OR

2. You requested:

Printed copies of the information (*including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form*)

Written or printed transcription of virtual images (*this includes photographs, slides, video recordings, computer-generated images, sketches, etc.*)

Transcription of soundtrack (*written or printed document*)

Copy of information on flash drive (*including virtual images and soundtracks*)

Copy of information on compact disc drive (*including virtual images and soundtracks*)

Copy of record saved on cloud storage server

3. To be submitted:

Postal services to postal address

Postal services to street address

Courier service to street address

Facsimile of information in written or printed format (*including transcriptions*)

E-mail of information (*including soundtracks if possible*)

Cloud share/file transfer

Preferred language:
available in the language you prefer, access may be granted in the language in which the record is available)

(Note that if the record is not

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item
Photocopy
Printed copy
For a copy of a computer readable form on: (i) Flash Drive To be provided by requester (ii) Compact Disc If provided by requester If provided to the requester
For a transcription of visual images per A4-size page
Copy of visual images

Transcription of an audio record, per A4-size
For a copy of an audio record (i) Flash Drive To be provided by requester (ii) Compact Disc If provided by requester If provided to the requester
Postage, e-mail or any other electronic transfer:
TOTAL:

5. Deposit payable (if search exceeds six hours):

Yes

Hours of search

The amount must be paid into the following Bank account:

Name of account holder: Department of Rural Development and Agrarian Reform Eastern Cape

ABSA BANK

Account number: 4100215137

Branch Code: 632005

Branch : ABS EC PUBL SECTOR

Reference No: PAIA (Name & Surname)

Submit proof of payment:
Cheralee.oliver@drdar.gov.za

Signed at _____ this _____ day of _____ 20 _____

Deputy Information Officer

15.3. APPENDIX C – FEES

Province of the Eastern Cape

DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

FEES

APPENDIX C – FEES

ANNEXURE B FEES

Fees in Respect of Public Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on:	R40.00
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) Compact disc	R60.00
	. If provided by requester	R40.00
	. If provided to the requester	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	R40.00
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) Compact disc	R60.00
	. If provided by requester	R40.00
	. If provided to the requester	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R100.00

	To not exceed a total cost of	R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

Fees in Respect of Private Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(iii) Flash drive (to be provided by requester)	R40.00
	(iv) Compact disc	
	· If provided by requester	R40.00
	· If provided to the requester	R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on:	
	(v) Flash drive (to be provided by requester)	R40.00
	(vi) Compact disc	
	· If provided by requester	R40.00
	· If provided to the requester	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total cost of	R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

15.4. APPENDIX D – INTERNAL APPEAL FORM

Province of the Eastern Cape

DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

LODGING OF AN INTERNAL APPEAL

APPENDIX D – INTERNAL APPEAL

FORM 4

LODGING OF AN INTERNAL APPEAL

[[Regulation 9.](#)]

Reference number: _____

PARTICULARS OF PUBLIC BODY			
Name of public body:			
Name and surname of Deputy Information Officer:			
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL			
Full names:			
Identity number:			
Postal address:			
Contact numbers:	Tel. (B):		Facsimile:
	Cellular:		
E-mail Address:			
Is the internal appeal lodged on behalf of another person?	Yes	<input type="checkbox"/>	No
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: (<i>Proof of the capacity in which appeal is lodged, if applicable, must be attached.</i>)			
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED (<i>If lodged by a third party</i>)			
Full names:			
Identity number:			
Postal address:			
Contact numbers:	Tel. (B):		Facsimile:
	Cellular:		
E-mail Address:			

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED

(mark the appropriate box with an "X")

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

GROUND FOR APPEAL

(If the provided space is inadequate, please continue on a separate page and attach it to this form, all the additional pages must be signed.)

State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

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

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of appellant/third party

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Deputy Information Officer)</i>			
Date received:			
Appeal accompanied by the reasons for the Deputy Information Officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the Deputy Information Officer:			Yes
			No

OUTCOME OF APPEAL

Refusal of request for access. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Extension (Sec 26 (1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Access (Sec 29 (3)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Request for access granted. Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant authority

15.5. APPENDIX E – COMPLAINT FORM

Province of the Eastern Cape

DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

LODGING OF COMPLAINT

APPENDIX E – COMPLAINT

FORM 5 LODGING OF COMPLAINT

[Regulation 10.]

Note:

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

TO: The Information Regulator
P.O Box 31533
Braamfontein,
2017

E-mail address: inforeg@justice.gov.za

Tel number: +27 (0) 10 023 5200

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

- Complainant personally
- Representative of complainant
- Third party

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

FOR INFORMATION REGULATOR'S USE ONLY			
Received by: (Full names)			
Position:			
Signature:			
Complaint accepted:	Yes		No
Reference Number:			

Date stamp

Postal address	Facsimile	Other electronic communication <i>(Please specify)</i>

PART A PERSONAL INFORMATION OF COMPLAINANT	
Full names:	
Identity number:	
Postal Address:	
Street Address:	

E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
PART B REPRESENTATIVE INFORMATION <i>(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)</i>			
Full names of representative:			
Nature of representation:			
Identity number/Registration number:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
PART C THIRD PARTY INFORMATION <i>(Please attach letter of authorisation)</i>			
Type of body:	Private		Public
Name of *public/private body:			
Registration number (if any):			
Name, surname and title of person authorised to lodge complaint:			
Postal Address:			
Street Address:			
E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
PART D BODY AGAINST WHICH COMPLAINT IS LODGED			
Type of body:	Private		Public
Name of *public/private body:			
Registration number (if any):			
Name, surname and title of person you dealt with at the private/public body to try to resolve your complaint or request to access of information.			
Postal Address:			
Street Address:			

E-mail Address:			
Contact numbers:	Tel. (B):		Facsimile
	Cellular		
Reference number given (<i>If any</i>):			
PART E COMPLAINT			
<i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public body for response and possible resolution; there are limited exceptions)</i>			
Date on which request for access to records submitted:			
Please specify the nature of the right(s) to be exercised or protected, if a compliant is against a private body:			
Have you attempted to resolve the matter with the organisation?	Yes		No
If yes, when did you receive it? (Please attach the letter to this application.)			
Did you appeal against a decision of the Deputy Information Officer of the public body?	Yes		No
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes		No
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.			
PART F DETAILED TYPE OF ACCESS TO RECORDS			
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>			
Unsuccessful appeal: (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>		
Unsuccessful application for condonation: (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I have filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>		
Refusal of a request for access: 77A (2) (c) (i) or 77A (2) (d) (i) or 77A (3) (b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>		
The body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>		
	<i>The tender or payment of a deposit.</i>		
Repayment of the deposit: (Section 22 (4) of PAIA)	<i>The Deputy Information Officer refused to repay a deposit paid in respect of a request for access which is refused.</i>		

Disagree with time extension: (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>	
Form of access denied: (Section 29 (3) or 60 (a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal: (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired and no response was received.</i>	
Inappropriate disclosure of a record: (Mandatory grounds for refusal of access to record)	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.</i>	
No adequate reasons for the refusal of access: (Section 56 (3) (a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal were given, including the provisions of this Act, which were relied upon for the refusal.</i>	
Partial access to record: (Section 28 (2) or 59 (2) of PAIA)	<i>Access to only part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver: (Section 22 (8) or 54 (8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records:	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights): (Section 50 (1) (a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA, and I disagree.</i>	
Frivolous or vexatious request: (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other: (Please explain):		
PART G EXPECTED OUTCOME		
How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.		

PART H AGREEMENTS

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

I agree that the information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

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

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

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

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

Signed at _____ this _____ day of _____ 20 _____

Complainant/Representative/Authorised person of Third party