



rural development  
& agrarian reform

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

# ISEBE LOPHUHLISO LWASEMAPHANDLENI KUNYE NOHLAZIYO LWEZOLIMO

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## Incwadana yoMthetho wokuKhuthaza ukuFikelela kuLwazi (i-PAIA)

Ilungiselelwe ngokweCandelo le-14 loMthetho wokuKhuthaza ukuFikelela kuLwazi, 2000 (uMthetho No.2 ka-2000 (njengoko ulungisiwe)

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## 1. INKCAZELO

<b>Igama/ isishunqulelo</b>	<b>Ingcaciso</b>
<b>Isebe/ i-DRDAR</b>	ISebe leMpuma Koloni loPhuhliso lwasemaPhandleni kunye noHlaziyo lwezoLimo
<b>I-DIO</b>	Isekela Gosa loLwazi
<b>Isikhokelo</b>	Isikhokelo se-PAIA soMlawuli woLwazi
<b>I-HOD</b>	Intloko yeSebe
<b>I-IO</b>	IGosa loLwazi
<b>Incwadana</b>	Incwadana ye-DRDAR
<b>U-MEC</b>	Ilungu leBhunga leSigqeba esiLawulayo elijongene ne-DRDAR
<b>I-PAIA</b>	Ukukhuthaza ukuFikelela kuLwazi
<b>Iinkcukacha Zobuqu</b>	iinkcukacha ezinxulumene nomntu obonakalayo, ophilayo, wemvelo njengoko kuchaziwe kwicandelo 1 le-PAIA
<b>I-POPIA</b>	uMthetho wokuKhusela iiNkcukacha zoBuqu, Nomb. 4 ka-2013
<b>Umlawuli</b>	Umlawuli woLwazi
<b>Umfaki-sicelo</b>	Nawuphi na umntu owenza isicelo sokufikelela kwirekhodi lelo ziko likarhulumente okanye umntu osebenza egameni lomntu owenza isicelo sokufikelela kwirekhodi

## 2. INJONGO YENCWADANA

Incwadana ye-PAIA iphuhliswa njengoxwebhu olukhokelayo kwaye iluncedo kuluntu:

- 2.1. ukukhangela uhlobo lweerekhodi ezinokuthi kanti sele zifumaneka kwi-DRDAR, ngaphandle kwesidingo sokufaka isicelo esisemthethweni se-PAIA;
- 2.2. ukuba baqonde ngendlela yokwenza isicelo sokufikelela kwirekhodi le-DRDAR;
- 2.3. ukufikelela kuzo zonke iinkcukacha zoqhagamshelwano ezibandakanyekayo zabantu abaya kuncedisa uluntu ngeerekhodi abazimisele ukufikelela kuzo;
- 2.4. ukuba lazi zonke izilungiso ezikhoyo ezivela kwi-DRDAR malunga nezicelo zokufikelela kwiirekhodi, phambi kokuya kuMlawuli okanye kwiiNkundla zaMatyala;
- 2.5. ukufumana ingcaciso malunga neenkonziso ezifumaneka kuluntu ezivela kwi-DRDAR, kunye nendlela yokufikelela kwezo nkonzo;
- 2.6. ukufumana ingcaciso yesikhokelo sendlela yokusebenzisa i-PAIA, njengoko ihlaziywe nguMlawuli kunye nendlela yokufikelela kuso;
- 2.7. lazi ukuba i-DRDAR iza kuzijonga nha iinkcukacha zomntu, injongo yokujongwa kweenkcukacha zomntu kunye nengcaciso yeendidi zedatha yomntu kunye nolwazi okanye iindidi zeenkucukacha ezinxulumene noko;
- 2.8. lazi ukuba i-DRDAR icwangcise ukudlulisela okanye ukuzijonga na iinkcukacha zomntu ezingaphandle kwiRiphabliki yoMzantsi Afrika kunye nabantu abafumana okanye iindidi zabantu abafumana iinkcukacha zomntu; kwaye
- 2.9. lazi ukuba i-DRDAR inamanyathelo afanelekileyo na okhuseleko ukuze kuqinisekiswa ukufihlwa, ukuthembeka kunye nokufumaneka kweenkcukacha zobuqu ekufuneka zijongwe.

## 3. UKUSEKWA KUNYE NOKUGUNYAZISWA KWE-DRDAR

Umyalelo wesebe uvela kwicandelo lama-27(1) (b) kunye nele-2 loMgaqo-siseko: "uthatha imithetho efanelekileyo kunye namanye amanyathelo, ngaphakathi kwizibonelelo zalo ezikhoyo, ukufezekisa inkqubela-phambili yelungelo (lomntu wonke) lokufikelela ekutyeni okwaneleyo". ISebe lePhondo leMpuma Koloni loPhuhliso lwasemaPhandleni kunye noHlaziyo lwezoLimo liyinxalenye ebalulekileyo yeeNkonzo zikaRhulumente woMzantsi Afrika ezisekwe ngokwecandelo le-197 loMgaqo-siseko kwaye lifundwa necandelo lesi-7 (1) kunye nele-7 (2) loMthetho weNkonzo zikaRhulumente ka-1994.

Icandelo loMgaqo-siseko woMzantsi Afrika le-197 (1) libonisa ukuba, kulawulo lukarhulumente kukho iinkonzo zikarhulumente weRiphabliki ekufuneka zisebenze kwaye zakhiwe. Inyanzela ukuba iinkonzo zikarhulumente ziphumeze imigaqo-nkqubo karhulumente wangoku. UMgaqo-siseko woMzantsi Afrika ufuna ukuba amasebe karhulumente acwangcise iinkqubo zawo zokunikeza ngeenkonzo.

UMgaqo-siseko woMzantsi Afrika wahlula iinkonzo zophuhliso lwentlalo-noqoqosho zibe kwimimandla emithathu karhulumente: ummandla wesizwe, ummandla wephondo kunye nakummandla wengingqi. Umyalelo wooRhulumente bePhondo kukuqinisekisa ukunikezwa kweenkonzo kunye nenkxaso kuMmandla kaRhulumente weNgingqi.

Umyalelo wesebe kukuba:

- Ixhase kwaye ikhuthaze uphuhliso lwamashishini kwiindawo ezisemaphandleni kusetyenziswa i-Arhente yoPhuhliso lwamasePhandleni yeMpuma Koloni (i-ECRDA) njenge-arhente yokuphumeza iiProjekthi zeMpembelelo ePhezulu (i-HIPS) nezibonelela ngembuyekezo ephezulu kutyalo-mali;
- Iququzelele uPhuhliso lwasemaPhandleni olucwangcisa kwaye lulungelelanise imisebenzi yophuhliso lwasemaphandleni, ikhuthaze iindibano zoluntu, iqalise iinkqubo zokwakha izakhono, ixhase amashishini asemaphandleni kunye nemisebenzi yasemaphandleni engeyiyo eyasefama, yandise ukuthatha inxaxheba kwabantu basemaphandleni kunye neendibano kwezintlalo kunye nokutsala utyalo-mali lwasemaphandleni kunye nentsebenziswano, idlulisele abantu, ibeke esweni, ivavanye kwaye inike ingxelo;
- Idale imisebenzi yexesha elifutshane (iziseko zezolimo) ngeSibonelelo esiHlanganisiweyo samaPhondo kwiNkqubo yeMisebenzi yoLuntu eyaNdisiweyo (i-EPWP) kunye nangeNkqubo eXhasa eZolimo (i-CASP) esisibonelelo esinemiqathango;
- Yandise imveliso yezityalo kwaye iphucule imveliso;
- Isebenzise iinkqubo zokuxilonga zetheknoloji, ukuxilonga kunye nokuphanda malunga nezifo ezibalulekileyo zezilwanyana kuqoqosho lwephondo kunye nezifo ze-zoonotic ezinokubangela ubungozi kwimpilo yabantu;
- Kukuxhasa amaphulo ophuhliso lwabantu ukwenzela ukunyusa izakhono kwicandelo lezolimo kweli phondo ngokuphunyezwa kwesiCwangciso-qhinga seCandelo leMfundo kunye noQeqesho kwezoLimo;
- Yandise inkxaso yophando kubalimi bezorhwebo kunye nabasakhulayo ukunyusa iimveliso kunye nokuphucula ukufikelela kwiinkonzo zentengiso; kwaye,

- Ibonelele ngoqeqesho kwezolimo kubalimi bezorhwebo, kumafama asakhulayo, kubafundi bezolimo kunye nakubantu abahlala kwiindawo ezisemaphandleni.

## **UMBONO**

Icandelo lezolimo elizinzileyo lidibanisa uphuhliso lwasemaphandleni kunye nokhuseleko lokutya kubantu bonke.

## **IINJONGO**

Ukuphucula imveliso yezolimo ukuze kuvuselelwe uphuhliso lwezoqoqosho, ukhuseleko lokutya kunye nophuhliso lwasemaphandleni oluhlanganelweyo ngokusebenzisa:

- Uphuhliso lwasemaphandleni oluhlanganelweyo.
- Ukuhlaziywa kwezolimo (agrarian).
- Ubomi obuzinzileyo.
- Ukuxhasa utshintsho kumhlaba kusenzelwa imveliso kwezolimo.
- Ukuququzelela ubambiswano ukuze kuthengiswe kwaye kuguqulwe icandelo lezolimo.
- Ukwenza izinto ntsha, uphando, uphuhliso lwetheknoloji ukuze kwandiswe imveliso kunye nokhuphiswano; kunye
- nokuFikelela kumathuba kusenzelwa ulutsha, amabhinqa kunye namanye amaqela asemngciphekweni

## **IINDLELA ZOKUZIPHATHA**

**Ubunkokheli:** Sikhokela ngokuhlonipha iinkolelo kunye neendlela zokuziphatha, kwaye sikhokela ngesidima kunye nokuhlonipha amalungelo abanye.

**Ukunyaniseka & neNtembeko:** Sizibophelele ukuba senze izinto elubala nabo bonke abachaphazelekayo.

**Ukwenza izinto ezintsha:** Sizibophelele ukugcina uphuhliso olutsha kwiinkalo ezifanelekileyo zobungcali kunye nokwenza izinto ezintsha ukuphumeza igunya leSebe.

**Ukugqwesa:** Sizimisele ukwenza ngaphaya koko kulindelwe ngabathengi bethu ukwenzela umgangatho, ukuphendula, ukusebenza kakuhle kunye neenkonzelo ezigqwesileyo.

Ukusebenza kunye "**Bambisanani**": Sikholelwa ukuba ukudityaniswa kwemizamo yethu kuya kuba lukhulu kunenani lomzamo womntu omnye.

**Ukuhloniphana:** Siyalixabisa igalelo lomnye njengoko sifuna ukufezekisa umbono kunye neenjongo zeSebe.

**Ijolise eBantwini:** "Bonke abantu esisebenza nabo, siya kusebenzisana nabo ngokufanelekileyo nangokulinganayo".

#### **4. UKWAKHIWA KWE-DRDAR**

Ukwakhiwa kwe-DRDAR kuqulathe i-Ofisi eyiNtloko ebekwe eBhisho kunye nee-ofisi zengingqi ezi-6 (ezintandathu) ezibekwe koomasipala bengingqi abathandathu bephondo, kumaZiko oPhando kunye nakwiikholeji zoqeqesho/kumaZiko, amagama wazo angala:

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

ISebe lineeNkqubo eziPhambili ezi-8 kunye neenkqubo ezincinci ezingama-26 apho ungenelelo lonikezelo lweenkonzo lwenziwa khona

*Ulawulo*

- Iofisi ka-MEC
- Ulawulo oluPhezulu
- linkonzo zeNkampani
- Ulawulo lwezeMali
- linkonzo zoNxibelelwano

*Ulawulo lweZibonelelo oluZinzileyo*

- linkonzo zobunjineli
- Ukunakekelwa komhlaba
- Ulawulo lokusetyenziswa komhlaba
- Ulawulo loMngcipheko weNtlekele

*Inkxaso kunye noPhuhliso loMvelisi wezoLimo*

- Ukuhlaliswa kwabalimi kunye noPhuhliso
- Ulwandiso kunye neeNkonzo zeNgcebiso
- Ukhuseleko lokutya

*linkonzo zezilwanyana*

- Impilo yezilwanyana
- Ulawulo lokuthumela ngaphandle
- Impilo yoLuntu ngakwiZilwanyana
- linkonzo zeLebhu yeZilwanyana

*linkonzo zoPhuhliso loPhando kunye nolweTekhnoloji*

- Uphando
- linkonzo zokuhanjiswa kweTekhnoloji
- linkonzo zeNkxaso yeZiseko

*iiNkonzo zoQoqosho lwezoLimo*

- Uqoqosho lweMveliso kunye neNkxaso yeNtengiso
- Inkxaso ye-Agro-Processing
- Inkxaso ye-Macro-economic (uqoqosho kwinqanaba elincinci)



*Imfundo kunye noQeqesho oluCwangcisiweyo kwezoLimo*

- Imfundo Ephakamileyo kunye noQeqesho
- Uphuhliso lweZakhono kwezoLimo

*Uphuhliso lwaseMaphandleni*

- Ukulungelelaniswa koPhuhliso lwaseMaphandleni
- Ukuququzelela uluntu

***Ulawulo***

- Iofisi ka-MEC
- Ulawulo oluPhezulu
- linkonzo zeNkampani
- Ulawulo lwezeMali
- linkonzo zoNxibelelwano

*linkonzo ezinikezelwa ziinkqubo nendlela yokufumana ukufikelela kwiinkonzo:*

***Ulawulo lweZibonelelo oluZinzileyo***

- linkonzo zobunjinieli
- Ukunakekelwa komhlaba
- Ulawulo lokusetyenziswa komhlaba
- Ulawulo loMngcipheko weNtlekele

***Inkxaso kunye noPhuhliso loMvelisi wezoLimo***

- Ukuhlaliswa kwabalimi kunye noPhuhliso
- Ulwandiso kunye neeNkonzo zeNgcebiso
- Ukhuseleko lokutya

***linkonzo zezilwanyana***

- Impilo yezilwanyana
- Ulawulo lokuthumela ngaphandle
- Impilo yoLuntu ngakwiZilwanyana
- linkonzo zeLebhu yeZilwanyana

***linkonzo zoPhuhliso loPhando kunye nolweTekhnoloji***

- Uphando

<ul style="list-style-type: none"> <li>linkonzo zokuhanjiswa kweTekhnoloji</li> <li>linkonzo zeNkxaso yeZiseko</li> </ul>	
<p><b>linkonzo zoQoqosho kwezoLimo</b></p> <ul style="list-style-type: none"> <li>Uqoqosho lweMveliso kunye neNkxaso yeNtengiso</li> <li>Inkxaso ye-Agro-Processing</li> <li>Inkxaso ye-Macro-economic (uqoqosho kwinqanaba elincinci)</li> </ul>	
<p><b>Imfundo kunye noQeqesho oluCwangcisiweyo kwezoLimo</b></p> <ul style="list-style-type: none"> <li>Imfundo Ephakamileyo kunye noQeqesho</li> <li>Uphuhliso lweZakhono kwezoLimo</li> </ul>	
<p><b>Uphuhliso lwaseMaphandleni</b></p> <ul style="list-style-type: none"> <li>Ukulungelelaniswa koPhuhliso lwaseMaphandleni</li> <li>Ukuququzelela uluntu</li> </ul>	

## 5. IINKCUKACHA ZOQHAGAMSHELWANO ZE-DRDAR

<b>IOFISI EYINTLOKO</b>	
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## 6. IINKCUKACHA EZINGUNDOQO ZOQHAGAMSHELWANO

ISEKELA GOSA LOLWAZI	IINKCUKACHA ZOQHAGAMSHELWANO
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- 6.1. Izicelo mazifakwe ngesandla okanye zithunyelwe nge-imeyili kwiSekela Gosa loLwazi le-DRDAR, elithunyelwe liGosa loLwazi lePhondo ukuba lijongane nazo zonke izicelo egameni le-DRDAR.
- 6.2. Abafaki-zicelo bayakhuthazwa ukuba bathumele izicelo zolwazi nge-imeyile apho kunokwenzeka. Xa kusetyenziswa iinkonzo zeposi, kunyanzelekile ukuba kusetyenziswe iposi ebhalisiweyo. Kubalulekile ukuba ubungqina beposi ebhalisiweyo bugcinwe kwaye bunikezwe xa bucelwa.
- 6.3. Xa iileta zihanjiswa ngesandla, nceda uqinisekise ukuba iileta zifakwe isitampu kwaye ziyasayinwa e-DRDAR njengobungqina bokungeniswa kunye nomhla wazo.

## 7. INKQUBO YOKUFAKA ISICELO

### **7.1 Ungasenza njani isicelo sokufikelela kwirekhodi?**

- Umfaki-sicelo kufuneka agcwalise ngokufanelekileyo **iFomu 2** neqhotyoshelwe **njengesihlomelo A** aze ayingenise kwiSekela Gosa loLwazi (i-DIO) kwidilesi ebhalwe kwiphepha lesi-9 elingentla, ukwenzela ukuba impendulo ithunyelwe kumfaki-sicelo.
- ISekela Gosa loLwazi kufuneka lincedise umfaki-sicelo, ukuba umfaki-sicelo ufuna uncedo ngenkqubo okanye ngokugcwalisa ifomu, kubandakanywa nabafaki-sicelo abangafundanga okanye abakhubazekileyo.
- Umfaki-sicelo kufuneka anikeze ngeenkukacha ezaneleyo zolwazi olucelwayo kwifomu yesicelo ukuze iSekela Gosa loLwazi likwazi ukuchonga ulwazi okanye iirekhodi ezo kunye nomfaki-sicelo.
- Umfaki-sicelo kufuneka kwakhona abonise ukuba uyayifuna na ikopi yerekhodi okanye ukuba ufuna ukuza kwaye aphonononge irekhodi kwii-ofisi zeziko likarhulumente. Nangenye indlela, ukuba irekhodi ayilophepha ngoko ke inokujongwa ngendlela ecelwe ngayo, apho kunokwenzeka.
- Ukuba umfaki-sicelo ucela ukufikelela ngendlela ethile (umzekelo: ibe yikopi eliphepha, ikopi e-elektroniki, njl.njl.) ngoko ke umfaki-sicelo kufuneka afumane ukufikelela ngaloo ndlela acele ngayo. Oku kungenziwa, ngaphandle kokuba ukwenza njalo kuya kuphazamisa ngokungekho ngqiqweni ukuqhutywa kweziko likarhulumente elichaphazelekayo, okanye konakalise irekhodi, okanye kwaphulwe ilungelo lokushicilela nangenalo urhulumente. Ukuba ngenxa yezizathu ezikhoyo ukufikelela akunakwenziwa ngendlela ekucelwe ngayo kodwa kunokwenziwa ngenye indlela, ngoko ke intlawulo kufuneka ibalwe ngokwendlela umfaki-sicelo acele ngayo kuqala.
- Ukuba, ukongeza kwimpendulo ebhaliweyo kwisicelo sabo serekhodi, umfaki-sicelo ufuna ukuxelelwa ngesigqibo nangayiphi na enye indlela, umz. ngomnxeba, oku kufuneka kuboniswe.
- Ukuba umfaki-sicelo ucela ulwazi egameni lomnye umntu, amandla kunye nobungqina begunya elo apho kwenziwe khona isicelo kufuneka buboniswe, kwaye bunikezwe ngendlela efanelekileyo ngokubhaliweyo.
- Umfaki-sicelo kufuneka abonise ukuba unqwenela ukwaziswa na ngesigqibo sesicelo ngendlela ethile kwaye kufuneka anikeze ngeenkukacha.

- Isicelo masingabi seseerekhodi ezixhomekeke kwizizathu zokwaliwa njengoko kuchaziwe phantsi kweSahluko sesi-4 se-PAIA.
- ISekela Gosa loLwazi kufuneka lenze isigqibo kwiintsuku ezingama-30 emva kokufumana isicelo kwaye lazise umfaki-sicelo ngesigqibo.
- ISekela Gosa loLwazi linokwandisa ixesha leentsuku ezingama-30 kube kanye kangangeentsuku ezingama-30 ezongezelweyo. ISebe kufuneka lazise umfaki-sicelo ngolwandiso olunjalo kunye nezizathu zako.

#### **7.1.1 Iziqhuboshelo ezifunekayo:**

Umfaki-sicelo kufuneka anikwe ukufikelela kwiirekhodi ze-DRDAR ukuba eso sicelo sihambelana **nazo zonke iimfuno zenkqubo**, ukuba nje ukufikelela kwelo rekhodi akwaliwa nangaziphi na izizathu njengoko kuchaziwe kwiSahluko sesi-4 se-PAIA .

#### **7.1.2 Ifomu 2 egcwalisiweyo (Isihlomelo A).**

7.1.3 Ukuba isicelo senziwe egameni lomnye umntu okanye lequmrhu, ngoko ke ubungqina bamandla apho umfaki-sicelo enza eso sicelo, mabuqhotyoshelwe kwiFomu 2.

7.1.4 Ikopi eqinisekisiweyo yesazisi yomfaki-sicelo.

7.1.5 Ubungqina bokuhlululwa kwemirhumo efunekayo.

### **7.2Imirhumo ehlawulelwa isicelo kunye nesaziso sesigqibo malunga nokufikelela.**

- Wonke umfaki-sicelo ongenguye umfaki-sicelo buqu kufuneka ahlawule umrhumo wesicelo oli-R100 (okanye njengoko unokutshintshwa amaxesha ngamaxesha ngesaziso esibhaliweyo) ngokubhekiselele kwisicelo ngasinye sokufikelela kulwazi okanye kwisibheni sangaphakathi esingeniswe kwiSekela Gosa loLwazi.
- ISekela Gosa loLwazi kufuneka lazise umfaki-sicelo (ngaphandle komfaki-sicelo buqu) ngesaziso, afune ukuba umfaki-sicelo ahlawule umrhumo wesicelo omiselweyo (ukuba ukhona) phambi kokuqhubela phambili nesicelo.
- Umfaki-sicelo unokufaka isibheni sangaphakathi, apho kufanelekileyo, okanye isicelo enkundleni yamatyala ngokuchasene nethenda okanye nentlawulo yomrhumo.

- Emva kokuba uSekela Gosa woLwazi enze isigqibo ngesicelo, umfaki-sicelo kufuneka aziswe ngeso sigqibo ngendlela umfaki-sicelo awayecele ukwaziswa ngayo.
- Ukuba isicelo sivunyiwe, ngoko ke intlawulo engakumbi yokufikelela kufuneka ihlawulwe ngokuveliswa kwakhona, ngokukhangela kunye nangokulungiselela nalo naliphi na ixesha elifunekayo elingaphezu kweeyure ezimiselweyo zokukhangela kunye nokulungiselela irekhodi ukuze ichazwe.
- Ukufikelela kwirekhodi kuya kugcinwa de yonke imirhumo efanelekileyo ihlawulwe.

### **7.3 Ukuvunywa okanye ukwaliwa kwesicelo**

Umfaki-sicelo kufuneka anikwe ithuba lokufikelela kwirekhodi leziko likarhulumente ukuba umfaki-sicelo uhambelana noku kulandelayo:

- Umfaki-sicelo uthobela zonke iimfuno zenkqubo ezikuMthetho onxulumene nesicelo sokufikelela kwelo rekhodi; kwaye
- Ukufikelela kwelo rekhodi akwaliwa ngazo naziphi na izizathu zokwala ezikhankanywe kuMthetho.

### **7.4 Izicelo ezenziwa ngomnxeba**

Izicelo ezenziwa ngomnxeba zivumelekile ngokwalo Mthetho. Umfaki-sicelo, ongakwaziyo ukufunda okanye ukubhala okanye okhubazekileyo, unokwenza isicelo esinjalo kwiSekela Gosa loLwazi kwinombolo yomnxeba ebhalwe kule ncwadana. USekela Gosa woLwazi uya kuyigcwalisa le fomu egameni lomfaki-sicelo onjalo kwaye anike umfaki-sicelo loo fomu ayigcwalisileyo.

### **7.5 Irekhodi ezingenakufunyanwa okanye ezingekhoyo**

Ukuba onke amanyathelo afanelekileyo athatyathiwe ukufumana irekhodi eliceliweyo kwaye kukho izizathu ezifanelekileyo zokukholelwa ukuba irekhodi lisezandleni ze-DRDAR kodwa lilahlekile okanye lonakele okanye alisekho, ngoko ke uSekela Gosa woLwazi kufuneka ngendlela yengxelo efungelweyo axelele umfaki-sicelo ukuba ukufikelela kwelo rekhodi akunakwenzeka.

Ingxelo efunelweyo kufuneka inike ingxelo epheleleyo yawo onke amanyathelo athatyathiweyo ukufumana irekhodi ekuthethwa ngalo okanye ukufumanisa ukuba ngaba irekhodi ikhona na, kuquka nokunxibelelana nomntu ngamnye othathe inxaxheba ekukhangeleni egameni leSekela Gosa loLwazi.

## **7.6Ukulahlwa kweRekhodi**

ISekela Gosa loLwazi linelungelo lokulahlwa ngokusemthethweni iirekhodi ezithile ngokwamagunya afunyenwe kwii-Archives and Records.

Igunya lokulahlwa: Eli ligunya elibhaliweyo elikhutshwe yi-Archivist yePhondo elichaza ukuba zeziphi iirekhodi ekufuneka zidluliselwe kwindawo yokugcina okanye elicacisa ukuba zeziphi iirekhodi ekufuneka zitshatyalaliswe/zicinywe okanye zilahlwe ngenye indlela.

Abafaki-zicelo baya kucetyiswa ukuba ngaba irekhodi elithile lilahliwe na xa oku kungena kwiirekhodi eziceliweyo.

Ngokokuhambelana necandelo lama-24(1) le-POPIA, iSekela Gosa loLwazi linokuthi, xa lifumene isicelo esivela kumntu wedatha –

lilungise okanye licime iinkcukacha zobuqu ezimalunga nomntu kwidatha ekuyo okanye ephantsi kolawulo lwayo engachanekanga, engafanelekanga, ephelelweyo, engaphelelanga, elahlekisayo okanye efunyenwe ngokungekho semthethweni; okanye litshabalalise okanye licime irekhodi leenkcukacha zobuqu ezimalunga nomntu wedatha ukuba uMlawuli akasagunyaziswanga ukuba azigcine ngokwecandelo le-14 le-POPIA.

## **8. IZILUNGISO EZIKHOYO NGOKUBHEKISELELE KWIZENZO**

### **8.1. Isibhenno sangaphakathi**

8.1.1. Apho umfaki-sicelo enganelisekanga sisiphumo sesicelo sokufikelela kulwazi, umfaki-sicelo angafaka isibhenno sangaphakathi ngokuchasene nesigqibo sikaSekela Gosa woLwazi ngokuthi agcwalise kwaye angenise

**iFomu 4 (isiHlomelo D)** zingaphelanga iintsuku ezingama-60 kuSekela Gosa woLwazi.

8.1.2. Isibheni sangaphakathi singafakwa ngokuchasene naziphi na ezi zigqibo zilandelayo zikaSekela Gosa woLwazi:

8.1.2.1. Ukwala isicelo sokufikelela;

8.1.2.2. Imirhumo ebizwayo;

8.1.2.3. Ukwandiswa kwexesha lokujongana nesicelo; kunye

8.1.2.4. Ukufikelela ngendlela ethile.

8.1.3. Umfaki-sicelo makahlawule umrhumo wesibheni sangaphakathi omiselweyo (apho ufunekayo) xa efaka isibheni. Isigqibo kwisibheni sangaphakathi sinokuthi, nangona kunjalo, sihlehliswe de umrhumo uhlawulwe.

8.1.4. Ngokukhawuleza kangangoko kunokwenzeka, kodwa kwiintsuku ezili-10 zokusebenza emva kokufumana isibheni sangaphakathi, iSekela Gosa loLwazi malingenise isibheni sangaphakathi kwiLungu leBhunga leSigqeba eliLawulayo (MEC) lesebe.

8.1.5. U-MEC makenze isigqibo ngesibheni sangaphakathi kwiintsuku ezingama-30 emva kokuba isibheni sangaphakathi sisiwe kwiSekela Gosa loLwazi.

## **8.2. Isikhalazo kuMlawuli woLwazi**

Umfaki-sicelo angafaka isikhalazo kuMlawuli woLwazi ngokuthi agcwalise ngokufanelekileyo kwaye angenise **iFomu 5 (isiHlomelo E)**, kodwa akwenze oko kuphela emva kokuba elandele zonke iinqubo zesibheni zangaphakathi ngokuchasene nesigqibo seSekela Gosa loLwazi lwe-DRDAR.



### 8.3. Ukuya kwinkundla yamatyala

Nangona i-DRDAR icebisa ukuba abafaki-zicelo bazame ukusombulula iingxabano malunga nokufikelela kulwazi ngaphandle kokuya kwiinkundla zamatyala, umfaki-sicelo unokuthi, ukuba usakhathazekile, aye enkundleni yamatyala emva kwenkqubo yesibheno yangaphakathi.

## 9. ISIKHOKELO SOMLAWULI WOLWAZI

- 9.1. Umlawuli, ngokwecandelo 10(1) le-PAIA, njengoko silungisiwe, uye wahlaziya kwaye wenza ukuba sifumaneke isikhokelo esihlaziyiweyo esimalunga nendlela yokusebenzisa i-PAIA (Isikhokelo, njengoko saqulunqwa ekuqaleni yi-SAHRC).
- 9.2. Injongo yeSikhokelo esikhankanywe ngasentla kukubonelela ngolwazi oludingekayo kuye nawuphi na umntu onqwenela ukusebenzisa naliphi na ilungelo elichazwe kwi-PAIA kunye nakwi-POPIA.
- 9.3. Esi Sikhokelo siya kunceda ngokukodwa umntu, okwabizwa ngokuba ngumntu wedatha, malunga nendlela yokufikelela kwiinkcukacha zakhe zobuqu ngokwecandelo lama-23 le-POPIA.

Isikhokelo esikhankanywe ngasentla siqulethe inkcazo

- 9.3.1. ngezinto ze-PAIA kunye neze-POPIA;
- 9.3.2. idilesi yeposi kunye nesitalato, inombolo yefowuni kunye nefeksi kwaye, ukuba ikhona,
- 9.3.3. I-imeyile yeGosa loLwazi yawo onke amaziko karhulumente, kunye
- 9.3.4. nendlela kunye nefomu yesicelo sokufikelela kwirekhodi le-DRDAR echazwe kwicandelo le-11 le-PAIA;
- 9.3.5. uncedo olukhoyo oluvela kwi-IO ye-DRDAR ngokwe-PAIA kunye nangokwe-POPIA;
- 9.3.6. uncedo olukhoyo oluvela kuMlawuli ngokwe-PAIA kunye nangokwe-POPIA;
- 9.3.7. onke amancedo akhoyo kumthetho malunga nokwenza okanye nokungaphumeleli ukwenza ngokubhekiselele kwilungelo okanye kumsebenzi onikezwe okanye obekwe yi-PAIA kunye ne-POPIA, kuquka nendlela yokufaka
  - a) isibheno sangaphakathi;
  - b) isikhalazo kuMlawuli;
  - c) isicelo enkundleni ngokuchasene nesigqibo esenziwe liGosa loLwazi

d) Igosa leziko likarhulumente, isigqibo malunga nesibheno sangaphakathi okanye isigqibo esenziwe nguMlawuli okanye isigqibo sentloko leziko labucala.

9.3.8. Isikhokelo siyafumaneka kwiwebhusayithi ye-DRDAR ku-  
[www.drdar.gov.za/documents/policy/paia\\_guide\\_or\\_inforegulator.org.za](http://www.drdar.gov.za/documents/policy/paia_guide_or_inforegulator.org.za)

9.3.9. Amalungu oluntu anokuhlola okanye enze iikopi zeSikhokelo kwi-Ofisi eyiNtloko kunye nakuyo nayiphi na i-ofisi yeNgingqi ye-DRDAR.

## 10. IIREKHODI EZIGCINWE YI-DRDAR

Ngeenjongo zokuququzelela isicelo ngokwemiqathango yoMthetho, imixholo apho i-DRDAR ibambe iirekhodi kunye neendidi zeerekhodi ezigcinwe kumxholo ngamnye zezi zilandelayo:

### **Iofisi ka-MEC**

- Iirekhodi kwimiyalelo yezopolitiko enikezwe ngohlobo lweNtetho yoMgaqo-nkqubo

### **Isigqeba esiPhezulu kuLawulo**

- Iirekhodi malunga nemigaqo-nkqubo kunye nezinto eziphambili eziye zaguqulelwa zabazizitratheji

### **Iinkonzo ze-Corporate**

- Iirekhodi kuLawulo lwaBasebenzi, ulawulo lwesicwangciso-qhinga, iirekhodi zokuSebenza kweSebe umz. iMemorandum, iMizuzu yeSetyhula, amaXwebhu Gabalala kunye noLwazi ngeTekhnoloji

### **Ulawulo lwezemali**

- Iirekhodi malunga nokucwangciswa kwemali & nolawulo, ukubalwa kwemali, ulawulo lwee-asethi kunye nolawulo lokuthobela umngcipheko

### **Iinkonzo zoNxibelelwano**

- Iirekhodi kwiinkcukacha zentengiso zesebe

### **Iinkonzo zobunjineli**

- Iirekhodi malunga nezatifikethi ezikhutshwe kwiziseko zezolimo

### **Unakekelo loMhlaba**

- lirekhodi malunga nokuphunyezwa kweprojekthi zokunakekelwa komhlaba ukwenzela ukuphucula ulawulo oluzinzileyo lwezibonelelo zendalo - amaphulo okwazisa naqhutywa malunga nokunakekelwa komhlaba

### **Ulawulo lokusetyenziswa komhlaba**

- lirekhodi malunga nezicwangciso zokusetyenziswa komhlaba kunye nokungenelela kwiintlekele

### **Ukuhlala kwabalimi kunye noPhuhliso**

- lirekhodi ezinikezelweyo ngeziseko zezolimo ezifanelekileyo

### **Iinkonzo zoLwandiso kunye nezeNgcebiso**

- lirekhodi malunga neenkonzo zokwandiswa kunye neengcebiso ezinikezwa kumafama

### **Ukhuseleko loKutya**

- lirekhodi malunga nokungenelela kukhuseleko lokutya

### **Iinkonzo zezilwanyana**

- lirekhodi kwiingcebiso zobugcisa, inxaso kunye nokungenelela kuphuhliso lwemfuyo

### **Iinkonzo zoPhando kunye noPhuhliso lweTekhnoloji**

- lirekhodi kuphando lwetekhnoloji yezolimo

### **Ezoqoqosho kweZolimo**

- lirekhodi malunga namaqumrhu asebenzisanayo kwezolimo amiselweyo kunye nenkxaso enikeziweyo

### **Ezoqoqosho kwinqanaba elincinci kunye neeNkcukacha-manani**

- lirekhodi malunga nenkxaso enikezwe kuphuhliso lwezicwangciso zoshishino kunye nokufikelela kwiimarike

### **Imfundo kunye noQeqesho kwezoLimo eCwangcisiweyo**

- lirekhodi malunga nemfundo yezolimo kunye nenkxaso yoqeqesho enikwa amafama kunye nabanye abachaphazelekayo

### **Uphuhliso lwaseMaphandleni**

- lirekhodi malunga nokungenelela kuphuhliso kwasemaphandleni

Kwiwebhusayithi ye-DRDAR, [www.drdar.gov.za](http://www.drdar.gov.za), iirekhodi ziyafumaneka ukuze zijongwe okanye zidawunlowdwe ngaphandle kwesidingo sokuba umntu enze isicelo ngokoMthetho okhankanyileyo.

## 11. IIREKHODI ZE-DRDAR EZIFUMANEKA NGAPHANDLE KOKUBA UMNTU AFAKE ISICELO SOKUFIKELELA

Iirekhodi ezikwiwebhusayithi yePhondo leMpuma Koloni <https://www.ecprov.gov.za> ziyafumaneka ukuze zijongwe okanye zidawunlowdwe ngaphandle kwesidingo sokuba umntu enze isicelo ngokoMthetho okhankanyileyo.

Udidi	Uhlobo Loxwebhu	Iyafumaneka kwiWebhusayithi	Ifumaneka ngesicelo
Iindaba	- Iincwadi zeendaba kunye neengxelo	X	
Ulwazi ngokubanzi	- Iprofayile ka-MEC - Iprofayile ka-HOD - Ulwazi malunga neeprojekthi zeSebe - Isigunyaziso - Izithili kwiPhondo leMpuma Koloni	X	
Amajelo eendaba	- Iingxelo zeMidiya - Iifoto - Upapasho - Iintetho - Iividiyo	X	
Ukuthengwa kwempahla	- Amaxwebhu ebhidi - Iifomu	X	X
Umthombo woLwazi	- Iingxelo - Izicwangciso - Iifomu - Imigaqo-nkqubo	X	
Imisebenzi	- I-Internship kunye noQeqesho - Ilibhasari - Izithuba	X	

## 12.UKUJONGWA KWEENKCUKACHA ZOBUQU

### 12.1. Injongo yokuJongwa

I-DRDAR isebenzisa iinkcukacha zoBuqu eziphantsi konakekelo lwazo, ngokuhambelana nemimiselo ngezi ndlela zilandelayo:

- Ukujongwa kwereferensi kunye nokuhlolwa kwababoneleli beenkonzo kunye nabasebenzi abanokubakho.
- Ulawulo lwezivumelwano.
- Ukunikezela ngeenkonzo kubaxhamli bayo.
- Ukufumanisa kunye nokuthintela ubuqhetseba, ulwaphulo-mthetho, ukusetyenziswa kwemali ngokungekho semthethweni kunye nokunye ukungasebenzi kakuhle.
- Ukwenza uphando lweemarike okanye ukwaneliseka kwabathengi.
- Ulawulo lwabasebenzi.
- Ukugcinwa kwee-akhawunti kunye neerekhodi.
- Ukuthobela iimfuno zomthetho kunye nezolawulo.

### 12.2. Iindidi zeDatha yoMntu kunye neeNkcukacha zabo zoBuqu

Igama elithi idatha yoMntu libhekisa kumntu apho iinkcukacha zobuqu zinxulumene naye, oko kukuthi ababoneleli ngeenkonzo, abasebenzi, kunye nabalimi / abaxhamli, abasebenzi abanokubakho, zinokuba kwiirekhodi ezigcinwe yi-DRDAR:

Udidi lweDatha yoMntu	Iinkcukacha zoBuqu Ezijongwayo
Amafama: Umntu Wendalo	Amagama; iinkcukacha zoqhagamshelwano; iidilesi yendawo kunye neyeposi; umhla wokuzalwa; Inombolo ye-ID; ubuzwe; isini; imbalelwano eyimfihlo,
Amaqumrhu	Amagama abantu ekuqhagamshelwana nabo; igama lequmrhu elisemthethweni; idilesi yendawo kunye neyeposi kunye neenkcukacha zoqhagamshelwano; iinkcukacha ngezemali; inombolo yobhaliso;

	amaxwebhu okusekwa; iinkcukacha ezinxulumene nerhafu; abatyikityi abagunyazisiweyo; abaxhamli; abanini abaxhamla ekugqibeleni; iinkcukacha zezabelo; iinkcukacha ze-BBBEE
Ababoneleli Abanesivumelwano Beenkonzo	Amagama abantu ekuqhagamshelwana nabo; igama lequmrhu elisemthethweni; idilesi yendawo kunye neyeposi kunye neenkukacha zoqhagamshelwano; iinkcukacha ngezemali; inombolo yobhaliso; amaxwebhu okusekwa; iinkcukacha ezinxulumene nerhafu; abatyikityi abagunyazisiweyo; abaxhamli; abanini abaxhamla ekugqibeleni; iinkcukacha zezabelo; iinkcukacha ze-BBBEE
Abasebenzi	Isini; ukukhulelwa; ubume bomtshato; uhlanga; iminyaka yobudala; ulwimi; iinkcukacha ngezemfundo; iinkcukacha ngezemali; imbali yengqesho; inombolo ye-ID; idilesi yendawo kunye neyeposi; iinkcukacha zoqhagamshelwano; izimvo; ingxelo yolwaphulo-mthetho; intlalo-ntle, abaxhamli/ abaxhomekeke kubo.
Abafaki-sicelo/Abasebenzi abanokubakho	Isini; ubume bomtshato; uhlanga; iminyaka yobudala; ulwimi; iinkcukacha ngezemfundo; imbali yengqesho; inombolo ye-ID; idilesi yendawo kunye neyeposi; iinkcukacha zoqhagamshelwano; izimvo; ingxelo yolwaphulo-mthetho; intlalo-ntle.

### 12.3. Iindidi zabamkeli bokuJonga iiNkcukacha zoMntu

I-DRDAR inokwabelana ngeenkukacha zoMntu nabathathi-nxaxheba bayo kunye nemibutho esebenza nayo, abanokuzisebenzisa ukungenisa iDatha yoMntu kunye neenkukacha zeenkonzelo. I-DRDAR inokuchaza iinkcukacha zomntu kuye nabani na ethe yamgunyazisa okanye yadlulisela nawaphi na amalungelo okanye izibophelelo zayo kuye phantsi kwawo nawaphi na amalungiselelo/isivumelwano, kunye nakubaboneleli beenkonzo abanikeza ngezi nkonzelo zilandelayo:

- Ukuqokelela kunye nokuququzelela idatha;
- Ukugcina idatha;
- Ukuthumela ii-imeyile kunye nezinye imbalelwano kubathengi;

- Ukujonga izinto ezifanelekileyo umz. i-vetting, ukuhlolwa kwangaphambili kweziqinisekiso zemfundo;
- Ulawulo lweMedikhali Eyidi kunye nezoMhlala-phantsi.
- Ulawulo leenkukacha zerhafu.
- Amatyala aya enkundleni.

#### 12.4. Ukudluliswa kweNkcukacha zoMntu ziye kwamanye amaZwe

linkukacha zoMntu azinokuthunyelwa okanye zigcinwe kwelinye ilizwe kubathathi-nxaxheba abagunyazisiweyo be-DRDAR kunye nakubathengisi abakwamanye amazwe, ngaphandle kokuba oko kuhambelana neSahluko 9 soMthetho i-POPI (2013).

#### 12.5. Amanyathelo okuKhuselwa kweNkcukacha

Ukuqinisekisa ukufihlwa, ukuthembeka, kunye nokufumaneka kweenkcukacha zomntu eziphantsi kolawulo lwayo, i-DRDAR isebenzisa itekhnoloji ephambili. Amanyathelo okukhuselwa kweenkcukacha aquka:

- I-Firewalls
- Isofthiwe yokukhusela i-virus kunye ne-spyware kwaye kuhlaziywe iiprothokholi
- Ulawulo lokufikelela ngokomzimba kwaye olunengqiqo;
- Ababoneleli beeNkonzo abangaphandle abajonga iiNkcukacha zoMntu egameni le-DRDAR banesivumelwano sokuphumeza ulawulo lwezokhuselako;
- Amanyathelo okubuyisela intlekele.

### 13. UKUFUMANEKA KWENCWADANA

Le Ncwadana iza kufumaneka kungekudala ngezi lwimi zisemthethweni zintathu zilandelayo, oko kukuthi isiNgesi, isiXhosa kunye nesiBhulu. Inguqulelo yesiXhosa kunye neyesiBhulu yale ncwadana zisenziwa kwaye kulindeleke ukuba zifumaneke ngoSeptemba 2024, xa iya kupapashwa kwiwebhusayithi ye-DRDAR.

Ihlelo lesiNgesi lale Ncwadana liyafumaneka ngokukhawuleza kwiwebhusayithi ye-DRDAR ku- [www.drdar.gov.za](http://www.drdar.gov.za).

## 14. UKUHLAZIYWA KWENCWADANA

I-DRDAR iya kuthi, ukuba kuyimfuneko, ihlaziye kwaye ipapashe le Ncwadana qho ngonyaka.

Ikhutshwe ngu:



**MR B. DAYIMANI**

**IBAMBELA LENTLOKO YESEBE  
DRDAR**

28 JUNE 2024

**UMHLA**



# 15. APPENDIX

## 15.1. APPENDIX A – FORM 2

Province of the Eastern Cape

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**DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM**



Private Bag X0040, BISHO, 5605

**SOUTH AFRICA**

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**REQUEST FOR ACCESS TO RECORD**

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**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

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(Address)

E-mail address:

Fax

number:

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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:
	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:
	Cellular:		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<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>			
Description of record or relevant part of the record:			
Reference number, if available:			
Any further particulars of record:			


**TYPE OF RECORD**  
*(Mark the applicable box with an "X")*

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**  
*(Mark the applicable box with an "X")*

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**  
*(Mark the applicable box with an "X")*

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:	

<b>FEES</b>	
<p><i>a) A request fee must be paid before the request will be considered.</i></p> <p><i>b) You will be notified of the amount of the access fee to be paid.</i></p> <p><i>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.</i></p> <p><i>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</i></p>	
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

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### DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

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### OUTCOME OF REQUEST AND OF FEES PAYABLE

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#### 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
Postage, e-mail or any other electronic transfer:
<b>TOTAL:</b>

**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:	
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) 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:	
	(i) Flash drive (to be provided by requester)	R40.00
	(ii) 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.	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**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
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) (iv) Compact disc <ul style="list-style-type: none"> <li>• If provided by requester</li> <li>• If provided to the requester</li> </ul>	R40.00  R40.00 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) (vi) Compact disc <ul style="list-style-type: none"> <li>• If provided by requester</li> <li>• If provided to the requester</li> </ul>	R40.00  R40.00 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

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### DEPARTMENT OF RURAL DEVELOPMENT & AGRARIAN REFORM



Private Bag X0040, BISHO, 5605

SOUTH AFRICA

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#### LODGING OF COMPLAINT

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#### APPENDIX E – COMPLAINT

##### FORM 5 LODGING OF COMPLAINT

[Regulation 10.]

**Note:**

1. *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/>.*
2. *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.*
3. *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.*
4. *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.*
5. *The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.*
6. *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.*
7. *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](mailto:inforeg@justice.gov.za)  
 Tel number: +27 (0) 10 023 5200

<b>CAPACITY OF PERSON/PARTY LODGING A COMPLAINT</b>
(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**

*(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)*

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**  
*(Please attach letter of authorisation)*

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 (If any):			
<b>PART E COMPLAINT</b>			
<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 complaint is against a private body:			
Have you attempted to resolve the matter with the organisation?	Yes	<input type="checkbox"/>	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	<input type="checkbox"/>	No
If yes, when did you lodge an appeal?			
Have you applied to Court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.			
<b>PART F DETAILED TYPE OF ACCESS TO RECORDS</b>			
<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):		
<b>PART G EXPECTED OUTCOME</b>		
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