



employment & labour

Department:
Employment and Labour
REPUBLIC OF SOUTH AFRICA

PROMOTION OF ACCESS TO INFORMATION MANUAL

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

2019



TABLE OF CONTENTS

	Page No
SECTION 1 INTRODUCTION	3
SECTION 2 DEFINITIONS	4
SECTION 3 CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER	6
SECTION 4 SECTION 4: THE ROLE OF SAHRC	7
SECTION 5 SECTION 5: ORGANISATIONAL STRUCTURE (TOP LEADERSHIP)	8
SECTION 6 MANDATE	9
SECTION 8 STRUCTURE AND FUNCTIONS OF THE DEPARTMENT	11
SECTION 9 PROGRAMS OF THE DEPARTMENT	12
SECTION 10 STATUTORY BODIES THAT REPORT TO THE MINISTER OF EMPLOYMENT AND LABOUR	21
SECTION 11 ENTITIES OF THE DEPARTMENT	25
SECTION 12 RECORDS IN THE POSSESSION OF THE DEPARTMENT	26
SECTION 13 REQUEST PROCEDURE	38
SECTION 14 NATURE OF SERVICES PROVIDED BY THE DEPARTMENT	43
SECTION 15 ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATING POLICY AND EXERCISE OF POWER	43
SECTION 16 REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH [s 14(1)H]	43
SECTION 17 UPDATING THE MANUAL [Section 14(2)]	45
SECTION 18 AVAILABILITY OF THE MANUAL [Section 14(3)]	45
SECTION 19 PRESCRIBED FEES FOR PUBLIC BODIES	46
FORMS	48

SECTION 1: INTRODUCTION

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

The Manual is to serve as a guide on how members of the public can access the information that is being kept in the records of the Department of Employment and Labour. The Manual gives effect to the right of access to information as contained in the Constitution of the Republic of South Africa, 1996 (No. 108 of 1996) (The Constitution) and the Promotion of Access to Information Act, 2000 (No. 2 of 2000) (PAIA). This provides for the right of access to information held by the State or other public bodies by members of the public. The Manual also prescribes the manner in which the information must be accessed. Set out below is the procedure with regard to the lodging of a request for access to the Department of Employment and Labour's information.

The Manual also contains information of the designated Information Officer and Deputy Information Officer who are responsible for handling all the requests for access to information. Lastly the manual indicates the name of all Programmes within the Department of Employment and Labour, its core functions and a list of all records kept by the Department of Employment and Labour.

SECTION 2: DEFINITIONS

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

“**BAS**” means Basic Accounting Systems;

“**BCEA**” means Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997) as amended;

“**CCMA**” means The Commission for Conciliation, Mediation and Arbitration;

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

“**CF**” means Compensation Fund;

“**CF Board**” means the Compensation Fund Board;

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

“**COIDA**” means the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993) as amended;

“**DG**” means Director-General of the Department of Employment and Labour;

“**Department**” means the Department of Employment and Labour;

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

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

“**HRD**” means Human Resource Development;

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

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

“**LRA**” means the Labour Relations Act, 1995 (Act No. 66 of 1995) as amended;

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

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

“NMWA” means the National Minimum Wage Act, 2018 (Act No. 9 of 2018);

“NEDLAC” means The National Economic Development and the Labour Council;

“NPI” means National Productivity Institute;

“NASA” means National Archives of South Africa;

“NASA Act” means the National Archives and Records of South Africa Act, 1996
(Act No.43 of 1996);

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

“The Manual” means this Manual together with all the annexures hereto; and which is available at the Department of Employment and Labour;

“The Minister” means the Minister of Employment and Labour;

“OHSA” means Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

“PES” means Public Employment Services;

“PFMA” means the Public Finance Management Act, 1999 (Act No. 1 of 1999) as amended;

“Programmes” means the structure of the Department comprising of four independent branches;

“Records” means the records as defined in terms of section 1 of the Act;

“SAHRC” means the South African Human Rights Commission;

“SAPS” means the South African Police Services;

“SARS” means South African Revenue Services;

“SDA” means Skills Development Act, 1998 (Act No. 97 of 1998) as amended;

“SLA” means Service Level Agreement;

“**SOP**” means Standard Operating Procedure;

“**SSA**” means State Security Agency;

“**UI Board**” means The Unemployment Insurance Board;

“**UIA**” means Unemployment Insurance Act, 2001 (Act No. 63 of 2001) as amended;

“**UIF**” means The Unemployment Insurance Fund.

SECTION 3: CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

INFORMATION OFFICER

Full Names : Thobile Lamati
Designation : Director-General
Postal Address : Private Bag X117,
Pretoria, 0001
Telephone No. : 012 309 4126
Fax No. : 012 309 4625
E-mail Address : Thobile.Lamati@labour.gov.za

Description of the Functions

To provide strategic leadership to the Department and to ensure a transparent, accountable, professional and efficient client service.

Provides administrative oversight for effective implementation of the Department’s mandate and overall accounting oversight.

DEPUTY INFORMATION OFFICER

Full Names : Vimla Singh

Designation : Acting Chief Legal Administration Officer

Postal Address : Private Bag X117,
Pretoria, 0001

Telephone No : 012 309 4611. :
E-mail Address : Vimla.Singh@labour.gov.za

Description of the Functions

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

SECTION 4: THE ROLE OF SAHRC

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

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

PAIA (Promotion of Access to Information Act)
Information and Communications
Braampark Forum 3
33 Hoofd Street
Braamfontein
Johannesburg
2017

Private Bag X2700
Houghton
2041

Telephone : 011 877 3600
Fax : 011 403 0668
e-mail : paia@sahrc.org.za

SECTION 5: ORGANISATIONAL STRUCTURE (TOP LEADERSHIP)

TW NXESI : MP, Minister

BE MOLOI : MP, Deputy Minister

T LAMATI : Director-General

M BRONKHORST : Chief Operations Officer

V SEAFIELD : Deputy Director-General: Labour Policy and Industrial Relations

S MOROTOBA : Deputy Director-General: Public Employment Services

A MOILOA : Deputy Director-General: Inspection and Enforcement Services

B MATEBESI : Deputy Director-General: Corporate Services

V MAFATA : Commissioner: Compensation Fund

T MARUPENG : Commissioner: Unemployment Insurance Fund

BE MADUNA : Chief Financial Officer

SECTION 6: MANDATE

The mandate of the Department is to regulate the labour market through policies and programmes developed in consultation with social partners, which are aimed at:

- Improving economic efficiency and productivity;
- Creation of decent employment;
- Promoting labour standards and fundamental rights at work;
- Providing adequate social safety nets to protect vulnerable workers;
- Promoting sound labour relations;
- Eliminating inequality and discrimination in the workplace;
- Enhancing occupational health and safety awareness and compliance in the workplace;
- Giving value to social dialogue in the formulation of sound and responsive; legislation and policies to attain labour market growth.

VISION

The Department of Employment and Labour strives for a labour market which is conducive to investment, economic growth, employment creation and decent work.

MISSION

Promote employment and regulate the South African labour market for a sustainable economic growth through:

- Appropriate Legislation and Regulations;

- Inspection and Enforcement;
- Protection of Worker Rights;
- Provision of Employment Services;
- Promoting Equity;
- Provision of Social Protection;
- Promote Social Dialogue.

VALUES

We treat employees with care, dignity and respect;

We respect and promote:

- Client centred services
- Accountability
- Integrity and ethical behaviour
- Learning and development;

We live the Batho Pele Principles;

We live the principles of the Service Charter;

We inculcate these values through our performance management system.

STRATEGIC GOALS OF THE DEPARTMENT (2015-2020)

In the medium-term, the Department of Employment and Labour will contribute mainly on the following outcomes:

- Decent employment through inclusive economic growth,
- A skilled and capable workforce to support an inclusive growth path,
- Create a better South Africa, a better Africa and a better World,
- An efficient, effective and development oriented public service,

- Transforming society and uniting the country.

SECTION 7: LEGISLATION ADMINISTERED BY THE DEPARTMENT

- Labour Relations Act, 1995 (Act No. 65 of 1995) as amended;
- Basic Conditions of Employment Act, 1997 (Act No.75 of 1997) as amended;
- Employment Equity Act, 1998 (Act No.55 of 1998) as amended;
- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);
- Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993) as amended;
- Unemployment Insurance Act, 2001 (Act No. 63 of 2001) as amended;
- National Minimum Wage Act, 2018 (Act No. 9 of 2018);
- National Economic Development and Labour Council Act, 1994 (Act No.35 of 1994)
- Employment Services Act, 2014 (Act No. 4 of 2014);
- Section 24 of the Skills Development Act 1998 (Act No. 97 of 1998) as amended.

SECTION 8: STRUCTURE AND FUNCTIONS OF THE DEPARTMENT

The Department is structured to undertake the fulfillment of its mandate as outlined in its mission and vision statement. Its key mandate is to ensure that the South African labour market functions optimally through the process of intensive labour law reform and the creation of appropriate institutions to support

economic growth and job creation, labour market stability and promote social debate.

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

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

SECTION 9: PROGRAMMES OF THE DEPARTMENT

The Department of Employment and Labour consists of the following Programmes:

9.1 PROGRAMME 1 : ADMINISTRATION

This Programme consists of the following Sub-Programmes:

9.1.1 Ministry

PURPOSE:

Provides political oversight to ensure that the Department's mandate is achieved;

MINISTER : TW Nxesi (MP)

DEPUTY MINISTER : BE Moloi (MP)

9.1.2 OFFICE OF THE DIRECTOR-GENERAL

PURPOSE:

Provides strategic leadership, management and support services to the Department.

DIRECTOR GENERAL : T Lamati

Description of Functions

Provides administrative oversight for effective implementation of the mandate and overall accounting oversight.

9.1.3 OFFICE OF THE CHIEF OPERATIONS OFFICER

CHIEF OPERATIONS OFFICER : M Bronkhorst

Description of Functions

Manages and directs medium-term strategic planning processes, performance information reporting, monitoring and evaluation of performance against the Strategic Plan and Service Delivery Improvement Plan. Manages and supports all provincial operations of the Department.

9.1.4 CORPORATE SERVICES

DEPUTY DIRECTOR-GENERAL: B Matebesi

Corporate Services includes the following:

COMMUNICATION

CHIEF COMMUNICATION OFFICER : T Thejane

Description of Functions

Disseminates and improves access to information about the Department.

HUMAN RESOURCE MANAGEMENT

CHIEF DIRECTOR : M Matyila

Description of Functions

Ensures optimum and efficient utilisation and development of Human Capital and to provide an advisory service on matters pertaining to, Organisational Effectiveness & Development, transformation management, individual performance management, Sound Employee Relations, Employee Health & Wellness, as well as effective and efficient recruitment, selection and placement services including research and development of Human Resources policies and practices.

CHIEF INFORMATION OFFICER

CHIEF DIRECTOR : A Maholela

Description of Functions

Caters for the Information and Communications Technology (ICT) needs and requirements of the Department.

LEGAL SERVICES

CHIEF LEGAL ADMINISTRATION OFFICER (Acting) : V Singh

Description of Functions

Provides Legal Support Services to the Department.

INTERNAL AUDIT

DIRECTOR : M Nkuna

Description of Functions

Provides management and the Audit Committee with independent objective assurance with a view of improving effectiveness of governance, risk management and control processes.

RISK MANAGEMENT

DIRECTOR : T Zwane

Description of Functions

Pro-actively manages/addresses risks that have a negative impact on the performance of the Department.

SECURITY SERVICES

DIRECTOR : N Tshetlo

Description of Functions

Renders security support aimed at protecting information, staff and assets of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

CHIEF FINANCIAL OFFICER : BE Maduna

Description of Functions

Renders effective and efficient financial management and administrative support for the Department as well as office accommodation requirements.

9.2 PROGRAMME 2: INSPECTION AND ENFORCEMENT SERVICES (IES)

DEPUTY DIRECTOR-GENERAL : A Moiloa

PURPOSE

Realise decent work by regulating non-employment and employment conditions through inspection and enforcement, to achieve compliance with all labour market policies.

Description of Functions

Provides functional support to line function Sub-programs within the Programme as follows:

OCCUPATIONAL HEALTH AND SAFETY

CHIEF DIRECTOR : T Szana

Description of Functions

Promotes health and safety in the workplace by conducting inspections on compliance with the Occupational Health and Safety Act, 1993 and regulating dangerous activities and the use of plant and machinery.

STATUTORY AND ADVOCACY SERVICES

CHIEF DIRECTOR : F Mncanca

Description of Functions

Gives effect to the legislative enforcement requirement and educate stakeholders on labour legislation.

9.3 PROGRAMME 3: PUBLIC EMPLOYMENT SERVICES

DEPUTY DIRECTOR-GENERAL : S Morotoba

PURPOSE

Provides assistance to companies and workers to adjust to changing labour market conditions, and to regulate private employment agencies.

Description of Functions

The program consists of the following Sub-programs:

9.3.2 EMPLOYER SERVICES

CHIEF DIRECTOR : E Tloane

Description of Functions

Employer Services registers work opportunities, facilitates the employment of foreign nationals where such skills do not exist in South Africa, oversees placements, responds to companies in distress, provides a social plan and regulates private employment agencies.

WORKS-SEEKER SERVICES

CHIEF DIRECTOR : S Govender

Description of Functions

Work Seeker Services registers work seekers, retrenched workers, work and learning opportunities, training and income-generating opportunities on the Employment Services of South Africa system, and facilitates access to employment and income-generating opportunities for the unemployed and underemployed.

Designated Groups Special Services facilitates the transfer of subsidies to designated organizations to promote the employment of people with disabilities, youth, and women, in collaboration with relevant bodies.

SUPPORTED EMPLOYMENT ENTERPRISES

CHIEF EXECUTIVE OFFICER (Acting) : S Morotoba

Description of Functions:

Promote supported employment for persons with long-term physical, mental or sensory impairment disabilities.

9.4 PROGRAMME 4: LABOUR POLICY AND INDUSTRIAL RELATIONS

DEPUTY DIRECTOR-GENERAL : V Seafield

PURPOSE

Facilitates the establishment of an equitable and sound labour relations environment, support institutions that promote social dialogue; promote South Africa's interests in international labour matters, conduct research, analysis and evaluation of labour policy and provide statistical data on the labour market.

Description of Functions

The program consists of the following Sub-programs:

LABOUR RELATIONS

CHIEF DIRECTOR : T Mkalipi

Description of Functions

Collective Bargaining: Manages the implementation of the Labour Relations Act, 1995 through policies and practices that promote sound labour relations by publishing and extending collective agreements; supporting and advancing

participation in collective bargaining structures, and participating in relevant National Economic Development and Labour Council activities.

Strengthen Civil Society: transfers funds to various civil society organisations that protect vulnerable workers by providing resources, support and expertise to improve the independence and self-reliance of workers, in order to contribute to a stable and well-functioning labour market.

Employment Equity: promotes equity in the labour market through the elimination of unfair discrimination and the promotion of equitable representation in the workplace.

Employment Standards: protects vulnerable workers in the labour market by administering the Basic Conditions of Employment Act, 1997.

RESEARCH POLICY AND PLANNING

CHIEF DIRECTOR : **S Molapo**

Description of Functions

Research, Policy and Planning: monitors and evaluates the impact of labour legislation and policies that affect the South African labour market

INTERNATIONAL RELATIONS

CHIEF DIRECTOR : **S Ndebele**

Description of Functions

Contributes to global policy formulation and facilitates compliance with international obligations through multilateral and bilateral relations.

OFFICE OF THE REGISTRAR OF LABOUR RELATIONS

REGISTRAR OF LABOUR RELATIONS : LD Molefe

Description of Functions

Regulates the compliance of registered trade unions and employer's organisations in terms of the powers bestowed to the office in term of section 109 of the Labour Relations Act of 1995 (Act no. 66 of 1995).

SECTION 10: STATUTORY BODIES THAT REPORT TO THE MINISTER OF EMPLOYMENT AND LABOUR

10.1 COMMISSION FOR CONCILIATION MEDIATION AND ARBITRATION (CCMA)

INFORMATION OFFICER : C S Marajane

Postal Address : Private Bag X94 Marshall
Town 2107

Telephone No. : 011 377 6650

Fax No. : 011 834 7351

Description of functions of the Service

The CCMA was established in terms of Section 112 of the Labour Relations Act, 1995 (Act No. 66 of 1995) (LRA) as amended, as a dispute prevention and resolution body.

It is mandated to promote social justice and fairness in the workplace by delivering ethical, qualitative, innovative and cost effective dispute management and resolution services, institution building services, education, training and development, and efficient administration.

10.2 NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL (NEDLAC)

INFORMATION OFFICER (Acting) : T Mkalipi

Postal Address : PO Box 1775, Saxonwold, 2132
Telephone No. : 011 328 4200
Fax No. : 011 447 2089

Description of functions

The NEDLAC Council was established by section 2 of the NEDLAC Act, 1994 (Act No. 35 of 1994) and it strives to:

Promote economic growth, participation in economic decision making and social equity through social dialogue.

10.3 PRODUCTIVITY SOUTH AFRICA

INFORMATION PRACTITIONER : M Mothiba

Postal Address : Private Bag 235, Midrand, 1685
Telephone No. : (011) 848 5386
Fax No. : (011) 848 5555

Description of functions of the Service

Promotes workplace productivity, competitiveness and social plan interventions.

10.4 ADVISORY COUNCIL FOR OCCUPATIONAL HEALTH AND SAFETY

CHAIRPERSON : **T Szana**

Postal Address : Private Bag X117 Pretoria 0001
Telephone No. : 012 309 4377
Fax No. : 012 309 0923

Description of functions of the Service

The Council has been established in terms of section 2 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) (OHS). The Council must advise the Minister with regard to matters of policy arising out of or in connection with the application of the provisions of the OHS and any matter relating to the OHS. The Council with a view to the performance of its functions do such search and conduct such investigations, as it may deem necessary. The functions of this Council are outlined in further detail in section 3 of the OHS Act.

10.5 COMMISSION FOR EMPLOYMENT EQUITY (CEE)

CHAIRPERSON : **T Kabinde**

Postal Address : Private Bag X 117 Pretoria 0001
Telephone No. : 012 309 4040/4041/4034

Description of functions of the Service

The CEE has been established in terms of Section 28 of the Employment Equity Act, 1998 (Act No. 55 of 1998) (“EEA”). The CEE advises the Minister on codes of good practice issued by the Minister; regulations made by the Minister; policy and any other matter concerning the EEA. The CEE monitors compliance by employers to ensure that they eliminate unfair employment discrimination by promoting equal opportunity and fair treatment in order to promote equity in the South African labour market.

10.6 NATIONAL MINIMUM WAGE BOARD

CHAIRPERSON : A Van Der Walt

Address:

10.7 COMPENSATION BOARD (THE BOARD)

CHAIRPERSON : V Mafata

Postal Address : PO Box 955 Pretoria, 0001
Telephone No. : (012) 319 9458
Fax No. : (012) 357 1750

Description of functions of the Service

The Board has been established in terms of section 10 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993)(“COIDA”). The Board must advise the Minister on matters of policy arising out of or in connection with the Application of COIDA; the nature and extent of the benefits that must be payable to employees or dependents of employees, including the adjustment of pensions; the appointment of assessors.

10.8 EMPLOYMENT CONDITIONS COMMISSION (ECC)

CHAIRPERSON : **I Woolard**

Postal Address : Private Bag X 117 Pretoria, 0001
Telephone No. : 012 309 4025
Fax No. : 012 309 4709

Description of functions of the Service

The ECC was established in terms of Section 59 of the Basic Conditions of Employment Act, 1997 (Act No. 77 of 1997) (“BCEA”). The functions of the ECC are to advise the Minister on sectoral determinations; On any matter concerning the BCEA; on the effect of the policies of the government on employment on trends in collective bargaining: to advise the Minister of Welfare and Population Development, on any matter concerning the employment of children and the Minister for Public Service and Administration on any matter concerning the basic conditions of employment in the public service.

10.9 UNEMPLOYMENT INSURANCE BOARD (UI BOARD)

CHAIRPERSON : **T Maruping**

Postal Address : PO Box 1851, Pretoria, 0001
Telephone No. : (012) 337 1880/1410
Fax No. : (012) 337 1946

Description of functions of the Service

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

SECTION 11: ENTITIES OF THE DEPARTMENT

These entities form part of and that reports to the Department.

11.1 UNEMPLOYMENT INSURANCE FUND (UIF)

DEPUTY INFORMATION OFFICER : T MARUPING

Postal Address : PO Box 1851 Pretoria, 0001
Telephone No. : (012) 337 1880
Email : Teboho.Maruping@labour.gov.za

Description of functions of the Service

The Unemployment Insurance Fund (UIF) contributes to the alleviation of poverty in South Africa by providing short-term unemployment insurance to all workers who qualify for unemployment related benefits. .

11.3 COMPENSATION FUND

DEPUTY INFORMATION OFFICER : V Mafata

Postal Address : PO Box 955, Pretoria, 0001
Telephone no. : (012) 319 9458
Email : Vuyo.Mafata@labour.gov.za

Description of functions of the Service

The Compensation Fund's (CF) main objective is to provide compensation for disability, illness and death resulting from occupational injuries and diseases.

This is done through the collection of contributions and payment of medical, compensation and pension benefits

SECTION 12: RECORDS IN THE POSSESSION OF THE DEPARTMENT

This Chapter deals with the provisions of **Section 14(1)(d)** of The Act, which states that the Department must provide details of records in its possession in order to give effect to requests for access to information. Details of the various subjects on which the Department holds records and the categories of records within these subjects are detailed below. Some of these records are automatically available and no request form or fees are required for access to these such records.

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

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

12.2 VOLUNTARY DISCLOSURES

Primary and Secondary Legislation

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

Department of Labour's Primary Legislation

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

- Employment Services Act, 2014
- National Minimum Wage Act, 2018
- NEDLAC Act,
- Section 24 of the Skills Development Act,

Department of Employment and Labour's Secondary Legislation (Regulations and Notices)

(the list below is not exhaustive)

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

Basic Guides

- Basic Conditions of Employment Act, 1997;
- Compensation for Occupational Injuries and Diseases Act, 1993;
- Employment Equity Act, 1998;
- Occupational Health and Safety Act, 1993;
- Unemployment Insurance Act, 2001;
- Labour Relations Act, 1995
- Employment Services Act, 2014;
- National Minimum Wage Act, 2018.

Codes of Good Practice

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

Sectoral Determination

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

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

- Children
- Civil Engineering Sector
- Contract Cleaning
- Domestic Workers
- Farm Workers
- Forestry Sector
- Hospitality Workers
- Learnerships
- Private Security Sector
- Taxi Sector
- Wholesale and Retail Sector

CONVENTIONS, AGREEMENTS AND TREATIES Signatory to Ratified Conventions

- Unemployment Convention, 1919 (No. 2) (Signed in 1924)
- Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19) (Signed in 1926)
- Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) (Signed in 1932)
- Forced Labour Convention , 1930 (No. 29) (Signed in 1997)
- Workmen's Compensation (Occupational Disease) Convention (Revised), 1934 (No. 42) (Signed in 1952)
- Underground Work (Women) Convention, 1935 (No. 45) (Signed in 1936)
- Convention concerning Statistics of Wages and Hours of Work, 1938 (No.63) excluding parts II and IV (Signed in 1939)
- Final Articles Revision Convention, 1946 (No. 80) (Signed in 1947)
- Freedom of Association and Protection of the Right to

- Organise Convention, 1948 (No. 87) (Signed in 1996)
- Night Work (Women) Convention (Revised), 1948 (No. 89) (Signed in 1950)
- Right to Organise and Collective Bargaining Convention 1949 (No. 98) (Signed in 1996)
- Equal Remuneration Convention, 1951 (No. 100) (Signed in 2000)
- Abolition of Forced Labour Convention, 1957 (No.105) (Signed in 1997)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (Signed in 1997)
- Final Articles Convention, 1961 (No. 116) (Signed in 1963)
- Minimum Age Convention, 1973 (No. 138) (Signed in 2000)
- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) (Signed in 2003)
- Occupational Safety and Health Convention, 1981 (No.155) (Signed in 2003)
- Safety and Health in Mines Convention, 1995 (No. 176) (Signed in 2000)
- Worst forms of Child Labour Convention, 1999 (No. 182) (Signed in 2000)
- Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No 27) (Signed in 1933)

OTHER PUBLICATIONS

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

OTHER

- Registration of Electricians Information
- Registration of Government Competency Certificate
- Registration of Divers Information
- Registration of Explosive Companies
- Documents establishing the Rules for the Compensation Tribunal
- Documents establishing the rules for the OHS Enquiries

- Documents establishing the Rules for the Commission for Conciliation Mediation and Arbitration

12.3 MANNER OF ACCESS FOR AUTOMATICALLY AVAILABLE RECORDS

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

These documents are available at: www.labour.gov.za.

- The Promotion of Access to Information Act (Act No. 2 of 2000);
- The Protection of Personal Information Act (Act No. 84 of 1982); and
- The National Archives and Records of South Africa Act, 1996 (No. 42 of 1996) (NASA Act).
- Promotion of Administrative Justice Act of 2000(Act 4 of 2000)

12.3.1 ADMINISTRATION

OFFICE OF THE CHIEF FINANCIAL OFFICER

- Records on fiscal policy of the Department which relates to structures of decision
- financial controls
- debt management policy
- Financial Procedure Manual

- Revenue Recognition
- Subsidized Motor Transport Policy
- Commodity Policy Guidelines
- MTEF guidelines budget
- Supply Chain Management Policies and Tender Documents Regulations
- Asset Management Policy
- Travel and Subsistence Policy
- Disposal Policy

HUMAN RESOURCE MANAGEMENT

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

INTERNAL AUDIT

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

COMMUNICATONS

- Press Releases
- Annual Report
- Leaflets, Newsletters, and Booklets issued by the Department
- Strategic Plan

RISK MANAGEMENT

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

SECURITY

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

12.3.2 INSPECTION AND ENFORCEMENT SERVICES (IES)

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

12.3.3 LABOUR POLICY AND INDUSTRIAL RELATIONS

EMPLOYMENT EQUITY DIRECTORATE

Employment Equity Reports

LABOUR MARKET INFORMATION STATISTICS

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

RESEARCH POLICY AND PLANNING

- Speeches

PUBLIC EMPLOYMENT SERVICES

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

UNEMPLOYMENT INSURANCE FUND

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

COMPENSATION FUND

- Policies and Procedures
- Standard Operating Guide
- Systems Reports

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

DESCRIPTION OF SUBJECTS ON WHICH THE DEPARTMENT HOLDS RECORDS AND CATEGORIES OF RECORDS HELD

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

12.4.1 ADMINISTRATION

FINANCE

- Receipts and various Payments,
- Annual Financial Statements,

- Tender Documents
- Records of Budget
- Expenditure and Projections for the Department
- Asset Registers
- Orders
- Invoices
- Quotations
- Estimates of Income and Revenue
- Data Base of Suppliers
- BAS
- Electronic systems

HUMAN RESOURCE MANAGEMENT

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

LEGAL SERVICES

- Legal Opinions
- Agreements
- Litigation
- Policies
- Regulations
- PAIA requests
- AD Hoc matters

INTERNAL AUDIT

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

COMMUNICATIONS

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

RISK MANAGEMENT

- Anti-fraud and corruption investigation files
- Inspection Reports

SECURITY

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

12.4.2 INSPECTION AND ENFORCEMENT SERVICES

(IES)

- Correspondence with Internal and External Clients (Exemptions, DG/Ministerial Submissions, Memorandum and Letters)

12.4.3 LABOUR POLICY AND INDUSTRIAL RELATIONS

COLLECTIVE BARGAINING CHIEF DIRECTORATE

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

EMPLOYMENT EQUITY DIRECTORATE

- Employment Equity Plans of companies
-

EMPLOYMENT STANDARD DIRECTORATE

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

LABOUR MARKET INFORMATION STATISTICS

- Minister's Briefing Notes.

RESEARCH POLICY AND PLANNING

- Research Monitoring and Evaluation
- Research briefs

12.4.4 PUBLIC EMPLOYMENT SERVICES

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

12.4.5 RECORDS FOR THE UNEMPLOYMENT INSURANCE FUND

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

12.4.6 RECORDS FOR THE COMPENSATION FUND

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

- Budget

SECTION 13: REQUEST PROCEDURE

13.1 TELEPHONIC REQUESTS

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

13.2 VOLUNTARY ACCESS

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

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

13.3 SECTION 14(1)(d) REQUESTS

- A Requester must be given access to a record of the Department if the requester complies with the following:
 - The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and

- Access to that record is not refused on any ground of refusal mentioned in the Act.

Nature of the request

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

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

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

- the request is manifestly frivolous or vexatious;

- the work involved in processing the request would substantially and unreasonably divert the resources of the Department.

13.5 MANDATORY DISCLOSURE IN THE INTEREST OF THE PUBLIC

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

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

13.6 RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

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

13.6.2 The affidavit must give a full account of all steps taken to find the record

in question or to determine whether the record exists, including communicating with every person who conducted the search on behalf of the Information Officer.

13.7 PAYMENT OF FEES IN TERMS OF THE REQUEST

Personal Requester

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

Request Fees

Every other requester, who is not a personal requester, must pay the required request fee:

- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee before further processing the request;
- The request payable to public bodies is R40.00.
- After the information officer has made a decision on the request, the requester must be notified of such a decision in the way in which the requester wanted to be notified in;
- If the request is granted, then a further access fee must be paid for the search, preparation and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

13.8 PAYMENT METHOD

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

DETAILS OF DEPARTMENT'S BANK ACCOUNT:

Bank : First National Bank
Account Holder : Department of Employment and Labour
Account Number ; 62025135577
Branch : 253145

It is important to note the provisions of **section 22(1)** of the Act contemplates that no request may be processed unless a request fee is paid. (See attached fee schedule prescribed by PAIA at the end of the Manual)

SECTION 14: NATURE OF SERVICES PROVIDED BY THE DEPARTMENT

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

SECTION 15: ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATING POLICY AND EXERCISE OF POWER

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

SECTION 16: REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH [s 14(1)H]

REFUSAL OF REQUEST AND INTERNAL APPEALS AGAINST DECISIONS

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

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

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

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

16.2 THE INTERNAL APPEAL PROCEDURE

- .When the requester / third party lodges an appeal, the prescribed appeal Form (Annexure B attached to the end of the Manual), has to be completed and lodged with the Information Office within 60 days.
- The internal appeal must identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant.
- The internal appeal must state the manner and provide the particulars, which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply and specify a postal address or fax number.
- The Information Officer will forward all internal appeals and accompanying documentation to the Deputy Information Officer, who will then forward it to the Relevant Authority, which in this case is the Director General.
- The Information Officer will inform the requester / third party of the outcome of the internal appeal.
- A requester / third party who is dissatisfied with the outcome of the internal appeal may submit an application to the court for a final decision within 30 days of receipt of the response.

16.3 APPLICATION TO COURT

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

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

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

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

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

SECTION 17: UPDATING THE MANUAL [Section 14(2)]

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

The Department will publish the Manual in three official languages.

SECTION 18: AVAILABILITY OF THE MANUAL [Section 14(3)]

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

This Manual is available on the website of the Department of Employment and Labour and can be accessed at Department: www.labour.gov.za.

SECTION 19: PRESCRIBED FEES FOR PUBLIC BODIES

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

- | | |
|---|--------|
| 1. The fee for the copy of the manual as contemplated in Regulation 5(c) is for every copy of an A4-size page or part. | R1.00 |
| 2. The fees for reproduction referred to in regulation 7(1) are as follows: | |
| a) for every photocopy of an A4-size or part thereof | R1.00 |
| b) for every printed copy of an A-size 4 page or part thereof held on a computer or in an electronic or machine Readable form | R0.40 |
| c) for a copy in a computer-readable- form on: | |
| (i)stiffy disc | R5.00 |
| (ii)Compact disc | R40.00 |

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

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

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

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one-third of the access fee is payable as a deposit by the requester.

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

FORM A

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

(Act No. 2 of 2000)

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by

name and surname of information officer/deputy information officer on

(date) at

(place)

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

Deposit (if any): R

Access fee: R.....

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

A Particulars of public body

The Information Officer/Deputy Information Officer:

B Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

D. Particulars of record

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

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

E. Fees

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

Reason for exemption from payment of fees:

F. Form of access to record

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

<u>Disability:</u>	Form in which record is required:		
<p>Mark the appropriate box with an X. NOTES: (a) Compliance with your request for access in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	Inspection of record
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			

	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)	
4. If record is held on computer or in an electronic or machine-readable form:				
	printed copy of record'		printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES
				NO
Note that <i>if</i> the record is not available in the language you prefer, access may <i>be granted</i> in the language in <i>which</i> the record is available.				
In which language would you prefer the record?				

G. Notice of decision regarding request for access

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

How would you prefer to be informed of the decision regarding your request for access to the record?
Signed at thisday of..... 20

SIGNATURE OF REQUESTER 1 PERSON ON
WHOSE BEHALF REQUEST IS MADE

FORM B
NOTICE OF INTERNAL APPEAL
(Section 75 of the Promotion of Access to Information Act, 2000(Act No.2 of 2000)
[Regulation 8]

STATE YOUR REFERENCE NUMBER.....

A. Particulars of Public body

The Information Officer\Deputy Information Officer:

B. Particulars of requester\third party who lodges the internal appeal

a) The particulars of the person who lodge the internal appeal must be given below.

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

b) If the appellant is a third person and not the person who originally requested the information, the particulars of the request must be given at C below.

Full name and Surname

Identity Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Postal Address:

.....

Telephone Number (.....).....Fax

no:.....

E-mail address:

.....

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

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal
--

Full names and surname:

.....

Identity Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribe 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

E. Grounds for appeal

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
 You must sign all the additional folios

State the grounds on which the internal appeal is based:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

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

.....

.....

.....

.....

.....

.....
.....

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

.....
.....

Particulars of manner:

.....
.....

Signed at this day
.....of.....year.....

.....
SIGNATURE OF APPELLANT

FOR DEPARTMENT USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (dated) by
.....
..... (state rank, name and surname and of information officer\deputy information officer).

Appeal accompanied by the reasons for the information officer's\deputy information officer's decision and where applicable, the particulars of any third party to whom or which the record relates. Submitted by the information officer\deputy information offer on..... (date) to the relevant authority.

OUTCOME OF APPEAL:

.....
.....

DECISION OF INFORMATION OFFICER\DEPUTY INFORMATION OFFICER CONFIRMED\NEW
DECISION SUBSTITUTED

NEW DECISION:

.....
.....

DATE RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER\DEPUTY INFORMATION OFFICER FROM THE
RELEVANT

AUTHORITY ON (date):