



basic education

Department:
Basic Education
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF BASIC EDUCATION PAIA MANUAL

**Prepared in terms of section 14 of the
Promotion of Access to Information Act,
2000 (Act No.2 of 2000) (PAIA)**

and

**To address the requirements of the
Protection of Personal Information Act,
2013 (Act No. 4 of 2013) (POPIA)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|---|
| 1.1 | “DBE” | Department of Basic Education; |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Basic Education; |
| 1.5 | “PAIA” | Promotion of Access to Information, 2000 (Act No. 2 of 2000); |
| 1.6 | “POPIA” | Protection of Personal Information,2013 (Act No.4 of 2013); |
| 1.7 | “Regulator” | Information Regulator. |

2. PURPOSE OF MANUAL

This PAIA Manual is useful for the public to-

- 2.1 understand the DBE structure and functions;
- 2.2 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.3 the description of the services available to members of the public from the DBE, and how to gain access to those services;
- 2.4 know all the remedies available from the DBE regarding requests for access to the records, before approaching the Regulator or the Courts;
- 2.5 have an understanding of how to make a request for access to a record of the DBE;
- 2.6 the description of the services available to members of the public from the DBE, and how to gain access to those services;
- 2.7 check the nature of the records which may already be available at the DBE without the need for submitting a formal PAIA request;

3. ESTABLISHMENT OF THE DEPARTMENT OF BASIC EDUCATION

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), which flows from section 32 of the Constitution of the Republic of South Africa, 1996, (the Constitution) gives effect to the constitutional right of access to any information held by the state and any information held by any other person, provided that such information is required for the exercise or protection of any rights.

Section 32(1)(a) of the Constitution entrenches every person's right to gain access to any information held by the state.

3.1. Objectives/Mandate

A number of policies have been implemented, and legislation has been promulgated, to create a framework for transformation in education. The following key policies and legislation regulating education (apart from the Constitution, all of the items listed below originated from the DBE):

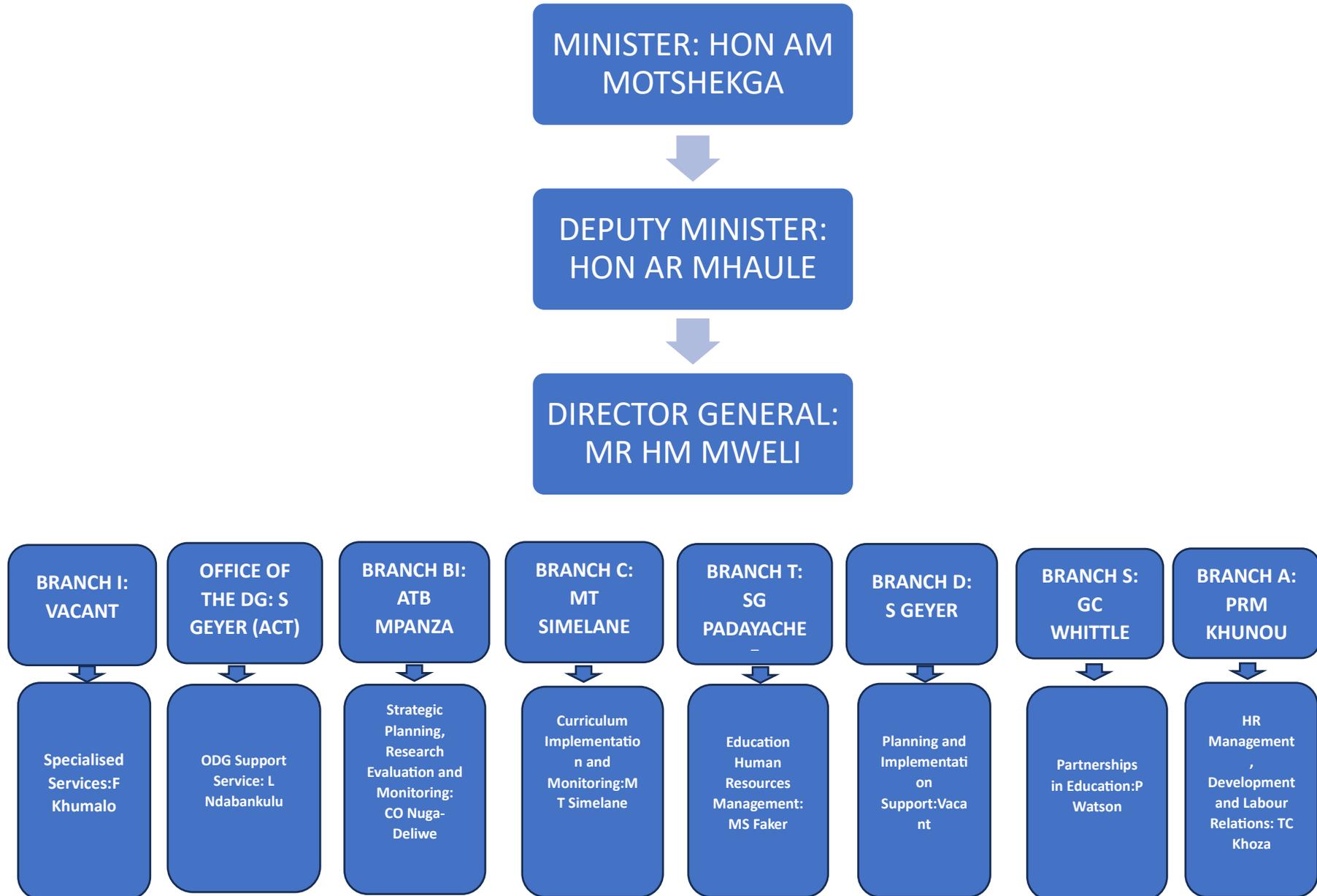
- (a) The Constitution requires education to be transformed and democratised in accordance with the values of human dignity, equality, human rights, and freedom, non-racism, and non-sexism. It guarantees access to basic education for all:
“everyone has the right to basic education, including adult basic education”.
- (b) The fundamental policy framework of the Ministry of Basic Education is stated in the Ministry’s first White Paper, *Education and Training in a Democratic South Africa: First Steps to Develop a New System* (February 1995). The 1994 education policy framework of the ANC forms the basis of this document. The cabinet approved it after extensive consultation, negotiation and revision. It has since served as a fundamental reference for policy and legislative development.
- (c) The National Education Policy Act, 1996 (Act No. 27 of 1996) (NEPA), was designed to inscribe in law policies, as well as the legislative and monitoring responsibilities of the Minister of Basic Education, and to formalise relations between national and provincial authorities. It laid the foundation for the establishment of the Council of Education Ministers (CEM) and the Heads of Education Departments Committee (HEDCOM) as inter-governmental forums aimed at collaborating in developing a new education system. As such, it provides for the formulation of national policies in general and further education and training in regard to, inter alia, curriculum, assessment, and language.
- (d) The South African Schools Act, 1996 (Act No. 84 of 1996) (SASA), promotes access, quality, and democratic governance in the schooling system. It ensures that all learners have access to quality education without discrimination, and it makes schooling compulsory for children aged seven to 15. It provides for independent schools and public schools. It makes provision for democratic school governing bodies (SGBs), and SGBs are now in place in public schools countrywide. The school funding norms, outlined in SASA, prioritise redress and target poverty with regard to the allocation of funds for the public school system.
- (e) A whole spectrum of legislation, including the Employment of Educators Act, 1998 (Act No. 76 of 1998), regulates the professional, moral and ethical responsibilities

of educators and the competency requirements applicable to educators. The historically divided teaching force is now governed by one Act of Parliament and one professional council, the South African Council for Educators (SACE).

(f) CAPS (the Curriculum Assessment Policy Statements) is a single, comprehensive, and concise curriculum that represents a policy statement for learning and teaching in South African schools. It is a curriculum that underpins the various programmes followed in each grade, from Grade R to Grade 12, and that is, in its turn, underpinned by the following principles:

- (i) Social transformation;
- (ii) active and critical thinking;
- (iii) high knowledge and high skills;
- (iv) progression;
- (iv) respect for human rights and indigenous knowledge systems;
- (v) credibility;
- (vi) quality and efficiency; and
- (vii) the provision of an education that, in quality, breadth and depth, is comparable to the education provided in other countries.

4. STRUCTURE OF THE DEPARTMENT OF BASIC EDUCATION AND FUNCTIONS



Implementation and Monitoring:
V Diale

Ministerial Services:SP
Sehlabelo

Information and Management:
ATB Mpanza

Public Examination and Assessment:R
R Poliah

Education Human Resources Development :VI
McKay

Provincial Monitoring:S
TE Mlambo

Care and Support in Schools: CM
Nogoduka

Legal and Legislative Services: C
Leukes

UNESCO, International Relations and Partnerships:
MI Kgatjepe

Curriculum and Professional Development Institute: TE
Rabotapi

Provincial Intervention:
DJ Ngobeni

Financial Management Services: N
Molalekoa

Media Liaison National and Provincial Communication:E
Mhlanga

NEEDU: S
Sithole

Foundations for Learning:
K Manona

Curriculum and Quality Enhancement Programme:
AS Tlhabane

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE DEPARTMENT OF BASIC EDUCATION

5.1 Information Officer

Name: HM Mveli
Tel: (012) 357 4504
Email: Mveli.M@dbe.gov.za

5.2 Deputy Information Officer (*Delegated in terms of Section 17(3) of the PAIA*)

Name: C Leukes
Tel: (012) 357 3712
Email: Leukes.c@dbe.gov.za

5.3 Deputy Information Officer (*Designated in terms of Section 17(1) of the PAIA*)

Name: S Geyer
Tel: (012) 357 3740
Email: Geyer.S@dbe.gov.za

Name: B Mpanza
Tel: (012) 357 3680
Email: Mpanza.B@dbe.gov.za

Name: M Simelane
Tel: (012) 357 4082
Email: Simelane.M@dbe.gov.za

Name: S Padayachee
Tel: (012) 357 4304
Email: Padayachee.S@dbe.gov.za

Name: G Whittle
Tel: (012) 357 4058
Email: Whittle.G@dbe.gov.za

Name: P Khunou
Tel: (012) 357 3324
Email: Khunou.P@dbe.gov.za

5.3 Access to information general contacts

Email: PAIA@dbe.gov.za

5.4 National / Head Office

Postal Address: Private Bag X895, Pretoria
Physical Address: 222 Struben Street, Sol Plaatje House, Pretoria
Telephone: (012) 357 3757
Email: PAIA@dbe.gov.za
Website: <http://www.education.gov.za>

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE DEPARTMENT OF BASIC EDUCATION

If one is not satisfied with any decision of the Information Officer/ Deputy Information Officer, one has the right to: -

- lodge an internal appeal to the Relevant Authority; and
- if not satisfied with the decision of the Relevant Authority, one can either
- complain to the Information Regulator; or
- apply to court for relief.

6.1 Internal Appeal

- The internal appeal must be lodged with the relevant authority, who is the Advisor to the Minister of Basic Education;
- Must be lodged within 60 days of the decision of the Information Officer/ Deputy Information Officer;
- One must complete a “Form 4” (Internal Appeal form)– the form is available upon request from the Deputy Information Officer or from the Department’s website (www.education.gov.za);
- Submit the form to the Information Officer by sending it to PAIA@dbe.gov.za or by post to the address of the Information Officer as contemplated in page 10;
- The Deputy Information Officer shall help and guide you through the process of lodging an appeal.

6.2 Complaint to the Information Regulator

- The complaint must be lodged by completing a “Form 5” and sending it to the Information Regulator;
- This must be done within 180 calendar days of the Relevant Authority decision; and
- The Information Regulator shall help and guide you through the process of lodging a complaint.

6.3 Application to Court.

- The application must be lodged within 180 calendar days of the decision of the Relevant Authority or that of the Information Regulator;
- every Magistrates Court has jurisdiction to hear the PAIA application; and
- the Clerk of the Court shall help and guide you through the process of lodging an application to court.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 7.1. In terms of section 10(1) of PAIA the Regulator is required to compile a guide, in each of the official languages, containing such information, in an easily comprehensible form, as may be required by a person who wishes to exercise his or her rights in terms of the PAIA. As indicated above, the guide will assist an individual who wishes to exercise a right in terms of the PAIA,

whereas the purpose of the Manual is to assist an individual who wishes to obtain access to information that is held by a public body in an efficient and effective manner.

7.2 The Guide is available in each of the official languages.

7.3 The aforesaid Guide contains the description of-

7.3.1 the objects of PAIA;

7.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-

7.3.2.1 the Information Officer of every public body, and

7.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA;

7.3.3 the manner and form of a request for

7.3.3.1. access to a record of a public body contemplated in section 11; and

7.3.3.2. access to a record of a private body contemplated in section 50;

7.3.4 the assistance available from the Information Officer of a public body in terms of PAIA;

7.3.5 the assistance available from the Regulator in terms of PAIA;

7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA, including the manner of lodging-

7.3.6.1 an internal appeal;

7.3.6.2 a complaint to the Regulator; and

7.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

7.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92.

7.4 The Guide can also be obtained-

7.4.1. upon request to the Department of Basic Education office;

7.4.2. from the website of the Department of Basic Education (<https://www.education.gov.za>).

8 DESCRIPTIONS OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS, CATEGORIES OF RECORDS HELD BY THE DEPARTMENT OF BASIC EDUCATION AND DESCRIPTION OF SERVICES AVAILABLE

Subjects on which the body holds records	Categories of records held on each subject
PERSONNEL SECTION:	Human Resource Planning, Employment and Performance Management Human Resource Development (c) Transformation and Workplace Environment Management

	<p>(d) Organisational Development, Job Grading and Macro Organisation of the State</p> <p>(e) Remuneration, Employment Conditions and Human Resource Systems</p> <p>(f) Negotiations, Labour Relations and Dispute Management</p>
<p>FINANCE SECTION:</p>	<p>Estimates of national expenditure (the budget as tabled in Parliament annually by the Minister of Finance) and the budget of the DBE. Obtainable from the Communication Directorate, National Treasury, Private Bag X115, Pretoria 0001, tel. 012 315 5948. It is also available on www.treasury.gov.za.</p> <p>(b) The annual report of the DBE: This includes the financial statements of the DBE and the audit report on these statements, as well as the management report.</p> <p>(c) General: Other and more detailed financial information, such as expenditure in - respect of a specific project.</p>
<p>GENERAL REGISTRY</p>	<p>GENERAL REGISTRY is the custodian of all general records created and received by the DBE (correspondence and documents), keeps all files in a filing system classified according to activities in the DBE. Each of the existing 15 main series has a Policy and Routine Enquiries file. The filing system at present consists of 15 main series, but the number may increase as the DBE grows. The following records are kept by the general registry:</p> <p>(a) Legislation</p> <p>(b) Legal matters</p>

	<ul style="list-style-type: none"> (c) Organisation and control (d) Financial management (e) Internal audit and external auditing (f) Personnel administration and development (g) Corporate Services (h) Information technology and information services (i) Communication, coordination and marketing (j) National/provincial coordination and international relations (k) Curriculum implementation and monitoring (l) Quality enhancement (m) Teacher education, HR and institutional development (n) Planning, assessment, monitoring and evaluation (o) Social responsibility and auxiliary services
<p>LEGAL AND LEGISLATIVE CHIEF DIRECTORATE</p>	<p>Legal agreements (Contracts, Memorandum of Understanding, Service Level Agreements and International Agreements)</p> <ul style="list-style-type: none"> (b) Litigation records (c) Legislation administered by the DBE (primary and secondary) (d) PAIA records
<p>THE EXAMINATIONS AND ASSESSMENT DIRECTORATE</p>	<p>Policies, regulations and guidelines relating to examinations.</p> <ul style="list-style-type: none"> (b) Nationally set question papers for the SC and NSC (current year and past years). (c) Examination candidate information – information of candidates who will be writing the current exam. (d) Marks attained by learners in the current examination and in previous examinations, per subject, per paper. (e) Final examination results of all candidates; these results include the raw marks

	<p>as well as the adjusted marks.</p> <p>(f) Certification data, including data on all candidates certified in the SC and NSC examinations (current and extending as far back as 1920 for former education departments).</p> <p>(g) General examination statistics relating to the performance of learners at national, provincial, district and school level.</p> <p>(h) Reports on the monitoring of the examination systems and processes in the PEDs.</p> <p>(i) Technical Report on performance in the NSC examinations.</p>
<p>THE NATIONAL ASSESSMENT DIRECTORATE</p>	<p>Annual National Assessment (ANA) tests administered in grades 1 to 6 and 9 (in 2011 and 2012).</p> <p>(b) Assessment guidelines for ANA.</p> <p>(c) ANA results for 2011 and 2012 (national, provincial, district, school and learner).</p> <p>(d) ANA Technical Reports for 2011 and 2012.</p> <p>(e) Exemplar tests for grades 1 to 6 and 9 (in 2011 and 2012).</p> <p>(f) ANA - Guidelines for the interpretation and use of the ANA results.</p>
<p>THE EDUCATION MANAGEMENT INFORMATION SYSTEMS</p>	<p>(a) EMIS provides education statistics for all South African schools (raw data on correct protocol) on the following:</p> <p>(i) School general information: contact details;</p> <p>(ii) School ICT information;</p> <p>(iii) Learner enrolment is categorised as follows;</p> <p>□ by grade, gender, population group; provincial migration; citizenship, home Language (HL); Language of Teaching and Learning (LOLT), subject taken</p>

	<ul style="list-style-type: none"> <input type="checkbox"/> Enrolment of disabled learners; <input type="checkbox"/> Learners repeating a grade; <input type="checkbox"/> Learner promotion; <input type="checkbox"/> Learners receiving grants; <input type="checkbox"/> Learner mortality; <input type="checkbox"/> Learners whose parents are deceased; <input type="checkbox"/> Learner performance per subject and grade; <p>(b) Updated Master-List of schools in South Africa.</p> <p>(c) Facility for implementing surveys in schools.</p> <p>Modules added to the EMIS questionnaire or the South African School Administration and Management System.</p> <p>(d) Spatial analysis reports and maps.</p> <p>(e) National Education Policy and Standards for –</p> <ul style="list-style-type: none"> (i) Dictionary of Education; (ii) Data Quality Standards; (iii) Data Coding Standards; (iv) Data Verification Standards; (v) Statistical Publication Standards; and (vi) Standards for the Master List of Institutions Providing Basic Education Services.
<p>THE PHYSICAL PLANNING DIRECTORATE</p>	<p>NEIMS file containing type and condition of infrastructure in schools.</p> <p>(b) EIG files containing information on the management and transfers of the grant.</p> <p>(c) Policy, Norms & Standards file containing information on Guidelines Relating to Planning for School Infrastructure and Boarding Facilities.</p>

<p>THE ASIDI PROJECT</p>	<p>ASIDI IPMP contains the ASIDI plans.</p> <p>(b) Memoranda of Agreement signed with the implementing agents.</p> <p>(c) IPIP26 contains the implementing agents plans</p> <p>(d) Progress Reports contain information on the progress made at each school, physically and financially.</p> <p>(e) Meeting minutes capture the proceedings of all the meetings held by the various ASIDI committees.</p> <p>(f) Closeout Reports capture details on all completed projects in terms of immovable infrastructure provided.</p>
<p>THE PROVINCIAL BUDGET MONITORING DIRECTORATE</p>	<p>(a) Gazetted funding norms and standards.</p> <p>(b) Budget and monthly expenditure for the PEDs.</p> <p>(c) Data requested by UNESCO.</p>
<p>THE INITIAL TEACHER EDUCATION, LABOUR RELATIONS AND HUMAN RESOURCE PLANNING, PROVISIONING AND MONITORING DIRECTORATES</p>	<p>Policies and guidelines relating to the Funza Lushaka bursary Programme.</p> <p>(b) Lists of Funza Lushaka bursary awards</p> <p>(c) Collective Agreements concluded at the ELRC</p> <p>(d) Minutes of meetings of HR subcommittees.</p> <p>(e) Provincial monitoring reports on Educator Performance Management Systems, Skills Development and Whole School Evaluation.</p> <p>(f) The monthly PERSAL downloads containing data on personnel in the sector (DBE) and all nine (9) provincial Departments</p> <p>(g) The National Recruitment Database (NRD) containing data on qualified unemployed educators seeking employment in public schools.</p>

THE DBE'S WEBSITE	<p>https://www.education.gov.za contains, amongst others, the following information that is automatically available (voluntarily disclosed):</p> <ul style="list-style-type: none">(a) Annual Performance Plan of the DBE(b) Any other literature intended for public viewing which may be published(c) Booklets(d) Brochures(e) Examination papers(f) Forms(g) In certain cases, training material that the Department provides during workshops(h) Information on the DBE's programmes(i) Leaflets(j) Legislation published by the DBE(k) Marketing material(l) Media releases(m) National Curriculum Statements and other curriculum-related material(n) News articles(o) Pamphlets(p) Posters(q) Reports, including annual reports(r) Speeches(s) Strategic Plan of the DBE
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9. CATEGORIES OF RECORDS OF THE DEPARTMENT OF BASIC EDUCATION WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
<p>About us</p> <ul style="list-style-type: none"> - Leadership Profiles - Branches - Strategic Documents <ul style="list-style-type: none"> • Action Plan to 2024 • Annual Performance Plan: 2020-2021 • Annual Report 2018/2019 • MTSF 2019-2024 • Revised Strategic Plan: 2020-2024 • Service Charter • Service Delivery Improvement Plan - Entities Reporting to Ministry <ul style="list-style-type: none"> • Education Labour Relations Council (ELRC) • South African Council for Educators (SACE) • Umalusi - Procurement <ul style="list-style-type: none"> • Suppliers • Tenders - Contact Details <p>Newsroom</p> <ul style="list-style-type: none"> - Media Team - Media Releases - Speeches - Basic Education Sector Insights - Newsletter: Thuto - Parliamentary Questions <ul style="list-style-type: none"> • Responses to Parliamentary Questions - Newsletter: DG Provincial Engagements <ul style="list-style-type: none"> • Brochures <p>Resources</p> <ul style="list-style-type: none"> - Reports <ul style="list-style-type: none"> • Annual Reports • National Senior Certificate Examination Reports • Annual National Assessment Reports • Ministerial Committee Reports 	<p>On request from PAIA@dbe.gov.za</p>

- Research Reports
- Commissioned Reports
- Teacher Development Reports
- NEIMS/EFMS Standard Reports
- National School Nutrition Programme Reports
- SAQMEC Reports
- General Reports
- Sector Progress Reports
- NEEDU Reports
- Provincial Annual Reports
- School Infrastructure Delivery Reports
- Legislation
 - Acts
 - Call for Comments.
 - Government Notices
 - Green Papers
 - Regulations
 - White Papers
- Policies
 - Policies – Access to Schools
 - Policies- School Management
 - Policies- School Funding
 - Policies- Curriculum and Assessment
- Publications
 - DBE Guidelines for Cleaning and Hygiene in School Facilities
- Forms
 - National Teaching Awards
 - ❖ National Teacher Awards- Self-Portrait Forms
 - ❖ National Teacher Awards- Information guide and Nomination Forms
 - Employment
 - ❖ Unemployed Educators' Form
 - ❖ Z83 (Application for Employment)
- Manuals
- Programmes**
- ABC Motsepe Schools Eisteddfod
- ASIDI
 - ASIDI Documents
 - Newsletter: The ASIDI Brief
- BEEI
 - Phase i
 - Phase ii

- Phase iii
- Phase iv
- EMIS
 - EMIS Publications
 - Survey Instruments
 - Survey Guidelines
 - Annual Schools Surveys Reports
 - Reports
- Funza Lushaka
- Gender-Based Violence
 - Gender Responsive Schools
 - GBV Material
- Health Promotion
 - CSTL Documents
 - CSE Resources
 - HIV and AIDS Life Skills Documents
 - Peer Education Documents
 - ISHP Information
 - Alcohol and Drug Use Management Documents
- National School Nutrition Programme
 - Annual Reports
 - Food Preparation
 - Food Production
 - Health and Safety
 - Other Documents
- QLTC
 - Guides for QLTC Structures
- Quality Assurance and Skills Development
 - Quality Management System (QMS)
 - Education Management Services (EMS): Performance Management and Development
 - Whole School Evaluation
 - Skills Development

Curriculum

- National Curriculum Statements Grade R-12
 - National Curriculum Statement (NCS) Documents
 - Assessment and Examinations
 - LTSM
- National Curriculum Framework (NCF)for Children from Birth to Four
 - NCF Documents
- Curriculum Assessment Policy Statement (CAPS)
 - CAPS Documents

<ul style="list-style-type: none"> • SA Sign Language CAPS - Learning and Teaching Support Materials (LTSM) <ul style="list-style-type: none"> • 2015 National Catalogues - National Senior Certificate (NSC) Examinations <ul style="list-style-type: none"> • Previous Exam Papers (Gr 10,11 & 12) - National Circulars <ul style="list-style-type: none"> • Circulars: 2023 <ul style="list-style-type: none"> ❖ S8 of 2023: Release of revised subject we programme of assessment for FET band ❖ Annexure to Circular S8 of 2023 ❖ Circular D3 of 2023: Identification, manage underperforming schools ❖ Circular E6 of 2023: National Senior Certif October/November Examination timetable ❖ Circular S13 of 2023: Extension of the pilo subjects in schools - Annual National Assessments <ul style="list-style-type: none"> • Assessment Resources • Diagnostic Test Items and Reports • 2015 Annual National Assessments (ANA) Documents • Reports - Senior Certificate <ul style="list-style-type: none"> • 2015 Senior Certificate Examination Guidelines • A Résumé of Subjects for the Senior Certificate, Report 550 (2016/04) • Circular 17 of 2014: Implementation of the Amended Senior Certificate • Amended Senior Certificate National Registration form (Word Doc) • Amended Senior Certificate National Registration form (pdf version) • Circular E32 of 2017: Literature Setworks for the Amended Senior Certificate 2018 Examination • Previous exam papers (Gr 12) 	
<p>(r) Any other literature intended for public viewing which may be published</p>	<p>On request from PAIA@dbe.gov.za</p>

(s) In certain cases, training material that the Department provides during workshops.	On request from PAIA@dbe.gov.za (Note: In certain cases, printed material will not be available, but the material can easily be accessed online or be sent via email.) On request from PAIA@dbe.gov.za
FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
Not applicable	www.education.gov.za
FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	
As under the heading "FOR INSPECTION ..."	www.education.gov.za
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
As under the heading "FOR INSPECTION ..." Also: Promotion of Access to Information Act Manual; and Promotion of Access to Information Act section 32 and section 18 Annual Reports	Hard copies available on request www.education.gov.za

10. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY DEPARTMENT OF BASIC EDUCATION

The various laws in education prescribe that consultation must take place with identified persons or bodies. In some cases, the processes of consultation are also prescribed. In the DBE, draft policies are published in the *Government Gazette* for general comment from all role players and from the public at large. In the case of specific policy initiatives, policy will be discussed at meetings with role players or at public hearings. Notice of such meetings or hearings will always be given in advance.

10.1 PURPOSE OF PROCESSING

Personal Information may only be processed for a specific purpose.

The DBE uses the Personal Information under its care in the following ways:

- a) Staff administration;
- b) Keeping records of learners and educators;

- c) Keeping records of suppliers and service providers;
- d) Keeping records of the basic education stakeholders;
- e) Complying with tax laws.

10.2 DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING HERETO.

The data the DBE has access to is extensive. Much of it is ‘**personal information**’ in terms of the POPI Act. In particular, the 13-digit national identity number of learners and employees, as well as their names, gender, and date of birth can be found in the data. The provincial education departments need the personal information for operational purposes, and as the source of much of the DBE’s data is the provincial departments, personal information is included.

In terms of the National Education Policy Act (NEPA), the use of data by the DBE is limited to monitoring and evaluating progress to comply with the Constitution and the national education policy. Data may either be gathered from EMIS or other suitable means, in cooperation with provincial departments of education. The use of educators’ cell phone numbers must be limited. The personal data the DBE has is required, importantly, for analytical purposes and for the fulfilment of the NEPA monitoring obligations. In particular, personal information is needed when different data sources must be linked. For example, if an analysis must be conducted of how well Grade 12 examination candidates performed in grades below Grade 12, then the Grade 12 examination data must be linked to separate datasets covering lower grades.

It is often necessary to use multiple variables in linking data sources because one variable on its own will display limitations. For instance, the 13-digit identity number links most learners across the Grade 12 examination and pre-Grade 12 datasets, but not all, as some identity numbers are missing. In this instance, the use of names and dates of birth can be used to fill the gap, but also to verify the accuracy of the national identity number. Importantly, the monitoring work referred hereto never involves the revelation of personal information in the DBE reports which are produced as part of the process. The reports will only reflect statistics at an aggregate level relating to, for instance, drop-out rates.

Administrative Employees	Names; contact details; physical and postal addresses; date of birth; ID number; next of kin personal information; spouse's personal information; Tax related information; nationality; gender; confidential correspondence; verification of applicant's information during recruitment process; verification of information relating to an employee doing business with the State general matters relating to employees which may include: General benefits; Pension; Medical aid; Payroll; Disciplinary action; and Training.
Learners	Names; contact details; physical and postal addresses; date of birth; ID number; next of kin personal information; nationality; gender; confidential correspondence
Educators	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; next of kin personal information; spouse's personal information; nationality; gender; confidential correspondence; verification of applicant's information during recruitment process; verification of information relating to an employee doing business with the State; general matters relating to employees which may include: General benefits;

	<p>Pension; Medical aid; Payroll; Disciplinary action; and Training;</p>
Stakeholders	<p>Names; contact details; name of organisation; physical and postal addresses of an organisation; confidential correspondence</p>
Service Providers	<p>Names; contact details; name of organisation; physical and postal addresses of an organisation; confidential correspondence; Tax related information Verifying information and performing reference and other prescribed checks; purposes relating to the agreement or business relationship or prospective agreement or business relationship between the parties; payment of invoices; compliance with the Department's regulatory and other obligations.</p>
Parents of Learners	<p>Names; contact details; physical and postal addresses; ID number; Tax related information; spouse's personal information; Financial Information; nationality; gender; confidential correspondence</p>

10.3 THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED.

The Department holds information on behalf of the State and therefore it does not provide personal information to any organisation or body other than to another State department or

institution. Certain personal information may, however, be provided to the following recipients of personal information:

- a) Regulatory authorities or ombudsmen and public entities where the DBE has a legal obligation to share information;
- b) third parties to whom payments are made on behalf of the DBE and employees; and
- c) institutions that are responsible for law enforcement.

10.4 PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

Section 72 of the POPI Act provides that Personal Information may only be transferred out of the Republic of South Africa if the—

- a) recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as outlined in Chapter 3 of the POPI Act; or
- b) Data Subject consents to the transfer of their Personal Information; or
- c) transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d) transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e) the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.

Presently, the DBE has no planned Transborder Flows of Personal Information.

10.5 GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION

The DBE has secured the integrity and confidentiality of personal information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss of, or damage to, or unauthorised destruction, unlawful access to, or processing of, personal information.

The DBE put in place security protocols to safeguard personal information from being unlawfully accessed. The Department envisages the enhancement of Information Security Measures as follows:

- a) By ensuring that the correct classification of information is recorded since employee data will be classified as 'personal information' or 'special personal information';
- b) ensuring that security protocols are enhanced to guard against unauthorised access to information by implementing computer and network security measures such as passwords, implementing firewalls, installing antivirus protection, ensuring data protection through data encryption and redaction of personal information, securing laptops and computers through passwords or biometrics and securing the Virtual Private Network (VPN);
- c) protocols notifying employees or other persons when their personal information has been compromised, or when there is a breach of privacy in relation to the personal information concerned; and
- d) by ensuring that stricter security protocols are adopted to restrict access by third parties, the office environment, computer network, system, application software, data or another resource.

10.6 DISCLOSURE OF PERSONAL INFORMATION

The DBE may disclose personal information to other government departments, public entities, and third-party service providers of the DBE. The DBE may also disclose personal information where there is a duty or a right to disclose in terms of applicable legislation, the law, or where it may be deemed necessary in order to protect the rights of the DBE.

The DBE is routinely involved in exercises where DBE data is linked to other government data for the purposes of verifying data quality and monitoring. For instance, the DBE and the South

African Social Security Agency (SASSA) collaborate, using a variety of personal information fields, to determine if social grant recipients who are of school-going age are attending school. Linking, in collaboration with the Department of Higher Education (DHET), the records of learners previously enrolled in schools to those of students currently in post-school institutions is important for understanding flows between the two education levels.

11 RIGHTS OF DATA SUBJECTS

A data subject has the right to have his, her or its personal information processed in accordance with the conditions for the lawful processing of personal information

11.1 the data subject has the right to be notified that—

- (a) personal information about him, her or it is being collected as provided for in terms of section 18; or
- (b) his, her or its personal information has been accessed or acquired by an unauthorised person as provided for in terms of section 22;

11.2 to establish whether a responsible party holds personal information of that data subject and to request access to his, her or its personal information as provided for in terms of section 23;

11.3 to request, where necessary, the correction, destruction or deletion of his, her or its personal information as provided for in terms of section 24;

11.4 to object, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information as provided for in terms of section 11(3)(a);

11.5 to object to the processing of his, her or its personal information—

- (a) at any time for purposes of direct marketing in terms of section 11(3)(b); or
- (b) in terms of section 69(3)(c);

11.6 not to have his, her or its personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1);

11.7 not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its personal information intended to provide a profile of such person as provided for in terms of section 71;

- 11.8 to submit a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74; and
- 11.9 to institute civil proceedings regarding the alleged interference with the protection of his, her or its personal information as provided for in section 99.

12 HOW TO PROCESS INFORMATION LAWFULLY

POPIA introduces specific legal responsibilities for managing and processing personal information under its control. Compliance with POPIA will:

- (a) Ensure the protection of the personal information within the possession of DBE;
- (b) Increase stakeholder confidence and relations;
- (c) Minimise exposure to unnecessary risks; and
- (d) Help to protect the sectors reputation.

Non-compliance with POPIA, on the other hand, may lead to:

- (a) Exposure to unnecessary financial and reputational risks;
- (b) Adverse media publicity;
- (c) Negative public perceptions;
- (d) Fines issued by the Information Regulator; and
- (e) Civil action by the data subject.

It is absolutely vital that all information provided is handled correctly. The rights of data subjects are defined in POPIA. Data subject is the person to whom personal information relates.

Section 5 of POPIA captures the following rights, amongst others, of data subjects:

- (a) To be notified of the collection of their personal information,
- (b) To be notified that their personal information has been accessed or acquired by an unauthorised person,
- (c) To establish what personal information is held by DBE,
- (d) To request access to their personal information,
- (e) To request the correction, destruction or deletion of their personal information,

- (f) To object, on reasonable grounds, to the processing of their personal information,
- (g) To object against the processing of their personal information for purposes of direct marketing (including solicitation of funding) through unsolicited electronic communication.

As indicated in Chapter 2, processing includes the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use of personal information and dissemination thereof by means of transmission, distribution or making available in any other form.

The processing of information must be done in accordance with the provisions of POPIA to be considered lawful. Section 4 of POPIA lists the eight conditions for lawful processing of personal information, which are:

12.1 Accountability

The DBE must appoint a party (Information Officer) who will be responsible for ensuring that the information protection principles within **POPI Act** and the controls that are in place to enforce them are complied with.

To accept responsibility is to comply with the responsibilities under POPIA;

- (a) Approve suitable policies and systems for the management and processing of personal information;
- (b) Ensure that policies and systems are understood, embraced and complied with;
- (c) Ensure that staff members are properly equipped and trained to comply with POPIA;
- (d) Ensure that contracts with employees third parties capture relevant POPIA responsibilities; and
- (e) Regularly monitor and review the effectiveness of policies and systems.

12.2 Processing Limitation

The DBE must ensure that there is lawfulness of processing, minimality of information collected, consent, justification and objection, and the collection of personal information directly from the data subject.

Section 9 requires that the processing of personal information be conducted lawfully.

and in a reasonable manner that does not infringe the data subject's privacy. In essence, there must be a legal basis for the processing of personal information of any data subject. The clearest way perhaps is to establish such a lawful basis, is through the consent of the data subject.

The **PURPOSE FOR PROCESSING** personal information must be:

- (a) Adequate
- (b) Relevant
- (c) Not Excessive

When is the processing of personal information lawful?

Personal information may only be processed (including, collected, received, recorded, organised, collated, stored, updated, altered, disseminated) if:

- (a) The data subject consents to it;
- (b) A competent person (parent or guardian) where the data subject is a child, consents to it;
- (c) It is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
- (d) It complies with an obligation imposed by law on the responsible party;
- (e) It protects a legitimate interest of the data subject; or
- (f) It is necessary for pursuing the legitimate interests of the responsible party or of a third party to whom the information is supplied.

Can a data subject withdraw consent to and object to processing?

- Yes, a data subject (or a parent or guardian of a child) may at any time withdraw his or her consent in situations where consent was given.

A data subject may, unless the law allows for such processing, object on reasonable grounds to the processing of personal information by the DBE in situations where the processing:

- (a) Protects a legitimate interest of the data subject, or
- (b) Is it necessary to pursue the legitimate interests of the attorney or a third party to

whom the information is supplied?

This objection must be done in the prescribed manner.

A data subject may also object to the processing of personal information for purposes of direct marketing (including solicitation of funding).

12.3 Withdrawal of consent and objection against the processing

POPIA requires that the processing of personal information of a data subject be stopped where the data subject objected thereto. POPIA does not specifically explain what will happen in the event that there is a dispute between the parties as to the grounds on which the objection is based.

12.4 Purpose Specification

The personal information must be collected for a specific purpose and the data subject from whom the personal information is collected must be made aware of the purpose for which the personal information was collected.

POPIA requires that PURPOSE FOR COLLECTING personal information must be:

- (a) Specific
- (b) Explicitly Defined
- (c) For a Lawful Purpose related to the function or activity of the attorney

Personal information must not keep for longer than necessary for achieving the purpose for which it was collected or processed unless:

- (a) The law requires such a retention period,
- (b) The DBE requires such a record for lawful purposes,
- (c) Retention is based upon a contract between the parties,
- (d) The data subject has consented to such retention, or
- (e) A competent person on behalf of a minor has consented to such retention.

Personal information may be retained for historical, statistical or research purposes for

longer periods provided that appropriate safeguards is established for the records being used for other purposes.

Personal information once they are no longer authorised to retained must be destroyed, deleted, or de-identified.

De-identifying means to delete information that—

- (a) Identifies the data subject;
- (b) Can be used or manipulated by a reasonably foreseeable method to identify the data subject; or
- (c) Can be linked by a reasonably foreseeable method to other information that identifies the data subject.

Where processing of personal information is restricted, the department must inform the data subject before lifting the restriction on processing.

12.5 Further processing Limitation

If a responsible party further processes personal information, such processing must be compatible with the purpose for which the information was collected. POPIA requires that further processing of personal information must be consistent with the purpose for which it has been collected. In essence, the information collected for one purpose should not be processed and used for another process.

To assess the compatibility between the purpose for collection and the purpose for processing, the following factors must be considered:

- (a) The relationship between the purpose for the collection and the purpose for further processing;
- (b) The nature of the information concerned;
- (c) The consequences for the data subject of the further processing;
- (d) The manner in which the personal information has been collected; and
- (e) Contractual rights and obligations between the parties.

Further processing of personal information is permissible in certain instances, including, where:

- (a) The data subject has provided consent;
- (b) The personal information is available on a public record; or
- (c) The data subject has deliberately made public such personal information.

12.6 Information Quality

The responsible party must take reasonable steps to ensure that the personal information that has been collected is complete, accurate, not misleading and up to date. In so doing, the responsible party must take into consideration the purpose for which the personal information was collected.

12.7 Openness

The responsible party must be open about the collection of personal information by notifying the Regulator if it is going to process personal information and, if personal information is going to be collected, the responsible party must take “reasonably practicable steps to ensure that the data subject has been made aware that his or her personal information is going to be collected. The responsible party should for example, take reasonable steps to make the data subject aware of its name and address, and the purpose for which the personal information being collected.

Non-compliance to the above permitted in the following situations:

- (a) The data subject has consented to non-compliance
- (b) Non-compliance is necessary to comply with a legal obligation
- (c) Non-compliance is necessary for the conduct of court proceedings
- (d) Non-compliance is necessary in the interests of national security
- (e) Compliance would prejudice a lawful purpose of the collection
- (f) Compliance is not reasonably practicable in the circumstances
- (g) The information will not be used in a way to identify the data subject
- (h) The information will be used for historical, statistical or research purpose.

12.8 Security Safeguard

The responsible party must ensure that the integrity of the personal information in its control is secured through technical and organisational measures in order to prevent:

- (a) Loss of, damage to or unauthorised destruction of personal information; and
- (b) Unlawful access to or processing of personal information.

The responsible party must:

- (a) Identify all reasonably foreseeable risks to personal information;
- (b) Establish and maintain appropriate safeguards against risks;
- (c) Regularly verify that safeguards are effectively implemented; and
- (d) Ensure that safeguards are continually updated.

12.9 Data Subject Participation

The data subjects have the right to request that a responsible party confirm (free of charge) whether it holds personal information about the data subject, and he or she may also request a description of such information.

In terms of section 10 of the POPI Act, personal information may only be processed if certain conditions, listed below, are met:

- (a) The data subjects or a competent person where the data subject is a child, consents to the processing; or
- (b) The processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party; or
- (c) Processing complies with an obligation imposed by law on the responsible party; or
- (d) Processing protects a legitimate interest of the data subject; or
- (e) Processing is necessary for pursuing the legitimate interests of the organisation or of a third party to whom information is supplied.

13 PROCESSING PERSONAL INFORMATION OF CHILDREN

Section 34 of the POPI Act provides for the prohibition of processing of personal information of children:

“A responsible party may, subject to section 35, not process personal information concerning a child.”.

In other words, the DBE may not process personal information of children unless the processing is effected in terms of section 35 of the POPI Act.

Section 34 (1) of the POPI Act provides that the prohibition on processing personal information of children referred to in section 34, does not apply if the processing:

- occurs with the prior consent of a competent person;
- is necessary for the establishment, exercise or defence of a right or obligation in law;
- is necessary to comply with international public law
- For historical, statistical, or research purposes where:
 - it is in the public interest and is necessary for a specific purpose;
 - processing does not adversely affect the individual privacy of the child;
 - it appears to be impossible or would involve a disproportionate effort to ask for consent;
 - the child deliberately publicised their personal information with a competent person's consent.

13.1 AUTHORISATION BY THE REGULATOR TO PROCESS THE PERSONAL INFORMATION OF CHILDREN

The DBE may in terms of section 35(2) of the POPI Act apply to the Regulator and by notice in the Gazette for authorisation to process personal information of children.

The Regulator may grant such authorisation if the processing is in the public interest and appropriate safeguards are in place to protect the child's Personal Information.

The Regulator may impose conditions with authorisations and the conditions may require a responsible party:

- to provide reasonable means for a competent person to review or refuse the processing of a child's personal information.
- to provide notice:
 - regarding the nature of a child's personal information
 - about the method of processing
 - regarding any further processing practices.
- avoid any action that may encourage or persuade a child to disclose more personal information about themselves than is necessary

- to establish and maintain reasonable procedures to protect the integrity and confidentiality of the personal information collected from children.

13.2. SECURITY MEASURES TO ENSURE PROTECTION OF YOUR PERSONAL INFORMATION

Due to the nature of the internet, information submitted by the DBE website, or mobile application may not be secure, unless submitted by/through a secure connection. We do, however, have reasonable security measures in place to protect your Personal Information.

Unfortunately, we cannot assume any guarantee for other providers whose websites you might reach through links on the DBE website. The DBE cannot control the confidentiality, access or dissemination of any information that is retrieved through the use of “cookies” or information retrieved through the collecting and storing of IP addresses of visitors to this DBE website or mobile application.

The DBE website offers a self-service login for learners and educators and should you choose to use this facility we strongly advise you to safeguard your login details in order to prevent unauthorised access to your personal information.

14 CIVIL REMEDIES

- 14.1 A data subject or, at the request of the data subject, the Regulator, may institute a civil action for damages in a court having jurisdiction against a responsible party for breach of any provision of this Act as referred to in section 73, whether or not there is intent or negligence on the part of the responsible party.
- 14.2 In the event of a breach the responsible party may raise any of the following defenses against an action for damages:
- (a) vis major;
 - (b) consent of the plaintiff;
 - (c) fault on the part of the plaintiff;
 - (d) compliance was not reasonably practicable in the circumstances of the particular case;
- or

(e) the Regulator has granted an exemption in terms of section 37.

15 AVAILABILITY OF THE MANUAL

14.1 This Manual is made available in the following three official languages-

14.1.2 English;

14.1.2 IsiZulu;

14.1.3 Sesotho; and

14.1.4 Afrikaans

14.2 A copy of this Manual or the updated version thereof, is also available as follows-

14.2.1 on <http://www.education.gov.za> if any, of the public body;

14.2.2 at the head office of the public body for public inspection during normal business hours;

14.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

14.2.4 to the Information Regulator upon request.

14.3 A fee for a copy of the Manual, as contemplated in Annexure B of the Regulations, shall be payable per each A4-size photocopy made.

16 UPDATING OF THE MANUAL

The Department of Basic Education will, if necessary, update and publish this Manual annually.

Issued by

(MR HM MWELI INFORMATION OFFICER)

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 Information Officer

_____ (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

- Request is made in my own name
 Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made <i>(when made on behalf of another person)</i>				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			

PAIA Manual Template: Department of Basic Education

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		

PARTICULARS OF RECORD REQUESTED

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.)

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 (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc.</i>)	
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 (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc.</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive (<i>including virtual images and soundtracks</i>)	
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/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

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

FEES

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

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

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

**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.*

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private 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>) 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.	
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OR

2. You requested:

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

Kindly note that your request has been:

Approved

Denied, _____ for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		

TOTAL:	
---------------	--

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

Yes

No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	
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The amount must be paid into the following Bank account:

Name of Bank: _____

Name of account holder: _____

Type of account: _____

Account number: _____

Branch Code: _____

Reference Nr: _____

Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY			
Name of Public Body			
Name and Surname of 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		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			

<p>DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i></p>	
Refusal of request for access	<input type="checkbox"/>
Decision regarding fees prescribed in terms of section 22 of the Act	<input type="checkbox"/>
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	<input type="checkbox"/>
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	<input type="checkbox"/>
Decision to grant request for access	<input type="checkbox"/>
<p>GROUND FOR APPEAL <i>(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)</i></p>	
State the grounds on which the internal appeal is based:	

State any other information that may be relevant in considering the appeal:	
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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 Information Officer)</i>			
Date received:			
Appeal accompanied by the reasons for the 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:		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