



# tourism

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Department:  
Tourism

**REPUBLIC OF SOUTH AFRICA**

MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT No. 2 OF 2000)

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## 1. DEFINITIONS

In this guide unless the context requires otherwise –

“**access fee**” means a fee prescribed for the purposes of reproduction and for search and preparation, and for time reasonably required in excess of the hours prescribed to search for and to prepare the record for disclosure;

“**Guide**” means the book produced by the Human Rights Commission in terms of s10 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), for the purposes of reasonably assisting a person who wishes to exercise any right in terms of PAIA;

“**Information Officer**”, in relation to the Department, means the Director-General;

“**official**” in relation to a public body or private body means –

- (a) any person in the employ (permanently or temporary and full time or part-time) of the public or private body, as the case may be, including the head of the body, in his or her capacity as such; or
- (b) a member of the public or private body, in his or her capacity as such;

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

“**person**” means a natural or a juristic person;

“**personal requester**” means a requester seeking access to a record containing personal information about the requester;

“**private body**” means –

- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- (b) a partnership which carries or has carried on any trade, business or profession; or
- (c) any former or existing juristic person; but excludes a public body;

“**public body**” means –

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or
- (b) any other functionary or institution when –
  - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
  - (ii) exercising a public power or performing a public function in terms of any other legislation;

**“record”** means any recorded information –

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

**“Regulations in terms of the Promotion of Access to Information Act”** means regulations regarding the promotion of access to information published in Government Notice no. R. 187 of 15 February 2002 (Government Gazette No. 23119) amended by Government Notice No. R. 1244 of 22 September 2003 (Government Gazette No.25411)

**“relevant authority”** in relation to records requested from the Department, means the Minister;

**“request for access”** means a request for access to a record in terms of section 11 of PAIA;

**“requester”** means –

- (i) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or
- (ii) person acting on behalf of the person referred to in subparagraph (i);

**“third party”** means any person (including, but not limited, to the government of a foreign state, an international organisation or an organ of that government or organisation) other than –

- (i) the requester concerned; and
- (ii) a public body;

**“working days”** means any days other than Saturdays, Sundays or public holidays, as defined in section 1 of the Public Holidays Act, 1994 (Act No. 36 of 1994).

## **2. INTRODUCTION**

Section 32(1) (a) of the Constitution of the Republic of South Africa, 1996, determines that everyone has a right of access to any information held by the State. Section 32(2) of the Constitution provides for the enactment of national legislation to give effect to this fundamental right. The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA) is the national legislation contemplated in section 32(2) of the Constitution.

Section 9 of PAIA recognizes that the right of access to information is subject to certain justifiable limitations aimed at, amongst others:

- (a) the reasonable protection of privacy;
- (b) commercial confidentiality; and
- (c) effective, efficient and good governance.

Section 14(1) of PAIA stipulates that the Information Officer of the Public body must compile a manual in at least three official languages containing information on the Public Body for public consumption. The NDT is a public body in terms of PAIA.

The purpose of this manual therefore is to inform the public about the records held by the NDT and how to obtain access to them.

## **3. PARTICULARS IN TERMS OF SECTION 14 OF PAIA**

### **3.1 Functions and structure of the NDT [Section 14(1)(a)]**

#### **The Mandate**

The mandate and core business of the Department of Tourism is underpinned by the Constitution and all other relevant legislation and policies applicable to the government. The Department's specific mandate is derived from the following:

- The Constitution of the Republic of South Africa, 1996;
- Cabinet and Ministerial directives and policy decisions;
- Tourism Act, 1993 (Act No.72 of 1993)

## Vision

A catalyst for tourism growth and development in South Africa.

## Mission

A strategy focused department, committed to create a conducive environment for growing and developing tourism through:

- innovation;
- strategic partnerships and collaboration;
- providing information and knowledge management service; and
- strengthening institutional capacity

## Values

### Performance Values and Descriptions

- **Innovative:** leveraging of resources and partnerships to optimise delivery to our stakeholders and responsive to change.
- **Ethical – Good Corporate Governance:** encapsulates principles of integrity, transparency and accountability.
- **Customer Focus:** provide services and solutions in a manner that is efficient and which are effective and responsive.

### People's Values and Descriptions

- **Empowerment (Growth, Training, Develop, Skills):** create an environment conducive for our people's growth and development.
- **Integrity:** we will act with integrity by being accountable, showing respect, and serving with honesty and trustworthiness.
- **Recognition (Appreciated, Get Support, and Fairness):** we want to be an organization that values its own people by ensuring fairness of the systems and processes, supportive, recognizing and rewarding performance.

## ORGANIZATIONAL STRATEGIC OUTCOME ORIENTED GOALS

Strategic Outcome Oriented Goal	Goal Statement	Government Outcomes
1. Achieve good corporate and cooperative governance.	Provide comprehensive corporate support service to the department to ensure good governance.	<b>Outcome 12:</b> An efficient, effective and development oriented public service and an empowered, fair and inclusive citizenship.
2. Tourism priorities integrated within other sector departments, provincial and local government's planning.	Render policy frameworks, stakeholder management and planning related support services at provincial and local government level by analyzing and participating in their planning processes.	<b>Outcome 12:</b> An efficient, effective and development oriented public service and an empowered, fair and inclusive citizenship.
3. Improve impact of tourism on the livelihood of all South Africans.	To monitor and evaluate the implementation of tourism programmes, strategies and policies.	<b>Outcome 4:</b> Decent employment through inclusive economic growth.
4. Increased contribution of the tourism sector to inclusive economic growth.	Profile regions and develop appropriate support packages that respond to tourism development and growth needs.	<b>Outcome 4:</b> Decent employment through inclusive economic growth.
	Increased contribution of the tourism sector to economic growth through analysis of international markets and strategic interventions.	
5. Increased contribution of the tourism sector to inclusive economic participation.	Facilitation of compliance to the gazetted tourism charter by identified tourism sub-sectors.	<b>Outcome 4:</b> Decent employment through inclusive economic growth
6. Improved Tourism Sector Research, Information and Knowledge Management.	To advance Research, Information and Knowledge Management within the tourism sector.	<b>Outcome 4:</b> Decent employment through inclusive economic growth.
7. Improved levels of competitiveness and sustainability in the tourism industry.	To promote responsible tourism best practices to inculcate a culture of responsible tourism in South Africa.	<b>Outcome 4:</b> Decent employment through inclusive economic growth.
		<b>Outcome 10:</b> Environmental assets and natural resources that are well protected and continually enhanced.
8. Strengthened regional, Africa and international collaboration and partnership.	Strengthen Regional, Africa and International collaboration and partnerships through bilateral and multilateral engagements	<b>Outcome 11:</b> Create a better South Africa, a better Africa and a better world

## **Organisational Structure of the Department**

The Department's structure consists of 3 (Three) core branches, one transversal support service branch, Chief Operating Officer (COO), the Office of the Chief Financial Officer (CFO) and the Directorate: Internal Audit. The core branches, with their respective responsibilities, are:

### **BRANCH: DOMESTIC TOURISM MANAGEMENT:**

Domestic Tourism Management:

- Southern Regions
- Northern Regions
- Social Responsibility Implementation

### **BRANCH: INTERNATIONAL TOURISM MANAGEMENT:**

- Americas and Caribbean
- Europe
- Africa and Middle East
- Asia and Australasia

### **BRANCH: POLICY AND KNOWLEDGE SYSTEMS**

Policy Development and Evaluation

Research, Information and Knowledge Management

The transversal components provide strategic and management support to the core branches and coordinate cross-cutting projects to maximize the synergy potential in the NDT. These are:

### **OFFICE OF THE CHIEF OPERATING OFFICER**

Corporate Affairs

Communications

Legal Services

Governance Support

### **UNIT: OFFICE OF THE CHIEF FINANCIAL OFFICER**

### **UNIT: DIRECTORATE: INTERNAL AUDIT**

# DEPARTMENT OF TOURISM (54)

MINISTER

DIRECTOR-GENERAL: TOURISM

DEPUTY MINISTER

OFFICE OF THE CFO

D: SUPPLY CHAIN MANAGEMENT  
D: FINANCIAL MANAGEMENT

INTERNAL AUDIT

D: INTERNAL AUDIT

540003  
CD: MINISTRY

CD:  
SPECIAL ADVISOR  
MINISTRY  
DEPUTY MINISTRY

<b>TOTALS:</b>	
FUNDED POSTS:	461
UNFUNDED POSTS:	<u>141</u>
TOTAL:	602

OFFICE OF THE  
DIRECTOR-GENERAL

3.1 D: OFFICE OF THE  
DIRECTOR-GENERAL

OFFICE OF THE  
CHIEF OPERATIONS OFFICER

COO  
D: COORDINATION AND ADMINISTRATION

CD: GOVERNANCE SUPPORT  
D: STRATEGIC MANAGEMENT  
D: CABINET AND CLUSTER COORDINATION

CD: LEGAL SERVICES  
D: LEGAL SERVICES  
D: CONSUMER PROTECTION

CD: CORPORATE AFFAIRS  
D: HR ADMINISTRATION  
D: HR DEVELOPMENT & PRACTICES  
D: FACILITIES MANAGEMENT  
D: INFORMATION COMMUNICATION TECHNOLOGY

CD: COMMUNICATIONS  
D: CORPORATE COMMUNICATIONS  
D: EXTERNAL COMMUNICATIONS

BRANCH INTERNATIONAL TOURISM MANAGEMENT

DDG  
SUBDIR: ADMIN SUPPORT

CD: AMERICAS AND CARIBBEAN  
D: NORTH AMERICA, UNWTO, WTTC AND  
AMERICAN MULTILATERAL AND REGIONAL ORGANISATIONS  
D: LATIN AMERICA AND CARIBBEAN

CD: EUROPE  
D: WESTERN EUROPE, T20 AND EUROPEAN  
MULTILATERAL AND REGIONAL ORGANISATIONS  
D: EASTERN EUROPE AND MEDITERRANEAN

CD: AFRICA & MIDDLE EAST  
D: SOUTHERN, EAST AND CENTRAL AFRICA,  
INDIAN ISLAND STATES AND AFRICAN  
MULTILATERAL AND REGIONAL ORGANISATIONS  
D: NORTH AND WEST AFRICA AND THE MIDDLE EAST

CD: ASIA & AUSTRALASIA  
D: CENTRAL AND EAST ASIA AND ASIAN MULTILATERAL AND  
REGIONAL ORGANISATIONS  
D: SOUTH, WEST (NON MIDDLE EAST) AND SOUTHEAST ASIA,  
AUSTRALASIA AND THE PACIFIC ISLANDS

BRANCH DOMESTIC TOURISM MANAGEMENT

DDG  
SUBDIR: ADMIN SUPPORT

CD: DOMESTIC TOURISM MANAGEMENT: SOUTHERN  
REGIONS  
D: WESTERN AND NORTHERN CAPE LEADING IN  
HERITAGE DEVELOPMENT  
D: EASTERN CAPE AND FREE STATE LEADING IN  
RURAL DEVELOPMENT

CD: DOMESTIC TOURISM MANAGEMENT: NORTHERN  
REGIONS  
D: GAUTENG, NORTH WEST AND LIMPOPO LEADING  
IN NICHE DEVELOPMENT  
D: KWAZULU-NATAL AND MPUMALANGA LEADING IN  
SOCIAL DEVELOPMENT

CD: SOCIAL RESPONSIBILITY IMPLEMENTATION  
D: PROGRAMME MANAGEMENT SYSTEMS  
D: PROGRAMME MANAGEMENT  
D: PROGRAMME PLANNING & SUPPORT

BRANCH POLICY AND KNOWLEDGE  
SYSTEMS

DDG  
SUBDIR: ADMIN SUPPORT

CD: POLICY DEVELOPMENT AND EVALUATION  
D: INTEGRATED POLICY AND SECTOR  
PLANNING, INTERGOVERNMENTAL  
COORDINATION AND STAKEHOLDER  
MANAGEMENT  
D: MONITORING AND EVALUATION  
D: RESPONSIBLE TOURISM (GREENING,  
CLIMATE CHANGE AND SOCIAL TOURISM)  
D: TOURISM SECTOR TRANSFORMATION

CD: RESEARCH, INFORMATION & KNOWLEDGE  
MANAGEMENT  
D: RESEARCH  
D: KNOWLEDGE AND INFORMATION  
MANAGEMENT

### 3.2 Contact details

Call Center number 0860 121 929

Call Center Email [callcentre@tourism.gov.za](mailto:callcentre@tourism.gov.za)

Switch Board Number (012) 444-6000/1

Website: <http://www.tourism.gov.za>

#### MINISTRY - CAPE TOWN

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ROOM 328  
120 PLEIN STREET  
CAPE TOWN  
8001

PRIVATE BAG X9038  
CAPE TOWN  
8000

TEL: +27 (21) 465-7240/1  
FAX: +27 (21) 465-3216

**MINISTRY - PRETORIA**

=====

10th Floor, Tourism House  
17 Trevenna Street  
Sunnyside  
PRETORIA  
0001

Private Bag X424  
PRETORIA  
0001

TEL: +27 (12) 444-6777  
FAX: +27 (12) 465-3216

**DEPUTY MINISTRY- CAPE TOWN**

Room 385  
120 Plein Street  
CAPE TOWN  
8001

Private Bag X9170  
CAPE TOWN  
8000

TEL: +27 (21) 426-1777/8  
FAX: +27 (21) 465-2664

**DEPUTY MINISTRY - PRETORIA**

=====

10th Floor, Tourism House  
17 Trevenna Street  
Sunnyside  
PRETORIA  
0001

Private Bag X424  
PRETORIA  
0001

TEL: +27 (12) 444-6760  
FAX: +27 (12) 444-7028

**PARLIAMENTARY OFFICE - CAPE TOWN**

=====

Room 377  
120 Plein Street  
CAPE TOWN  
8001

Private Bag X9039  
CAPE TOWN  
8000

TEL: +27 (21) 465-7394/5/7  
FAX: +27 (21) 465-7287  
12.

The Head of the Department (Director-General) is the Accounting Officer and is in terms of PAIA. The Information Officer for the Department. The Director General has duly authorised the persons listed below as Deputy Information Officers to ensure that the requirements of PAIA are administered in a fair, objective and unbiased manner:

- (a) Deputy Director-General: Policy and Knowledge Systems  
Name: Mr Victor Tharage  
Pretoria  
Tel: 012 444- 6379  
Fax: 012 444- 7090  
E-mail: vtharage@tourism.gov.za
  
- (b) Deputy Director-General: Domestic Tourism Management  
Name: Ms Morongwe Ramphele  
Pretoria  
Tel: 012 444-6552  
Fax: 012 444-7060  
E-mail: mramphele@tourism.gov.za
  
- (c) Deputy Director-General: International Tourism Management  
Name: Ms Aneme Malan  
Pretoria  
Tel: 012 444-6380  
Fax: 012 444-7092  
E-mail: amalan@tourism.gov.za

- (d) Chief Operating Officer:  
Name: Mr Dirk Johannes van Schalkwyk  
Pretoria:  
Tel: 012 444-6709  
Fax: 012 444-7035  
E-mail: [dvschalkwyk@tourism.gov.za](mailto:dvschalkwyk@tourism.gov.za)

### 3.3 Guide on how to use PAIA

The South African Human Rights Commission (SHRC) has in terms of section 10 of PAIA, compiled a guide on the use of PAIA. This guide is available in each official language at the following venues.

- Government Communications and Information Services (GCIS)
- All places of legal deposit (State libraries)
- Every tertiary institution (Universities and Universities of Technology).

The guide is also available on the website of the SHRC at <http://www.sahrc.org.za>

It is also available for public inspection during office hours at the offices of the SHRC at the following address:

**The South African Human Rights Commission  
PAIA Unit  
The Research and Documentation Department**

**Physical address: 29 Princess of Wales Terrace  
Parktown  
JOHANNESBURG**

**Postal address: Private Bag X2700  
HOUGHTON  
2041**

**Telephone number: +27 11 484 8300  
Fax number: +27 11 484 1360**

### 3.4 Requests for access to information

Everyone has the right to request access to recorded information held by the Department, subject to that request being made on the prescribed form and that the prescribed fees are paid. Access is also subject to the grounds of exclusion found in Chapter 4 of PAIA. The request may be made by anyone who act in their own interests or act on behalf of someone who cannot do so themselves.

#### Procedure for requesting records

##### Form

A requester must complete the prescribed form which-

- (a) can be found in the Regulations to PAIA;
- (b) is on the website of the SAHR at [www.sahrc.org.za](http://www.sahrc.org.za);
- (c) is attached to this document as an Annexure A; or
- (d) is obtainable from the Department's information centre.

##### Process

- (a) The request for information must be submitted to:

Director-General  
Private Bag X 424  
PRETORIA  
0001

Attention: Lumka Mfecane  
TEL: 012 444-6732  
Fax: 012 444-7040  
Email: [lmfecane@tourism.gov.za](mailto:lmfecane@tourism.gov.za)

- (b) The requester must also indicate if he or she would like to obtain a copy of the record or would like to inspect the record at the offices of the public body. Alternatively, if the record is not a paper copy document, it can then be viewed in the requested form, where possible.
- (c) If a requester asks for access in a particular form, then he or she will get access in the manner that has been asked for. This principle applies, unless doing so would interfere unreasonably with the running of the Department, or damage the record, or infringe a copyright not owned by the state. If for practical reasons, access cannot be given in the required form, but in an alternate manner, then the fee will be calculated according to the way that the requester first asked for it.
- (d) If, in addition to a written reply to their request for the record, the requester wants to be informed about the decision in any other way, for example, telephonically, this must be indicated.

If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated.

### **Request on behalf of another person**

If the request is made on behalf of another person, a requester must submit proof of the capacity in which he or she is making the request, to the reasonable satisfaction of the Deputy Information Officer.

### **Request by people with disabilities**

- (a) If a requester is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make a verbal request. The Deputy Information Officer (or his or her delegate) will then complete the form on behalf of the requester and give a copy of the completed form to the requester.

- (b) The Deputy Information Officer (or his or her delegate) will assist a requester to comply with the abovementioned requirements to request access to information, including referring a requester, if it is apparent that the request for information should have been made to another public body, to such other body.

### **Transfer of requests**

- (a) Requests for records may be transferred to another public body in the following circumstances:
  - (i) When the record is in the possession of another public body;
  - (ii) The subject matter of the record is more closely associated with the functions of another public body;
  - (iii) The record was created for another public body, or was received first by another public body; or
  - (iv) The record contains commercial information relating to economic interests and the financial welfare of the Republic, and commercial activities of public bodies.
- (b) In such instances the Deputy Information Officer (or his or her delegate) would have to transfer the request to the other public body as soon as is reasonably possible, but no later than 14 days within receipt of the request. If the public body or the Information Officer to whom the request is made is in possession of the record and considers it helpful to do so to enable the Information Officer of the other public body to deal with the request, the record or a copy of the record will be sent to that Information Officer.
- (c) If a request for access to a record has been transferred, it has to be computed from the date it was first received. All the relevant time periods that apply to a request for information have to be adhered to.

### **Notification of transfer**

- (a) When a request for access has been transferred, the Deputy Information Officer making the transfer will immediately notify the requester of:
  - (i) the transfer;
  - (ii) the reasons for the transfer; and
  - (iii) the period within which the request must be dealt with.

- (b) The Deputy Information Officer will reasonably ensure that the record is preserved until a decision is taken about access to the information. Time frames for an appeal will be included.

### **Payment of Fees**

- (a) Two types of fees are required to be paid in terms of PAIA, namely a request fee and an access fee. A requester who seeks access to a record containing personal information about him/herself is not required to pay the request fee. Any other requester who is not a personal requester, must pay the required request fee.
- (b) The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
  - i) After the Information Officer has made a decision on the request, the requester must be notified of such a decision in the manner in which the requester wanted to be notified.
  - ii) If the request is granted, then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours within which to search and prepare the record for disclosure.
- (c) The fees that have been prescribed are contained in the Regulations promulgated in terms of the PAIA and must be paid by a requester before the Department can make any records requested available to the requester. A copy of the schedule of prescribed fees is attached to this document as Annexure C.
- (d) Fees are payable at the Department's finance directorate at Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, during office hours.

### 3.5 Records and categories of records held by the Department

The Department's categorises the records and information (relevant to the functions and services of the Department) into the following broad categories.

- Policies, strategies, delegations, government notices and legislation
- Press statements and speeches
- Departmental personnel records
- Departmental financial records
- Agendas and minutes of departmental meetings
- General administration information
- Departmental reports
- Internal circulars, internal memoranda, letters, cabinet memoranda
- Contracts, international agreements
- Branch specific information as described in paragraph 2.1.2 including:
  - Business plans
  - Strategy documents
  - Programme specific information
  - Research documents

### **3.6 Records automatically available**

Although the NDT to date has not published a list of automatically available information, it makes a wide variety of information available through its website. Typical information that can be expected to be found free of charge on the website is:

Legislation, Regulations and Policies

Application forms

Database forms

Tenders

Vacancies

Contact details for the Ministry, Department and all its Branches

Events

Media Statements

### **3.7 Services available to the public and how to gain access to them**

The following services are delivered by the Department:

- Implementation of the National Tourism Sector Strategy
- The transformation of the tourism industry and the promotion of learnerships in the tourism sector
- Implementation of the environment and culture component of the Expanded Public Works Programme
- Development and implementation of legislation

The public can gain access to the services provided by the Department through the Department's outreach programmes. Information on these programmes can be obtained-

- on the website [www.tourism.gov.za](http://www.tourism.gov.za);
- by contacting the Call Centre number 0860 121 929 or Call Center Email [callcentre@tourism.gov.za](mailto:callcentre@tourism.gov.za)

### 3.8 Arrangements allowing for public involvement in formulation of policy, exercise of powers or performance of duties

The Department has the following arrangements and / or provides the following processes for consultation, making representations or otherwise participating or influencing the formulation of policy or the exercise of the mandate of the Department:

- Public workshops;
- Publication of draft policy and legislation for public comment in the Government Gazette and on the website;
- Stakeholder Forum workshops;
- Discussions / workshops with government departments;

### 3.9 Remedies available in the event of non-compliance with the PAIA

#### *Internal appeal*

A requester may lodge an internal appeal against a decision of the Deputy Information Officer to refuse a request, or against the request and access fees, or against an extension of the period to deal with the request.

#### *Form*

- (a) The appeal must be lodged on the prescribed form that has been printed in the Regulations issued in terms of the PAIA, or a form that substantially corresponds with this form. A copy of this form is attached to this manual as Annexure B. Copies of this form are

also available from the Department's office or the Deputy Information Officers referred to in this manual. The form is also available on the website.

- (b) The appeal must be lodged within **60** days or if notice to a third party is required by s49(1)(b) of PAIA, within **30 days** after notice has been given to the appellant of the decision appealed against, or if notice to the appellant is not required, after the decision was taken. The appeal must be made to the address, fax number or electronic mail address of the Deputy Information Officer.

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- (c) An appellant must provide reasons for the internal appeal, how he or she wishes to be informed of the decision about the appeal and must pay the prescribed appeal fee (if any).
- (d) The relevant authority will allow late lodging of an appeal only if the appellant's motivation is credible. An appellant will be informed if his or her late appeal was disallowed.

### *Appeal fee*

- (a) An appellant has to pay the prescribed appeal fee (if any). A decision on the internal appeal may be deferred until the appeal fee is paid.
- (b) After receiving an appeal, the Deputy Information Officer must within **10 working days** submit to the Information Officer the internal appeal, his or her reasons for his or her decision, and details of a third party involved, if any.

### *Third party*

- (a) If the Department is considering an internal appeal against refusal of a request for access to a record of a third party that relates to his or her privacy; commercial interests and other confidential information; and records of SARS, the Department will inform the third party about the appeal within **30 days** after receipt of the appeal, and by the fastest means reasonably possible. The Department

will furnish the third party with a description of the contents of the appeal, details of the appellant, and state whether the Department is of the opinion that the information should be revealed in the public interest. The third party then has **21 days** to make a written representation why the request for information should not be granted, or give written consent for the disclosure of the record to the requester.

- (b) The Department may also consider lodging an internal appeal against granting access to information. The Department will then have to notify the requester of such an appeal within **30 days** after receipt of the internal appeal. The third party has **21 days** to make a written representation why the access to the record should be granted.

### ***Notice of decision***

The Department may confirm the original decision, or make another decision. This must be done within **30 days** after receipt of the internal appeal, or within **5 working days** after receiving written representation regarding the appeal. Notice will be given to the appellant, every third party involved and the requester, stating the reasons for the decision.

### ***Application to court***

- (a) The appellant, third party or requester will also be informed that he or she may lodge an application to court against the decision on an internal appeal within **60 days**, or **30 days** if notice has to be given to a third party. Prescribed time frames will apply if the Department decides to grant access to a record where a third party still has the right to make a representation against this decision before access will be given to the record.
- (b) If the Department fails to comply with the above procedures and time frames on an internal appeal, the Department will be regarded as having dismissed the internal appeal.
- (c) A requester or third party may **ONLY** apply to a High Court (or court of similar status) for appropriate relief after the requester or third party has exhausted the internal appeal procedure, within **30 days** after a decision on an internal appeal. No record may be

withheld from the court. The court proceedings are civil, and the court may confirm, amend or set aside the decision on internal appeal, or grant an interdict.

### **3.10 Availability of the manual**

This manual will be made available to the South African Human Rights Commission in accordance with paragraph 4(1) of the Regulations promulgated in terms of PAIA, and will be published on the Department's website (<http://www.tourism.gov.za>). Copies of the manual will also be available at the Department's offices for perusal. The prescribed fees apply when copies have to be made for requesters.

## **4. PUBLIC INSTITUTIONS REPORTING TO THE NDT**

The South African Tourism Board established in terms of the Tourism Act, 1993.

**ANNEXURE A**

**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 \_\_\_\_\_ (state rank, 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:

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**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:

\_\_\_\_\_

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2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record:

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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

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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.

Disability: _____ _____	Form in which record is required: _____ _____
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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.

1. If the record is in written or printed form:		
copy of record*	inspection of record	
2. If record consists of visual images -  (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):		
view the images	copy of the images*	transcription of the images*

3. If record consists of recorded words or information 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 if the record is not available in the language you prefer, access may be granted in the language in which the record is available.
In which language would you prefer the record? _____

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary
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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 \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

**ANNEXURE B**

**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**

<p><i>(a) The particulars of the person who lodge the internal appeal must be given below.</i></p> <p><i>(b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.</i></p> <p><i>(c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.</i></p>
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Full names and surname: Identity number: Postal address: Fax number: Telephone number: E-mail address: Capacity in which an internal appeal on behalf of another person is lodged: Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.
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Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

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

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.
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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 \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
SIGNATURE

OF

APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on \_\_\_\_\_ (date) by \_\_\_\_\_ (state rank, name and surname 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 Officer on \_\_\_\_\_ (date) to the relevant authority.

OUTCOME OF APPEAL:

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

NEW DECISION: \_\_\_\_\_

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DATE RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE  
RELEVANT AUTHORITY ON (date):

## ANNEXURE C

### SCHEDULE OF PRESCRIBED FEES

Fee for a copy of the manual as contemplated in Regulation 5(c) for every photocopy of an A4-size page or part thereof	R0-60
Fees for reproduction referred to in Regulation 7(1) are as follows:	
(a) For every photocopy of an A4-size page or part thereof	R0-60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0-40
(c) For copy in a computer-readable on	
1. floppy disk	R5-00
2. compact disk	R40-00
(d) For a transcription of visual images	
(i) For an A4-size page or part thereof	R22-00
(ii) For a copy of visual images	R60-00
(e) For a transcription of an audio record	
(i) For an A4-size page or part thereof	R12-00
(ii) For a copy of an audio record	R17-00
Request fee payable by a requester, other than a personal requester, referred to in Regulation 7(2)	R35-00
The access fees payable by a requester referred to in regulation 7(3) 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 A4-size page or part thereof held on a computer or in electronic or machine readable form	R0-40
(c)	For copy in a computer-readable on	
(i)	stiffy disk	R5-00
(ii)	compact disk	R40-00
(d)	For a transcription of visual images	
(i)	for an A4-size page or part thereof	R22-00
(ii)	for a copy of visual images	R60-00
(e)	For a transcription of an audio record	
(i)	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, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	R15-00 for each hour
2.	For purposes of Section 22(2) of the PAIA, the following applies: <ul style="list-style-type: none"> <li>a. Six hours as the hours to be exceeded before a deposit is payable</li> <li>b. One third of the access fee is payable as a deposit by the requester</li> </ul>	
3.	The actual postage is payable when a copy of a record must be posted to a requester	