



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Inspiring New Hope

PROMOTION OF ACCESS TO INFORMATION & PROTECTION OF PERSONAL INFORMATION MANUAL

KWAZULU-NATAL

DEPARTMENT OF AGRICULTURE & RURAL DEVELOPMENT

**Compiled in compliance with the Promotion of
Access to Information Act (Act No. 2 of 2002) (PAIA)**



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OKUQUKETHWE NGAPHAKATHI

ISIGABA 1

1. ISANDULELO

- 1.1 Ukuchazwa kamagama
- 1.2 Inhloso kasomqulu
- 1.3 Amagunya omnyango
- 1.4 Amaqhinga okusebenza
- 1.5 Ukulawulwa kolwazi

ISIGABA 2

2. IZINDLELA ZOKUXHUMANA

- 2.1 Umgcini wolwazi
- 2.2 Isekela lomgcini wolwazi
- 2.3 Isekela lomgcini wolwazi
- 2.4 Isekela lomgcini wolwazi
- 2.5 Isekela lomgcini wolwazi

ISIGABA 3

3. UKUTHOLAKALA KOLWAZI OLUGCINWE WUMNYANGO

- 3.1 Amarekhodi (olwazi) asezandleni zomnyango
- 3.2 Ukuzivumela okungaphoqiwe
- 3.3 Izindlela zokucela amarekhodi/ulwazi
- 3.4 Ukucwaningwa kwesicelo
- 3.5 Imali ekhokhwa yilowo ocela ulwazi



ISIGABA 4

4. UKUNIKEZELWA KOSIZO EMPHAKATHINI

- 4.1 Izinhlobo zosizo umnyango ozikhiphela umphakathi
- 4.2 Ulwazi olwedlulele olumayelana nosizo olutholakala emnyangweni

ISIGABA 5

- 5. Ulungiseka kwamaphutha enzekile

ISIGABA 6

- 6. Iqhaza elingabanjwa wumphakathi ekusungulweni kwemigomo yokusebenza ngaphakathi emnyangweni

OKUQUKETHWE NGAPHAKATHI (APPENDIX):

APPENDIX 1

Amarekhodi asezandleni zomnyango kanye nokuchazwa kwezigaba zolwazi olumayelana naloku

APPENDIX 2

Imali ebekelwe ukukhokhwa womphakathi

APPENDIX 3

Izindlela ezibekiwe zokutholakalakala kolwazi



APPENDIX 4

Izindlela zangaphakathi zokudlulisela phambili udaba

INGXENYE 2 ISIBONISO 1: UHLAKA LOMNYANGO

ISIGABA SOKUQALA

1. ISANDULELO

1.1 UKUCHAZWA KWEZINQAMULELO

- (i) DARD kuchaza uMnyango wezoLimo nokukuThuthukiswa kwemiPhakathi yaseMakhaya
- (ii) Isekela lomgcini wolwazi kuchaza ukuthi kukhulunywa ngomuntu ojutshwe womnyango ukuthi abe ngumgcini wolwazi
- (iii) Umgcini wolwazi kuloku kusukekukhulunywa ngenhloko yomnyango wezoLimo nokuThuthukiswa kwemiphaphathi yaseMakhaya
- (iv) Umlawuli wokusatshalaliswa kolwazi: kusho umuntu oqokwe wumnyango ukuthi alawule futhi abhekelele ukukhishwa kolwazi ngokuhambisana nomthetho ovikela ulwazi olumayelana nalabo abathintekayo kulolo lwazi
- (v) Ukuzwakalisa ukungagculiseki: kusho izindlela zokuzwakalisa ukungagculiseki ngendlela isicelo sakho esiphatheke ngayo
- (vi) PAIA : kusho umthetho oqhakambisa ukutholakala kolwazi ngokomthetho 2 ka 2000 (njengokuchithshiyelwa kwawo)
- (vii) POPIA : kuchaza ukuvikeleka kolwazi olumayelana nabantu okungumthetho 4 ka 2013

1.2 INHLOSO YALOSOMQULU

Inhloso yalosomqulu wukuthi ifundise ngolwazi kumuntu onesifiso sokusebenzisa amalungelo ake okuthola olwazi njengoba kubekiwe kuMthetho olawula ukuqhakambisa ukusatshalaliswa kolwazi kanye nalowo olawula ukuvikelwa kolwazi olumayelana nabantu. Noma imuphi umuntu (ngaphandle kokubalula ubuzwe bakhe) anagafaka isicelo sokuthola ulwazi njengoba kusho umthethi PAIA.

Losomqulu uhlanganisiwe ngokuhambisana nesigaba 14 somthetho ukuze sinike umphakathi ulwazi lokuthi bangafinyelela kanjani kulwazi olsezandleni zomnyango wezoLimo nokuThuthukiswa kwemiPhakathi yaseMakhaya (okusukela manje kuzobizwa ngo”mnyango”) ukuze



siqinisekise ukuthi umnyango wenza umsebenzi wawo ngokuvulelekile kungenazimfihlo ukuze amalunga omphakathi akwazi ukunkankanya izinqumo ezithathwe wumnyango.

Isigaba 14 somthetho siphoqa yonke imnyango kahulument kanye nezingxenye zayo ukuthi ikhiphe usomqulu ozoba ngomhlahlandlela kumalunga omphakathi ukuthi angaluthola kanjani ulwazi oluqokethwe ngama reckhodi asezandleni zomnyango.

Lolulwazi luyawanothisa amalunga omphakathi. Umphakathi udinga ukwazi ukuthi umnyango unikezela ngaziphi izinhlobo zosizo nokuthi lutholakala kanjani. Yiyo kuphela lena indlela esingathuthukisa ngayo inqubo yentando yeningi.

Losomqulu uzophinde usize abantu umfundise ukuthi angaluthola kanjani ulwazi njengoba kubaluliwe kwisigaba 23 sePOPIA.

1.3 AMAGUNYA OMNYANGO

Iphupho (Vision)

Sinephupho elihlanganisile, lokuguqula imboni yezolimo elikwakha imiphakathi ethuthukile ehambisana nezimo zemvelo.

Inhloso (Mision)

Sihlose ukuthuthukisa ezolimo ezibhekelela ukukhula komnotho, ukutholakala kokudla kanye nokuthuthukiswa kwemiphakathi yasemakhaya.

1.4 AMAQHINGA OKUSEBENZA NEZINHLOSO-NGQANGI

AMAQHINGA ANEMIPHUMELA	1.5 UKUZIBOPHEZELA KWETHU
1 Ukuphathwa kukahulumeni okubhekiswe ekwethulweni kwentuthuko	Uphatha ukulumeni ngezindlela ezingenazimfihlo ngokusebenza kwezimali
2. Ukuthombululwa kwezolimo ezifundazweni	Ukufaka wonke amagalelo esinawo ukuthuthukisa ezolimo esifundazweni



3. Ukubhekelelwa kwezemvelo ukuthi zingaxhaphazeki	Ukusebenza ezolimo ezingaxhabani nokongiwa kwemvelo
4. Ukuqinisekisa ukuthi imiphakathi yasemakhaya ihlezi ngokunethezeka	Ukuthukisa izindlela zokutholakala kukahulumeni ezindaweni sazemakhaya ngokubambisana

1.5 UKUSUNGULWA KWEZINDLELA ZOKULAWULA ULWAZI

- (i) Loluhlelo lwasungulwa ukuqinisekisa uukusatshalaliswa kwezinhloso zePAIA eziqinisekisa amalungelo okutholakala kolwazi ngendlela eqinisekisa ukutholakala kwamarekhodi asezandleni zezinhloso zikahulumeni ngaphandle kwemigomo ephazamisayo. Lomlawuli wolwazi wasungulwa ngokwemigomo yesigaba 39 we PAIA.
- (ii) iPAIA ichibiyela iqhaza le South African Human Right Commission (SAHRC) namagunya ayo. Kusukela mhlaka 30 June 2021, yonke imisebenzi ye SAHRC isizoba phansi kwezandla zomlawuli.
- (iii) Yize kona iSAHRC isaqhubeka nemisebenzi yayo ebekwe ngumthethosisekelo wezwe wokuvikela amalungelo aqhakambisiwe kwisigaba samalungelo abantu, iSAHRC kanye nomlawuli bayasebenzisana ngokubambisana.
- (iv) Umlawuli ugunyazwe yiPAIA phansi kwesigaba 4, Chapter 1A nasigaba 5 nezingxenye zaso ukuthi wenze loku okulandelayo :
 - (i) Ukuqhakambisa amalungelo okufinyelala elwazini uphinde usize umphakathi ekusenziseni iPAIA .
 - (ii) Ukugada (monitor) ukusetshenziswa kwe PAIA wumphakazi kanye nezinkampani ezizimele (okubandakanya ukwenza lolwazi lutholakale ngaphandele kokulibaziseka)



- (iii) Ukwenza izincomo zokusimamisa iPAIA
- (iv) Ukubika ePhalamende minyaka yonke
- (v) Isigaba 77C nesigaba 2 sePAIA sigunyaza amandla nokusebenza komlawuli ukuthi enze loku okulandelayo:-
 - (i) Ukuphenya izikhalazo ezenwe kuMlawuli ngendlela ebekekile
 - (ii) Ukudlulisela isikhalazo ekomidini elibhekelela ukusebenza komthetho elisungulwe ngokwesigaba 50 sePAIA
 - (iii) Ukuthatha isinqumo, okuhambisana nesigaba 77D, ukuthatha izinyathelo ngesikhalazo noma ukuthatha isinyathelo esinzulu mayelana nesikhalazo
 - (iv) Ukuthatha izinyathelo esifanele, njengomhlanganisi mayelana nesikhalazo ngendlela ebekiwe.

ISIGABA 2

2. ULWAZI NGEZOKUXHUMANA (ISigaba 14(1)(b))

2.1	Umgcini wolwazi :	Dr Fikile Qwabe - Inhloko yomnyango
	Indawo yokusebenzela :	Umnyango wezoLimo nokuThtuthukiswa kwemiPhakathi yaseMakhaya -eCedara
	Ikheli lokuposa:	Private bag x 9059 Pietermaritzburg 3200
	e-mail :	HOD.PA@kzndard.gov.za
	Inombolo yocingo:	(033) 355 9108
	Isikhahlezi (Fax):	(033) 355 9293



- 2.2 Isekela loMgcini Lwazi: Ms Nishee Seegobin – Umqondisi wezoMthetho
Ikheli lokusebenzela : 1 Cedara Road, Pietermaritzburg
3200
Ikheli lokuposa : Private Bag x 9059

Pietermaritzburg
3200
Imbolo yocingo: (033) 355 9118
Isikhahlamezi (Fax): (033) 355 9370
e-mail: Nishi.Seegobin@kzndard.gov.za
- 2.3 Isekela likaMgcini Lwazi: Mnuz Rezaan Cassim (Senior Legal Administration Officer)
Ikheli lokusebenzela: 1 Cedara Road, Pietermaritzburg
3200
Inombolo yocingo : (033) 343 8005
Isikhahlamezi (Fax) : (033) 355 9370
e-mail : Rezaan.Cassim@kzndard.gov.za
- 2.4 Isekela Mgcini Lwazi : Mnuz Raymond Z Ngema (Senior Legal Administration Officer)
Ikheli lokusebenzela : 1 Cedara Road, Pietermaritzburg
Ikheli lokuposa: Private Bag x 9050
Pietermaritzburg
3200
Inombolo yocingo: (033) 355 9187
e-mail: Zakhele.Ngema@kzndard.gov.za



ISIGABA 3

3. UKUTHOLAKALA KWAMAREKHODI ASEZANDLENI ZOMNYANGO

3.1 AMAREKHODI ASEZANDLENI ZOMNYANGO

Ukuchazwa kwezigaba zolwazi kuvela kahle ku Appendix 1 onamathaselwe kulosomqulu

3.2 Ukutholakala kalula kwamarekhodi athile asezandleni zemikhakha kahulumeni

Isigaba 15 sePAIA sibalula ukuth uMgcini lwazi womkhakha kahulumeni, kumele ahlanganise futhi futhi abalule catergorise) amarekhodi asesimweni sokutholakla kalula ngaphandle kokuthi lowo owadingayo aze awacele. Lawo marekhodi kumele ehlezi enolwazi lwakamuva uma kukhona isichibiyelo esenzekile. Ukuchazwa kwalawo marekhodi kumele kwaziwe nguMlawuli wolwazi, futhi kutholakale nakwi website yomnyango ukuze labo abathanda ukuluhlolisisa baluthole kalula, luphinde lutholakale nasenhloko hhovisi yomnyango ngamahora okusebenza.



FORM D

AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:

(Section 15 of the Promotion of Access to Information Act 2000 (Act no. 2 of 2000))[Regulation 5A]

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)(a))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
The list of records are detailed in Section 3 of the PAIA Manual.	The records may be inspected on request in writing addressed to the Information Officer and or the Deputy Information Officers, Department of Agriculture and Rural Development, Private Bag X9059, PIETERMARITZBURG, 3200, (fax number 033 3559293) and on payment of the amount as per Appendix 1 of the PAIA Manual.
FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
The list of records are detailed in Section 3 of the PAIA Manual.	The records may be inspected on request in writing addressed to the Information Officer and or Deputy Information Officers, Department of Agriculture and Rural Development, Private Bag X9059, PIETERMARITZBURG, 3200. (fax number 033 3559293) and on payment of the amount as per Appendix 1 of the PAIA Manual.
FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	
(a) Delegations	The records may be inspected on request in writing



(b) Records relating to administrative decisions reached by the Department.	addressed to the Information Officer and or Deputy Information Officers, Department of Agriculture and Rural Development, Private Bag X 9059, PIETERMARITZBURG, 3200, (fax number 033 355 9293) and on payment of the amount as per Appendix 1 of the PAIA Manual.
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
The list of records are detailed in Section 3 of the PAIA Manual, amongst others but not limited to: - Strategic Plan and Annual Performance Plans. - Departmental Mission, Vision and Strategic Objectives. - Values of the Department. - Legislative Mandate of the Department. - Service Commitment Charter (SCC). - Service Delivery Improvement Plan (SDIP). - Quarterly Expenditure Reports. - Policies regarding Internal Practices. - Budget Vote of the MEC and other Speeches. - Departmental Publications. - Annual Reports - GIS mapping. - Mid term reviews. Legislation. - Delegations - Circulars. - KZN Librarian newsletters.	The records may be inspected on request in writing addressed to the Information Officer and or Deputy Information Officers, Department of Agriculture and Rural Development, Private Bag X 9059, PIETERMARITZBURG, 3200, (fax number 033 355 9293) and on payment of the amount as per Appendix 1 of the PAIA Manual.



- Internal Newsletters. - Media Releases (Umvelo, daily media monitoring). Brochures (Ulwandle)	
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3.3 UKUTHOLAKALA KWAMANYE AMAREKHODI

3.3.1 Ukufakwa kwezicelo sokutholakala kwamarekhodi/ Indlela yokucela amarekhodi

3.3.1.1 Isicelo sokuthola amarekhodi asezandleni zomnyango kufanele sihlangebezane nalemigomo elandelayo:-

- Kufanele sifakwe kusetshenziswa ifomu elibekile (elinamathiselwe kulosomqulu laba ngu Form 2 Appendix 3)
- Kumele liqondiswe kuMgcini lwazi womnyango noma kwisekela lakhe kusetshenziswa izindlela zokuxhumana ezibekwe kwisiqhephu 2 salosomqulu.
- Kufanele siqukathe inimingwane eyanele ukuze ukuze isisebenzi somnyango sikwazi ukuthola kalula uhlobo lolwazi olucelwa yilowo odinga usizo
- Kumele kuchazwe ukuthi ingabe lelorehodi elicelwayo kumele libe ngolimi olukhethekile yini (kumele kwaziwe ukuthi uma irekhodi lingatholakali ngolimi olukkhethwe ngumceli, liyotholakala ngolimi ngolimi olubhalwe ngalo)
- Kumele isicelo siveze ikheli leposi noma inombolo yesikhahlamezi salowo ocele ulwazi
- Ngaphezu kwempendulo ebhalwe, uma lowo ocele ulwazi efisa ukwaziswa ngesinqumo esithathiwe ngesicelo sakhe, noma ngabe ingaluphi uhlobo, kumele achze ukuthi iluphi uhlobo afisa ukwaziswa ngalo
- Uma isicelo sifakelwa omunye umuntu, lowo osifkayo kumele aveze ubufakazi bokuthi uthinywe ngasiphi isikhundla ukuze uMgcinilwazi agculiseke

3.3.1.2 Njengokubeka kwesigaba 3.3.1.1 salosomqulu, uMgcinilwazi womnyango kumele enze konke okusemandleni ake ukuthi assize lowo ocele olwazi futhi aqinisekise ukuthi ukufakwa kwesicelo kuyahamb isana nemigomo ebekwe kwisigaba 3.3.1.1 esingehla ngokuti:-

- ngokuthi ashintshe isicelo esenziwe ngomlomo asibhale phansi uma ocelile evinjwa yizimo zokuhleleka ukubhala noma ukukhubazeka noma ukuhluleka ukuhlangabezana nemigomo ebekekile youfakwa kwesicelo.
- ukunikezela ngolwazi kulowo ocelile ukuze afake isicelom sakhe ngendlela ehlelekile



- (c) ukuziza umfaki sicelo ukuthi afake isicelo sakhe emnyangweni ofanele uma kucaca kuMgcinilwazi ukuthi lesiceleo bekufanele sifakwe komunye umnyango, hhayi lona wakhe.
- (d) Ukudlulisela isicelo emnyangweni ofanele uma Umgcinilwazi ebona ukuthi lesicelo bekufanele sifakwe komnye umnganga, hhayi lona wakhe.

3.3.3 Ukucutshungulwa kwesicelo

Njengoba kubekiwe kwisigaba 3.3.2 ngenhla, uMgcinilwazi kufanele cubungule isicelo ngokushesha kodwa zingapheli izinsuku ezingu 30 emva kokwamukelwa kwesicelo. UMgcinilwazi, ngokubhekana nezimo ezithile

- (a) Angadlulisela isicelo komunye umnyango kahulumeni
- (b) Akuchithe ukufakwa kwesicelo
- (c) Anwebe isikhathi asidingayo ukubhekana nesicelo
- (d) Acele usizo emnyangweni ozimele ukuthi ungenelele kulesicelo
- (e) Anikeze imvume yokutholakala kolwazi
- (f) Anqabe ukuthi ulwazi lutholakale

3.3.3.1 Ukudluliselwa kwesicelo kuye kweminye iminyango kahulumeni

- (a) Isicelo sokutolakala kolwazi esilethwe kuMgcinilwazi singadluliselwa kweminye iminyango kahulumeni ngenxa yalezizathu ezilandelayo:-
 - (i) uma ulwazi noma irekhodi eliceliwe lungexho ezandleni zomnhyango wakhe kepha luphansi komunye umnyango kahulumeni noma kwisigaba sawo
 - (ii) uma ulwazi oluceliwe lusondelene kakhulu nokusebenze komunye umnyango ngaphandle kwalona woMgcinilwazi
 - (iii) Uma ulwazi oluceliwe lumayelana nezokuhwebelana (okungagunyaziwe yisigaba 42 somthetho) lapho kuthinteka yonke iminyango kahulumeni
- (b) uma isicelo esifakiwe sihambisana nesigatsha A esingenhla, uMgcinilwazi kufanele:-
 - (i) adlulisele isicelo emnyangweni okuqondene nawo ngokushesha zingakapheli izinsuku ezingu 14 emva kokufakwa kwesicelo.
 - (ii) adlulisele irekhodi emnyangweni oqondene nalo, uma uMgcinilwazi enalo leirekhodi.Uma esesidlulisile isicelo, uMgcinilwazi kufanele azise ngokushesha ukuthi



- (i) Umdlulisi, kanye nokuchazwa kwakhe kanye neminingwane yokuxhumana yalowo okudluliselwe kuye isicelo
- (ii) Izizathu zokudluliswa kwesicelo
- (iii) Isikhathi okufanele kucutshungulwe ngaso isicelo

3.3.3.2 Ukubekwa eceleni kwezicelo samarekhodi

(a) uma uMgcinilwazi enquma ukugunyaza ukutholakala kolwazi kufanele:-

- (i) luzotholakala singakapheli isikhathi esiyizinsuku ezingu 90 emva kokwamukewa kwesicelo
- (ii) kuyimpoqo ngokomthetho ukuthi kumenyezwe noma kusazomenyezwe

Isilungiselwe ukuthi idluliselwe kwisishayamthetho noma kumunto othile okunguyena ozobhekana nalesicelo esikhathini esizayo

(b) Uma ukutholakala kolwazi kusabekwe eceleni, uMgcinilwazi kufanele azise umfaki wesicelo

- (i) ukuthi zingakapheli isinsuku ezingu 30 umfaki wesiceli angafaka isicelo sokumeleka achaze ukuthi kungani uMgcinilwazi kufanele abhekane nesicelo sakhe
- (ii) azise ngesikhathi esingase siphile isicelo sisabekwe eceleni.

(c) UMgcinilwazi anakuvumela ukutholakala kolwazi uma, ngokubhekelela izethulo ezenziwe ngumceli wolwazi, ekholwa wukuthi umceli wolwazi izocindezeleka uma enqatshelwa.

3.3.3.3 Ukunwetshwa kwesikhathi sokucutshungulwa kwesicelo

(a) UMgcinilwazi angasinweba isikhathi sokucubungula isicelo sidlule ezinsukwini ezingu 30 kepha akuvumelekile ukuthi asinwebe ngesinsuku ezingaphezulu kwezingu 30 uma ebekene nalezizimo:-

- (i) uma isicelo sibandakanya amarekhodi amaningi noma uma kudingeka kupeqululwe kumarekhodi amaningi kanti loko kungase kuphazamise ukusebenza komnyango
- (ii) uma ukucingwa kwamarekhodi kanye nokuqoqwa kwawo kungeke kwenzeke ezindaweni eziphansi kwedolobha eliloldwa lapho kusebenzela khona uMgcinilwazi futhi ukuqoqwa kalo kungeke kukwazi ukwenzeka ngesikhathi esibekiwe.
- (iii) uma ukuxhumana phakathi kwezigaba zomanyango kanye neminye iminyango kumbe izigaba zayo (entities) noma uma kudingeka esinye isigaba somnyango ukuthi sithathe isinqumo ngesicelo kungeke kwenzeke nesikhathi esibekile.
- (iv) Uma esinye noma ezinye zalezizathu ebekwe ngenhla ziphazamisa, zenze kube nzima ukusebenza ngesikhathi esibekile noma
- (v) Umfaki wesicelo evumelana nokunwetshwa kwesikhathi

(b) Uma kucaca ukuthi esinye salezizathu ezingenhla ziyaphazamisana nokusebenza, uMgcinilwazi kufanele azise ngokushesha zingakapheli izinsuku ezingu 30 emva kokufikakwesicelo azise umfaki sicelo ukuthi:-

- (i) isikhathi sesinwetshiwe



- (ii) izizathu zokunwetshwa kwesikhathi
- (iii) ukwazisa umfaki sicelo ukuthi angazwakalisa ukungagculiseki kwakhe adlulisele udaba lwakhe enkantolo njengoba kungase kwenzeke ukuthi ukunetshwa kwesikhathi kuyaphikisana nenqubo.

3.3.3.4 Ukungenelela kwesigaba esizimele

Umpathi wolwazi, phambi kokuthi adedele irekhodi lolwazi kumele abheke ukuthi

- (a) Akuthinteki yini ulwazi lomuntu ongangaphandle/ wesithathu
- (b) Akuthinteki yini ulwazi olumayelana nesikhungo sokugcina izimali (Revenue Services)
- (c) Ulwazi lwezohwebo okumayelana nomuntu wesithathu
- (d) Ulwazi olufihlakele olmayelana nomuntu wesithathu noma
- (e) Ulwazi lwezokucwaninga olwenziwe ngumuntu wesithathu kumbe umnyango kahulumeni ukuze azise labo abathintekayo ukuthi bakhiphe imvume ebhalwe phansi egunyazi ukudedelwa kolwazi echaza ukuthi
 - (i) Kungani kufanele isicelo sigunyazwe noma sichithwe
 - (ii) Noma a kubhalwe incwadi egunyaza ukudalulwa kolwazi kulowo olucelile

3.4 UKUGUNYAZWA NOMA UKUCHITHWA KWESICELO

3.4.1 Uma isicelo sokudalulwa kolwazi sigunyaziwe, lowo ofake isicelo uzokwaziswa

- (a) ukuthi isicelo sakhe sigunyaziwe
- (b) uma kukhona isikweletu angasikhokhanga, kuzofanela asikhokhe
- (c) Indlela ulwazi oluzothunyelwa ngayo kuyena nomuthi
- (d) uma ephikisana nokukhokhokhwa kwesikweletu kanye nefomu eveza inqubo yokufakwa kwesikhalazo

3.4.2 Isicelo sokuthola olwazi oligodlwe wumnyango singachithwa uma ulwazi olucelwayo lungena kwingxenye yolwazi okungafanele ludalulwe ngokwegigaba 34(1), 35(1), 36(1), 37(1), 38(a), 39(1) 40, 41(1), 41(2) kanye no 45 somthetho. Uma isicelo sichithiwe umgcini wolwazi uyokwazisa umfaki wesicelo ukuthi

- (a) isicelo sakhe sichithiwe kanye nezizathu zokuchithwa kwaso
- (b) ukuthi umfaki wesicelo angadlulisela phambili udaba lwakhe ngokuhambisana nemigoma ebekiwe kwisigaba 7 salelibhuku.



3.4.3 Uma umgcini wolwazi engasiphendulanga isicelo somfaki sicelo zingakapheli iznsuku ezingu 30 emva kokuthi ethole isicelo kuyothathwa ngokuthhi isicelo sichithiwe

3.4.4 Uma kukhona izinyathelo ezithathiwe ukubheka irekhodi eliceliwe futhi kunenkolelo yokuthi lisezandleni zomnyango kodwa lingasatholakali noma lingasekho, umphathi wolwazi, ngokubhala incwadi efungelwe, uyokwazisa umceli wolwazi ukuthi ayisekho indlela yokuthi aluthole. Ngokendlela yomthetho, loku kuyotahathwa ngokuthi isicelo serekhodi sichithiwe. Uma kwenzeka libuye litholakala irekhodi, umfaki wesicelo uyokwaziswa, ngaphandle ke uma besivele isizochithwa isicelo sakhe.

3.5 IMALI OKUMELE IKHOKHWE

3.5.1 Imali okumele ikhokhwe uma ucela ulwazi

- 3.5.1.1 Uma umfaki wesicelo ecelwa ulwazi olumayelana naye akufanele akhokhe imali yokudalulwa kolwazi. Uhla lwezimali okufanele ikhokhwe yibona banke abake izicelo luveziwe kwisigaba 6 salosomqulu.
- 3.5.1.2 Umphathi wolwazi kumele azise umfaki sicelo mayelana nokukhokhwa kwemali (uma kukhona edinga ukukhokhwa) phambi kokuthi kusetshenzwe isicelo sakhe.
- 3.5.1.3 Umfaki sicelo uvelekile ukuthi ukudlulisa isikhalazo sakhe khona ngaphakathi (emnyangweni) asibhkise kuMphathiswa womnyango noma asibhekise kulowo okukhokhwa kuye izimali.
- 3.5.1.4 Uma umphathi wolwazi esethathe isinqumo mayelana nesicelo, umfaki wesicelo kumele aziswe ngesinqumo kusentshenziswe indlela umfaki wesicelo akhethe ukuthi azizwe ngayo
- 3.5.1.5 Uma isicelo sivumelekile, kudingeka kuphinde kukhokhwe enye imali yokubhekananokukhiqizwa noma yesikhathi esizosetshenziswa ngenikhathi kubhekwa kwamarekhodi azodalulwa. Ulwazi luzogodlwa kuze kube wukuthi sezikhokhiwe zonke izimali ezidingekayo

ISIGABA SESINE

IZINDLELA ZOKULUNGISA UKWEHLULEKA UKUBHEKA ISICELO

- 4.1.1.1 Uma umphathi wolwazi esichitha isicelo serekhodi, umfaki wesicelo angadlulisa udaba lwakhe ngaphakathi (emnyangweni) aphikisane nokuchithwa kwesicelo sakhe s74 (1)(a). A ngadlulela enkantolo uma ethanda
- 4.1.1.2



Ngokwesigaba 78 (1) we PAIA, umfaki sicelo angakhetha kokubuli, phakathi adlulise ukungagculiseki kwakhe akubhekise kumlawuli wolwazi noma adlulele enkantolo. Yize umfaki sicelo engaphoqekile ukuthi aqale akhulumisane nomlawuli wolwazi phambi kokuthi adlulele enkantolo, kodwa kungombono omuhle ukuthi aqale akhulumisane nomlawuli wolwazi njengoba yena enezindla eziningo zokuthi axazulule ukungaboni ngaso linye, okungono kunokuya enkantolo

UKUFAKWA KWEZIKHALAZO NGAPHAKATHI (EMNYANGWENI)

5.1 Ubani ovumeleke ukudlulisa isikhalazo ngaphakathi emnyangweni?

5.1.1 Noma imuphi umfaki sicelo sakhe sokuthola amarekhodi esichithiwe kodwa engagculisekile angadlulisa udaba lwakhe ngaphakathi emnyangweni

5.1.2 Abaqhauka ngaphandle (komnyango) bangadlulisa isikhalazo sabo ngesinqumo esithathwe wumgcini wolwazi uma kudalulwa ulwazi olumayelana nabo. Uma ukudluliswa kwesikhalazo ngaphakathi kuthinta umuntu wangaphandle, uMphathiswa (womnyango) kumele azise owangaphandle othintekayo

5.2 Isikhathi esibekekile sokudluliswa kwezikhalazo

5.2.1 Ukudluliswa kwesikhalazo ngaphakathi kumele kwenzeke

5.2.1.1 singakapheli izinsuku ezingu 60 emva kokuthathwa kwesinqumo

5.2.1.2 kumele sifakwe zingakapheli izinsuku 30 emva kokwaziswa kwalowo wangaphandle

5.2.3 Uma uMphathiswa womnyango engavumelani nokufakwa kwesikhalazo, kumele aveze izizathu zakhe zokuchitha isicelo bese elethatha nezindlela ezingcono zokufakwa kwesicelo ukuze samukeleke. Umphathiswa kumele aphinde anikeze iseluleko sendlela engcono yokufaka isikhalazo ngesinqumo sabo uma ufuna ukusidlulisela enkantolo.

5.2.4 Isikhalazo kumele sidluliswe ngumphathi wolwazi ukuze sifike ezandleni zomphathiswa zingakapheli insuku eziwu 10 sifikile ehhovisi lakhe.

5.3 Impendulo yoMphathiswa ebhekiswa kumfaki sicelo noma komunye wangaphandle

5.3.1 Umphathiswa, kufanele abuyisele impendulo kufaki sicelo zingakapheli izinsuku eziwu 10 lapho ezokwazisa khona

5.3.1.1 lowo wangaphandle ongumnikazi werekhodi okufakwe ngaso isikhalazo



5.3.1.2 umfaki sicelo emazisa ngezindlela zangaphakathi zokudlulisa isikhalazo mayelana nokudededelwa kolwazi

5.3.2 Umfaki sicelo oma owangaphandle osenikwe impendulo, ugunyaziwe ukuthi abhale isethulo asibhekise kumphathiswa zingakapheli izinsuku ezingu 21 asho ukuthi kungani kungafanele kusatshalaliswe ulwazi.

5.4 Isinqumo mayelana nesikhalazo esifakwe ngaphakathi kanye nokunye

5.4.1 Umphathiswa kumele athathe isinqumo ngokushesha zingakapheli izinsuku ezingu 30

5.4.1.1 emva kokuthi isikhalazo sangaphakathi siwele ezandleni zomphathi lwazi

5.4.1.2 emva kokuthi owangaphandle azisiwe, njengoba kubekiwe kwisigaba 5.3.1 ngenhla

5.4.2 Isinqumo sikamphathiswa kumele sidluliselwe kumfaki sikhalazo, owangaphandle kanye nakumfaki sicelo. Isinqumo sikamphathiswa kumele sihambisane nezizathu ezingqala, okubandakanya nemigomo ye PAIA kanye ne POPIA okuyiyo okuthenjewe kuyo.

5.4.3 Uma umphathiswa ehluleka ukwazisa umfaki sikhalo ngesinqumo sakhe zingakapheli izinsuku ezingu 30 kuthathwa ngokuthi ukufakwa kwesikhalazo kubhantshile kanti umfaki sikhalazo usengadlulela kumlawuli wolwazi noma adlulele enkantolo acele khona ukulalwa kodaba lwakhe.

5.5 ukugcwaliswa kwefomu 4 lokudlulisa isikhalazo ngaphakathi

5.5.1 Ukuze ukwazi ukuphikisana nanoma yisiphi isinqumo somnyango, umfaki sicelo kumele agcwalise ifomu 4.

5.5.2 Ifomu 4 liyatholakala ekhasini lomnyango.

5.5.3 Umphathi wolwazi noma isekela lakhe akaphoqelekile ukuthi basize umfaki sicelo ukuthi agcwalise ifomu yokuphikisana nesinqumo.

5.6 UKUFakwa KWESIKHALAZO KUMLawuli Wolwazi

5.6.1 Umfaki sicelo noma owangaphandle angafaka ikhalazo sakhe kumlawuli wolwazi emva kokuthi esezihambe zonke izigaba zangaphakathi zokuphikisana nesinqumo somphathi wolwazi. Loku kuchaza ukuthi umfaki sicelo angakwazi ukufaka isikhalazo mayelana nomnyango kuphela uma engagculisekile ngesinqumo. Umlawuli wolazi uzosichitha isikhalazo uma uma ingalandelwanga yonke imigudu yokufwakwa kwesikhalazo.

5.6.2 Isikhalazo singadluliselwa kumlawuli wolalwazi zingakapheli izinsuku ezingu 180 emva kokuphuma kwesinqumo somnyango.

5.6.3 Umfaki sicelo angasifaka isikhalazo kumlawuli wolwazi, uma engagculisekile ngaloku:-

5.6.3.1 umphumela wesikhalazo kwabasemagunyeni (isiphathimandla)



5.6.3.2 isinqumo sesiphathimandla sikwenqabela ukudluliswa kwesikhalazo

5.6.3.3 isinqumo somphathi wolwazi

5.7 SIFAKWA KANJANI ISIKHALAZO KUMLAWULI

5.7.1 Isikhalazo kufanele sibe ngesibhalwe phansi kwifomu 5 ngokuthi sibalwe ephepheni noma sidluliswe ngezindlela zobuchwepheshe.

5.7.2 loku kuchaza ukuthi umlawuli angeke asemukele isikhalazi esifakwe ngokushaya ucingo. Kodwa ke Umlawuli angalekelela lowo ofaka isikhalazo ukuthi amgwalisise ifomu.

5.8 UKUFAKA ISICELO ENKANTOLO

5.8.1 Umfaki sicelo angafaka isicelo enkantolo kuphela uma efuna ukuchazeleka okubhekelekile kwisigaba 82 kuloku okulandelayo:

5.8.1.1 uma kutholakala ukuthi umfaki sicelo usezihambe zonke izigaba zokuzwakalisa ukungagculiseki kwakhe ngaphakathi noma

5.8.1.2 ema kokuthi umfaki sicelo esehluleke kuyo yonke imizamo yakhe yokufaka isikhalazo

5.8.1.3 ngokwesigaba 78(1) sePAIA, umfaki sicelo noma owangaphandle angakhetha phakathi kokubili, phakathi kokuthi adlisele isikhalazo sakhe kumlawuli noma enkantolo. Yize ke kungaphoqelekile ukuthi umfaki sicelo aqale acele kumlawuli phambi kokuthi adliulele enkantolo, kodwa kungombono omuhle ukuthi aqale acele kumlawuli njengoba umlali enamaqhinga amaningi futhi ashehshayo okuxazulula ingxabano uma uqhathanisa nenkantolo.

5.8.1.4 Kodwa ke inkantolo iyona emandla evile okuthatha isinqumo esingujuqu odabeni, uma umfaki sicelo noma owangaphandle kufanele:-

5.8.1.4.1 ephatheke kabi ngesinqumo sesiphathimandla

5.8.1.4.2 uma esesihambe zonke izigaba zokufaka isikhalazo kumlawuli noma ahoxise isikhalazo sakhe abesibhekise kumlawuli. Loku kuchaza ukuthi umfaki sicelo angeke akwazi ukudlulela enkantolo uma isikhalazo sakhe sisacuthshungulwa ngumlawuli wolwazi.

QAPHELA LOKU: Isicelo esifakwe ngumfa sicelo noma owangaphandle kufanele sifakwe zingakapheli izinsuku ezingu 180 kusukela esikhathini okwaqala ukukhulunywa kwaloludaba

5.9 UKUTHOLAKALA KWALOSOMQULU

5.9.1 Losomqulu utholakala ngalezilimi ezilandelayo

5.9.1.1 Isingisi

5.9.1.2 Isibhunu

5.9.1.3 IsiZulu

5.2.2 ikhophi yalosomqulu itholakala ngalezindlela



5.9.2.1 ekhasini www.kzndard.gov.za

5.9.2.2 enhloko hho visi loMnyango wezoLimo nokuThtuthukiswa kwemiPhakathi yaseMakhaya

5.9.2.3 emahhovisi omnyango asezipfundeni

5.9.2.4 ehhovisi lomlawuli wolwazo uma ulicela

ISIGABA 6

UKUBAMBA IQHAZA KOMPHAKATHI EMISEBENZINI YOMNYANGO

Amalunga omphakathi angakwazi ukuba neqhaza ekusungulweni kwemigomo yokusebenza komnyango kanye;-

- (a) Phambi kokuthi noma yisiphi isandulelamthetho siyiswe kwisishayamthetho ukuze sithole ukuphasiswa kokugcina, kumele kubanjwe izithangami zomphakathi ukuze amalunga omphakathi azwakalise uvo lwawo ngalesandulela mthetho
- (b) Izinkankanyo (drafts) zalesandulela mthetho kumele zisatshalaliswe nge Gavernerment Gazette ukuze umphakathi uphawule phambi kokuthi siyiswe ephalamande
- (c) Amalunga omphakathi kumele athole ithuba lokuthi enze izethulo (representations) mayelana nemigomo ethinta umphakathi kanye nokusebenza komnyango ngokusebenzisa izithangami ezinjengezimbizo.

APPENDIX 1

ANNEXURE A - MATRIX OF PERSONAL INFORMATION PROCESSED BY DEPARTMENT

Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
Human Resources	Applicants for employment	Names, IDs, addresses, contact details,	To process applications for employment	Direct	Receive, screening, verification,	Physical files, electronic (hard drives,	Records Management Policy	S11(1)(d) S29



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
		race, gender, experience, qualifications, employment details			evaluate during recruitment process and filing	server)		
	Employees and dependents	Names, IDs, PERSAL numbers, addresses, contact details, race, gender, experience, qualifications, employment details	To process career incidents	Direct & indirect	Appointment processes, PERSAL administration, leave administration, performance management, discipline management, medical aid and pension form processing, resignation / retirement processing	Physical files and electronic (hard drives, server, transversal system)	Records Management Policy	S11(1)(d) S12(2)(c) S32(f)(i) Note: S30 only authorizes Trade Union to process information on union affiliation, not employers;
Fleet Management	Employee drivers of vehicles and passengers	Names, contact details	To process access to State vehicles	Direct	Issuing of trip authorities, processing of application for subsidized vehicles	Physical files and electronic (hard drives, server)	Records Management Policy	S11(1)(d)
Information Technology	Employee users of system	Names, PERSAL number, e-	To process access to IT system	Direct	Administration of access to system	Physical files and electronic (hard drives,	Records Management Policy	S11(1)(d)



Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
		mail addresses, passwords				server)		
Security Services	Visitors	Names, IDs, contact details	To process access to offices	Direct	Registration of access	Physical files	Records Management Policy	S11(1)(a)
	Employees	Names, IDs, PERSAL numbers, addresses, contact details, fingerprints	To process criminal records checks / vetting	Direct	Criminal record screening, security clearance processing	Physical files and electronic (hard drives, server)	Records Management Policy	S11(1)(d)
Asset Management	Employee users of assets	Names, PERSAL numbers	Process asset utilization and accountability	Direct	Recording of custodians of assets, reporting of losses	Physical files and electronic (hard drives, server, transversal system)	Records Management Policy	S11(1)(d)
Supply Chain Management	Bidders	Names, IDs, addresses, registration numbers, contact details	To process the evaluation and award of bids	Direct	Processing quotations or bids (screening, verification, evaluation and filing)	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(d)
	Contracted service providers	Names, IDs, addresses, registration numbers, contact details, bank account	Contract management	Direct	Processing contracts through to Legal Services and end-users	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(b)



Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
		details						
Accounting Services	Employees	Names, IDs, PERSAL numbers, bank account details	To process claims and payments	Direct	Payroll management; subsistence and transport claim administration	Physical files and electronic (hard drives, server, transversal system)	Records Management Policy	S11(1)(d)
	Service providers and creditors	Names, IDs, addresses, registration numbers, contact details, bank account details	To process claims, invoices and payments	Direct	Capturing banking details, processing payments	Physical files and electronic (hard drives, server, transversal system)	Records Management Policy	S11(1)(b)
Legal Services	Contracted service providers	Names, IDs, addresses, registration numbers, contact details, bank account details	To process the drafting and signing of contracts	Indirect	Receiving bids / quotations, drafting contracts	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(b) S12(2)(c)
	Litigants and claimants	Names, IDs, addresses, registration numbers, contact details, bank account details	Administering court processes, claims, correspondence	Indirect	Filing claims, correspondence, transmitting documentation to attorneys	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(d) S12(2)(d)(iii)
	Employees	Names, contact details	Assessing liability for losses	Direct	Filing requests and supporting	Physical files, electronic	Records Management	S11(1)(d)



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Inspiring New Hope

Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
					docs, formulating opinions, transmitting same to CFO	(hard drives, server)	Policy	
	Complainants	Names, IDs, addresses, registration numbers,	Providing legal opinions on cases	Direct / Indirect	Filing requests and supporting docs, formulating opinions, transmitting same to management	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(c), (d) & (e) S12(2)(c)
Agriculture Services	Beneficiaries for funded projects	Names, IDs, addresses, registration numbers, contact details	Facilitation of support to beneficiaries	Direct	Filing requests and supporting docs, transmitting same to DARD, drafting reports to management	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(c), (d) & (e)
	Members of the public attending events / functions / workshops	Names, IDs, contact details	To facilitate participation in Departmental programmes	Direct	Recording information in attendance registers, filing registers, making registers available for auditing	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(c) / (e)
Rural Development	Beneficiaries for funded	Names, IDs, addresses,	Facilitation of support to	Direct	Filing requests and supporting	Physical files, electronic	Records Management	S11(1)(c), (d) & (e)

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REPUBLIC OF SOUTH AFRICA**Inspiring** New Hope

Processing Component	Data Subjects	Personal Information	Processing Purpose	Collection	Processes	Record formats	Disposal of records	Authority for Processing
Services	projects	registration numbers, contact details	beneficiaries		docs, transmitting same to DARD, drafting permits, notices and reports to management	(hard drives, server)	Policy	
Veterinary Services	Applicants in terms of Meat Safety Act and Animal Diseases Act	To issue permits or authorization	Facilitation of support to beneficiaries	Direct	Filing requests and supporting docs, transmitting same to DARD, drafting reports to management	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(d) / (e)
Engineering Services	Beneficiaries for funded projects	Names, IDs, addresses, registration numbers, contact details	Facilitation of support to beneficiaries	Direct	Filing requests and supporting docs, transmitting same to DARD, drafting reports to management	Physical files, electronic (hard drives, server)	Records Management Policy	S11(1)(d) / (e)



APPENDIX 2

FEES IN RESPECT OF PUBLIC BODIES

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



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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	or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

APPENDIX 3

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: _____



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AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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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 (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			



Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			



Reference number, if available	
Any further particulars of record	
TYPE OF RECORD (Mark the applicable box with an "X")	
Record is in written or printed form	
Record comprises virtual images (<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

*(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)***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
protectedExplain 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*



KWAZULU-NATAL PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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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 (<i>Please specify</i>)

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)	



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AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

APPENDIX 3

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8] *Note:*

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

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.	
---	--

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 To be provided by requestor	R40.00		
(ii) Compact disc If provided by requestor	R40.00		



• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced.		
Copy of visual images	Will depend on the quotation of the service provider		
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• 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 (calculated on one third of total amount per request)	
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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

APPENDIX 4

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***(If lodged by a third party)*

Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED*(mark the appropriate box with an "X")*

Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	



Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester		
Decision to grant request for access		
GROUNDS 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>		
State the grounds on which the internal appeal is based:		
State any other information that may be relevant in considering the appeal:		

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



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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		

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

Signed at _____ this _____ day of _____ 20 _____



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Relevant Authority

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FORM 5 - LODGING OF A COMPLAINT

[Regulation 10.]

Note:

1. This form is designed to assist the Requester (hereinafter referred to as “the Complainant”) in requesting a review of a public or private body’s response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“PAIA”).

Please fill out this form and send it to the Information Regulator or complete the online complaint form available at <https://www.justice.gov.za/infoREG/>.

2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part E of this complaint form.

3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as “the Body”) an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed PAIA form and submit it to the Body.



4. A copy of this form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.

5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.

6. Please attach copies of the following documents, if you have them:

- Copy of the form to the Body requesting access to records;
- The Body's response to your complaint or access request;
- Any other correspondence between you and the Body regarding your request;
- Copy of the appeal form, if your complaint relates to a public body;
- The Body's response to your appeal;
- Any other correspondence between you and the Body regarding your appeal;
- Documentation authorizing you to act on behalf of another person (if applicable);
- Court order or court documents relevant to your complaint, if any.

7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.



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TO:

The Information Regulator

P.O Box 31533

Braamfontein, 2017

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

Tel number: +27 (0) 10 023 5200

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

☐

Complainant personally

☐

Representative of complainant



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Third party

PREREQUISITES

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



FOR INFORMATION REGULATOR'S USE ONLY

Received by: (Full names)			
Position:			
Signature:			
Complaint accepted:	Yes		No
Reference Number:			
<i>Date stamp</i>			

Postal address	Facsimile	Other electronic communication (Please specify)



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