PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

Status:	APPROVED	**Owner:**	Legal Compliance
Date Created:	2011	**Date Updated:**	July 2018
Number of Pages:	16	**Version:**	02
Doc./File ID:	LC-02-2018		
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1. PREAMBLE

This manual was developed as a guide on how members of the public can access information held by Ithala. It describes what information is available and tells you how to access the information.

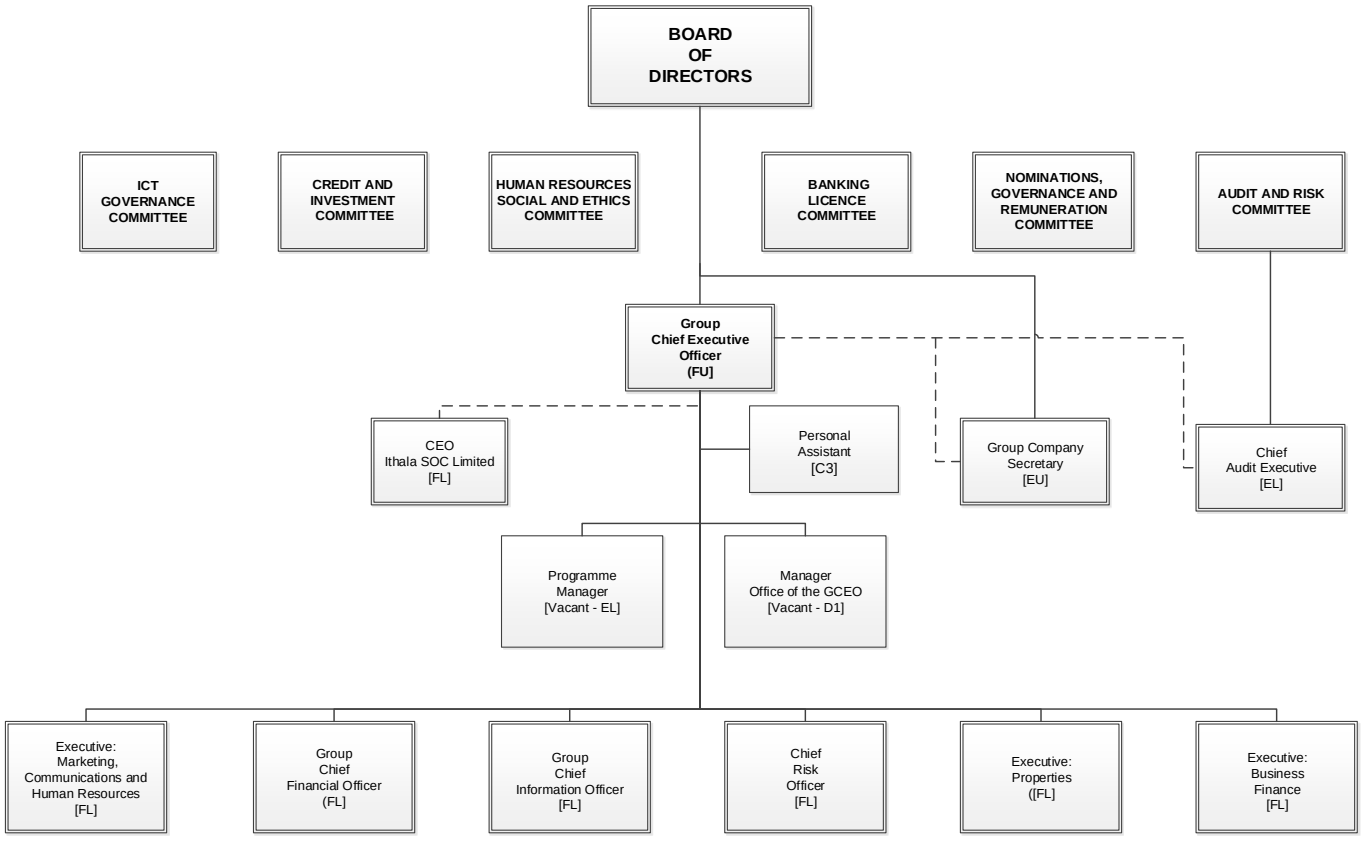
The Promotion of Access to Information Act, 2000 (The Act) in terms of section 17(1), makes provision for the designation of a Deputy Information Officer(s). The duties of the DIO are to assist the Chief Information Officer (defined as the Chief Executive Officer of a public body in terms of section 1 of the Act) in the processing of applications for access to information, and to help the applicants lodge their applications properly.

Section 14 of the Act provides for the information that should be contained in each public body's manual and the information provided hereunder is in compliance with the provisions of said section.

2. STRUCTURE AND FUNCTIONS

2.1 Ithala Development Finance Corporation Limited is a wholly owned Government Provincial development finance corporation, established in terms of the KwaZulu-Natal Ithala Development Finance Corporation Act, Act 5 of 2013.

2.2 Organisational Structure:



2.3 Subsidiaries

Ithala has the following subsidiaries:

2.3.1 Ithala SOC Limited
2.3.2 KZN Property Development SOC Ltd
2.3.3 Ubuciko Twines and Fabric SOC Ltd
2.3.4 Sundumbili Plaza Ltd
2.3.5 Nongoma Plaza Ltd
2.3.6 Durban Wharfside Trust
2.3.7 Port Shepstone Quarries SOC Ltd

2.4 Functions / Objectives

Ithala has the following objectives:

2.4.1 To mobilise financial resources and to provide financial and supportive services to the people of KwaZulu-Natal;

2.4.2 To plan, execute, finance and monitor the implementation of development projects and programmes in the Province;

2.4.3 To promote, assist and encourage the development of the Province's human resources and its social, economic, financial and physical infrastructure;

2.4.4 To promote, encourage and facilitate private sector investment in the Province and the participation of private sector and community organisations in development projects and programmes, and in contributing to economic growth and development; and

2.4.5 To act as the Government's agent for performing any development-related tasks and responsibilities that the Government considers may be more efficiently or effectively performed by a corporate entity.

3. CONTACT DETAILS

Ithala Development Finance Corporation Limited

Physical Address:	**Postal Address:**
29 Canal Quay	P O Box 2801
Point Waterfront	Durban
4001	4000
Telephone:	031 907 8610
Website: www.Ithala.co.za,	E-mail: tmoumakwa@ithala.co.za

GUIDE TO THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION (SAHRC) ON USING THE PAIA, 2000 [SECTION 14 (1) (C)]

The Human Rights Commission (SAHRC) (hereafter referred to as 'the commission') has, in terms of Section 10 of the PAIA, 2000, compiled a guide on the use of this Act.

The guide contains information that will assist any person wishing to exercise a right contemplated by the Act and is available in all of the official languages.

The guide is available for inspection *inter alia* at the offices of the Human Rights Commission: Any queries relating to the guide should be directed to the commission at:

SAHRC

Physical Address:	**Postal Address:**
29 Princess of Wales Terrace	Private Bag X2700
Corner York and St Andrews Streets	Houghton
Park town, Johannesburg	2041
Telephone:	(011) 484-8300
Fax:	(011) 484-1360
E-mail:	PAIA@sahrc.org.za

4. DESCRIPTION OF SUBJECTS ON WHICH ITHALA HOLDS RECORDS - SECTION 14 (1) (d)

4.1 For purposes of facilitating a request in terms of the Act, the subjects on which Ithala holds records and the categories of records held on each subject are as follows:

4.1.1 Corporate Services

4.1.1.1 Policies and procedures and manuals
4.1.1.2 Employee information and labour-relations issues
4.1.1.3 Minutes of meetings
4.1.1.4 Internal newsletters
4.1.1.5 Intranet
4.1.1.6 Correspondence with internal and external clients
4.1.1.7 Employee-assistance programme
4.1.1.8 Training and development strategies
4.1.1.9 Learnership programme
4.1.1.10 Internship and experiential training programmes
4.1.1.11 Agreements and legal documents

4.1.2 Finance and Provisioning Management

4.1.2.1 Service-providers' database
4.1.2.2 Financial records and statements
4.1.2.3 Budget plans and monthly projections
4.1.2.4 Minutes of meetings
4.1.2.5 Policies and procedures
4.1.2.6 Reports
4.1.2.7 Asset Management Register
4.1.2.8 Agreements and contracts
4.1.2.9 Tender documentations
4.1.2.10 Structures and planning documents
4.1.2.11 Correspondence with internal and external clients

4.2 Records Automatically Available - Section 14 (1) (E)

The information available on the Ithala's' website, www.ithala.co.za, is voluntarily disclosed. Other information products and materials voluntarily disclosed include:

4.2.1 Reports
4.2.2 Booklets
4.2.3 Newsletters
4.2.4 Marketing material
4.2.5 Posters
4.2.6 News articles
4.2.7 Annual Reports

5. HOW TO REQUEST ACCESS TO A RECORD OF ITHALA

5.1 A request for access to a record of Ithala must:

5.1.1 Substantially correspond with Form C of Annexure B to the Regulations regarding the Promotion of Access to Information (GNR187, GG23119 of 15 February 2002). For ease of reference the form is reproduced as Schedule 1 to this manual.

A. Information Officer, Deputy Information Officers [Section 14(1)(b)]

In terms of the Act the Group Chief Executive Officer of Ithala Development Finance Corporation Limited (Ms Pearl Bengu) is the Information Officer and she has delegated her power and duties by designating the following person to act as the Deputy Information Officer:

Deputy Information Officer	Mr Tsike Moumakwa Senior Legal Advisor: Legal Services

All PAIA issues will be dealt with by the Deputy Information Officer and all requests should be addressed to the following addresses:

Deputy Information Officer Contact Details	
Telephone:	+27 31 907 8809
Cell:	+27 83
Fax:	+27 31
E-Mail address:	tmoumakwa@Ithala.co.za
Postal Address:	The Deputy Information Officer: PAIA Office Ithala Development Finance Corporation Limited 29 Canal Quay Point Durban 4001
Street Address:	The Deputy Information Officer: PAIA Office 29 Canal Quay Point Waterfront Durban
Office Hours:	07:30 - 16:00
Website:	http://www.Ithala.co.za

5.2 The request form must:

5.2.1 Provide sufficient particulars to enable Ithala to identify both:

5.2.1.1 The requester; and

5.2.1.2 The record or records requested;

5.2.2 Indicate the form of access requested;

5.2.3 Specify the postal address or fax number of the requester in the Republic of South Africa;

5.2.4 Identify the right the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right;

5.2.5 If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and

5.2.6 If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of Ithala.

5.3 The Chief Executive Officer is the Information Officer of Ithala.

6. REQUEST AND ACCESS FEES

6.1 A requester is required to pay the applicable request and access fees contemplated in sections 52 and 54 of the Information Act and as prescribed in items 2, 3, and 4 of Part III of Annexure A to the Regulations regarding the Promotion of Access to Information (GNR 187, GG 23119 of 15 February 2002). For ease of reference, the prescribed request and access fees are set out in Schedule 2 to this manual.

6.2 In addition, a requester may also be required to pay a deposit.

6.3 Ithala may withhold access to any record requested until the requester concerned has paid the applicable fee.

7. RESERVATION OF RIGHTS

Ithala may refuse an application for access to a record:

7.1 If the request does not comply with the procedural requirements of the Information Act;

7.2 On any ground contemplated in Chapter 4 of Part 3 of that Act; or

7.3 For any other lawful reason.

8. REMEDIES AVAILABLE IN RESPECT OF NON-COMPLIANCE BY ITHALA

8.1 Any requester or affected third party who is aggrieved by a decision of Ithala's information officer to refuse or grant access to a record of Ithala, may within 15 days of receiving notice of the decision, appeal to the executive committee of Ithala against the decision.

8.2 An appeal must:

8.2.1 be in writing;
8.2.2 be addressed to the Chief Executive Officer (Information Officer) of Ithala; and
8.2.3 set out the grounds for the appeal.

8.3 Any requester or affected third party who is aggrieved by a decision of the Executive Committee of Ithala on appeal, may approach the relevant court for appropriate relief.

9. REVIEW AND APPROVAL

NAME	DISIGNATION	SIGNATURE	DATE
MS E B MOKGATLE	GROUP CHIEF RISK OFFICER		
MS P BENGU	GROUP CHIEF EXECUTIVE OFFICER		
MS P SIBIYA	CHAIRPERSON: AUDIT AND RISK COMMITTEE		
MR R MORAR	CHAIRPERSON OF THE BOARD		

ANNEXURE A

SCHEDULE 1

PRESCRIBED FORM FOR ACCESS TO INFORMATION 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))

FOR ITHALA

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:

_____

_____

_____

_____

_____

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 of 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 requestor must sign all the additional folios.

Description of record or relevant part of the record: _____

_____

_____

_____

_____

Reference number, if available: _____

Any further particulars of record: _____

_____

_____

E. Fees

(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.

(b) You will be notified of the amount required to be paid as the request fee.

(c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: _____

_____

F. Form of access to record

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

Disability:	Yes		No		Form in which record is required: _____

(Mark 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 cases 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.

If the record is in written or printed form:

Copy of record* Inspection of record

If the record consists of virtual images:

(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

View the images Copy the images* Transcription of the images*

If the 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)

If the 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)

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 of 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 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 _____ on this _____ day of _____ 20___

_____

Signature of Requester / Person on whose behalf request is made

ANNEXURE B

SCHEDULE 2

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.

2. The 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 a copy in a computer-readable form on:	
	(i) Stiffy disc	R5.00
	(ii) Compact disc	R40.00
(d)	(i) For a transcription of visual images, or an A4 size page or part thereof	R22.00
	(ii) For a copy of visual images	R60.00
(e)	(i) For a transcription of an audio record, or an A4 size page or part thereof	R12.00
	(ii) For a copy of an audio record	R17.00

3. The request fee payable by every requester, other than a personal requester, referred to in Regulation 7(2). R35.00

4. The access 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 or in electronic or machine-readable form	R0.40
	(c)	For a copy in a computer-readable form on:	
		(i) Stiffy disc	R5.00
		(ii) Compact disc	R40.00
	(d)	(i) For a transcription of visual images, for an A4 size page or part thereof	R22.00
		(ii) For a copy of visual images	R60.00

(e) (i) For a transcription of an audio record, for an A4 size page or part thereof R12.00

(ii) For a copy of an audio record R17.00

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

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

(a) Six hours as the hours to be exceeded before a deposit is payable; and

(b) One third of the access fee is payable as a deposit by the requester.

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