

NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE



NOORD-KAAP PROVINSIE

IPHONDO LOMNTLA KOLONI

**Provincial Gazette
Kasete ya Profensi**

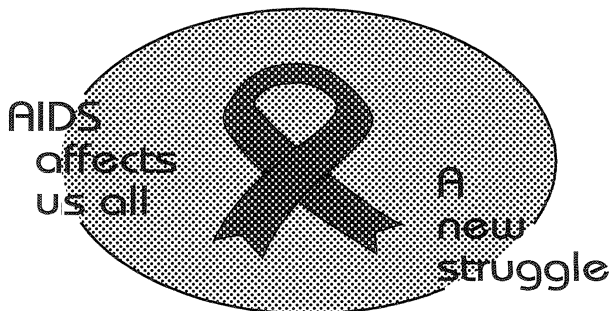
**iGazethi YePhondo
Provinsiale Koerant**

Vol. 19

KIMBERLEY, 24 SEPTEMBER 2012

No. 1632

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 71 OF 2012

RICHTERSVELD MUNICIPALITY

TARIFFS FOR 2012/2013 FINANCIAL YEAR

Notice is hereby given in terms of Section 75A of the Local Government: Municipal Systems Act, No. 32 of 2000, that the following fees, charges and tariffs for the 2011/2012 financial year to be implemented as from 1 July 2012 has been approved by the Municipal Council of the Richtersveld Municipality at a Council meeting that was held on 14 June 2012.

| Fees, charges and tariffs | Tariff / % Increase |
|---|--------------------------------|
| General Rates: Residential Properties (Tariff per R1 of valuation) | R0.007458 |
| General Rates: Business Properties (Tariff per R1 of valuation) | R0.009898 |
| General Rates: Agricultural Properties (Tariff per R1 of valuation) | R0.001145 |
| Electricity tariffs (Indigent households) | 11,03% |
| Electricity tariffs for all other consumers | 11,03% |
| Water tariffs | 5,90% |
| Refuse removal tariffs | 5,90% |
| Sewerage and sanitation tariffs | 5,92% |
| Sundry tariffs | 5,90% |

The Council resolution and related documentation lies open for inspection during normal office hours at the libraries and the Municipal Manager.

E.E. CLOETE
ACTING MUNICIPAL MANAGER

Richtersveld Munisipaliteit / Municipality
Privaatsak X113 / Private Bag X113
PORT NOLLOTH
8280

KENNISGEWING 71 VAN 2012

Alg 71/2012

MUNISIPALITEIT RICHTERSVELD**TARIEWE VIR 2012/2013 FINANSIËLE JAAR**

Kennis geskied hiermee ingevolge die bepalings van Artikel 75A van die Plaaslike Regering: Munisipale Stelselwet, Nr 32 van 2000, dat die Munisipale Raad van Richtersveld Munisipaliteit tydens 'n Raadsvergadering soos gehou op 14 Junie 2012 die volgende fooie, heffings en tariewe vir die 2012/2013 finansiële jaar goedgekeur het wat vanaf 1 Julie 2012 geïmplementeer sal word.

| Fooie, heffings en tariewe | Tarief / % Verhoging |
|--|---------------------------------|
| Algemene Belasting: Residensiële Eiendomme (Tarief per R1 waardasie) | R0.007458 |
| Algemene Belasting: Besigheids Eiendomme (Tarief per R1 waardasie) | R0.009898 |
| Algemene Belasting: Landbou Eiendomme (Tarief per R1 waardasie) | R0.001145 |
| Elektrisiteitstariewe (Hulpbehoewende huishoudings) | 11,03% |
| Elektrisiteitstariewe vir alle ander gebruikers | 11,03% |
| Watertariewe | 5,90% |
| Vullisverwyderingstariewe | 5,90% |
| Riool- en sanitasietariewe | 5,92% |
| Diverse tariewe | 5,90% |

Die raadsbesluit en tersaaklike dokumentasie lê ter insae by alle biblioteke en by die Munisipale Kantoor gedurende normale kantoorure.

E.E. CLOETE
WAARNEMENDE MUNISIPALE BESTUURDER

Richtersveld Munisipaliteit / Municipality
Privaatsak X113 / Private Bag X113
PORT NOLLOTH
8280

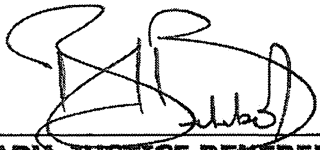
NOTICE 75 OF 2012

NORTHERN CAPE PROVINCIAL GOVERNMENT

OFFICE OF THE PREMIER

PROMOTION OF ACCESS TO INFORMATION MANUAL

I, Justice Bekebeke, Director General of the Northern Cape Provincial Government, in my capacity as the Information Officer in the Office of the Premier, hereby publish this manual in terms of Regulation 4 (1) (b) of Regulation No. R 187 dated 15 February 2002 of the Promotion of Access to Information Act, 2000 for information.

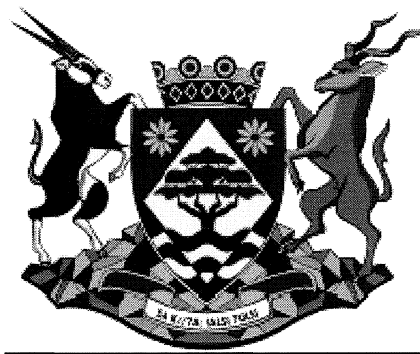


ADV. JUSTICE BEKEBEKE

INFORMATION OFFICER: OFFICE OF THE PREMIER NORTHERN CAPE

Office of the Premier: Northern Cape - Section 14 Manual

OFFICE OF THE PREMIER
NORTHERN CAPE PROVINCE



**MANUAL IN TERMS OF SECTION 14 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT**

01 APRIL 2012 – 30 MARCH 2013

Office of the Premier: Northern Cape - Section 14 Manual

FOREWORD

South Africa's commitment to the right of access to information honours our constitutional obligation to give effect to the fundamental right of access to information held by the State or information held in the private domain.

This Act is a milestone development considering the legacy of secrecy we inherited from decades of illegitimate minority rule. With this Act we are turning on the light to bring to an end the secrecy and silence that characterized decades of apartheid rule and administration.

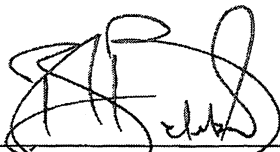
The Promotion of Access to Information Act, No 2 of 2000, provides for the constitutional right of access to information held by the state and private bodies as one of its main objectives.

This right will help to promote transparency, accountability and effective governance of public and private bodies.

In terms of this right, it will also enable our people to participate fully and make informed decisions in the reshaping of our nation through information.

It is further building on our foundation to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

The mandate given to our government by the people of this country was to effect changes, which will improve the quality of life for all South Africans. The Act will significantly add to the firm foundation we are building on, in our pursuit of good governance and accountability.



JUSTICE BEKEBEKE
DIRECTOR-GENERAL
NORTHERN CAPE PROVINCIAL ADMINISTRATION

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1. INTRODUCTION

- 1.1 The key function of the Access to Information Act of 2000 is to create a society where the people of South Africa have the means to access the right to information. This piece of legislation enables all South Africans not only to fully exercise their rights, but more importantly protect all of their rights as set out in the Constitution. The Promotion of Access to Information Act is an important instrument in consolidating the provisions within the Bill of Rights as set out in the Constitution.
- 1.2 The South African constitutional democracy rests on the pillars of freedom, equity and a respect for human dignity. This Act is a vital component within the transformation process, as it cements the foundations that have been laid within the Bill of Rights.
- 1.3 The Promotion of Access to Information Act presents the South African public with the avenue to have recourse to access information from the state and private institutions, thus promoting transparency and accountability.

2. SECTION 10 GUIDE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT

- 2.1 The South African Human Rights Commission has published the guide as prescribed by Section 10 of the Promotion of Access to Information Act. The guide is available at the offices of the South African Human Rights Commission and the Office of the Premier.
- 2.2 The contact details for Human Rights Commission is:

Postal Address: The South African Human Rights Commission
PAIA Unit

Office of the Premier: Northern Cape - Section 14 Manual

The Research and Documentation Department
Private Bag X2700
HOUGHTON
2041

Physical Address: PAIA Unit
The Research and Documentation Department
29 Princess of Wales Terrace
Parktown
JOHANNESBURG

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

2.3 Contact details of the Office of the Premier:

Postal address: The Deputy-Director-General
Office of the Premier
J.W. Sauer Building
Cnr. Roper and Quinn Streets
Private Bag X5016
KIMBERLEY
8300

Attention: Mr M.T. Moraladi

E-mail: jpaulse@ncpg.gov.za

Queries: Mrs P.N. Mafungo
Chief State Law Advisor

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3. CONTACT DETAILS

3.1 In accordance with the Promotion of Access to Information Act the Director-General is the Information Officer for the Office of the Premier, Northern Cape Provincial Administration. In addition a Deputy Information Officer has been appointed/delegated to assist the Information Officer. The contact details of the Information Officer and the Deputy Information Officers are as follows:

NAME OF THE PUBLIC BODY : Northern Cape Provincial
Administration

INFORMATION OFFICER : Mr. J. Bekebeke

DESIGNATION : Director-General

POSTAL ADDRESS : Private Bag X 5016
KIMBERLEY
8300

STREET ADDRESS : Corner of Quinn and Roper
Kimberley
8300

TELEPHONE NUMBER : 053 - 8382600

FACSIMILE NUMBER : 053 - 8382626

E-MAIL ADDRESS : zlangeveld@ncpg.gov.za

*Office of the Premier: Northern Cape - Section 14 Manual***4. STRUCTURE AND FUNCTIONS OF THE OFFICE OF THE PREMIER**

- 4.1 The Office of the Premier performs various roles and functions to ensure good governance in the Province. This Office is responsible amongst other things for co-ordinating functions of the Provincial Administration and its departments. It also plays a leadership and supportive role where all spheres of government can work together to achieve common goals of the province and also to maintain good Inter-Governmental Relations. The co-ordinating and supportive role played by the Premier provides the province with an integrated approach that enhances service delivery. The Premier's Inter-Governmental Relations Forum allows the Premier to bring together all three spheres of Government in order to further enhance service delivery. Over and above the Office of the Premier co-ordinates and facilitates Provincial Policy Research & Development, and Strategic Change Management.
- 4.2 In addition to this, the Office of the Premier also has a departmental and provincial corporate responsibility role that it plays through which it executes legal advisory services, communication services, information technology services, Donor Support and One-Stop Delivery Services.
- 4.3 The organisational structure of the Office of the Premier depicting the number of independent units is attached hereto as Annexure A.

5. PROCESS FOR REQUESTING ACCESS TO INFORMATION/ RECORDS

- 5.1 In terms of the Access to Information Act, 2000, any person has the right amongst others to request access to information/records that are in possession of the State or Public Body. In order to gain access to a record, an individual must fill in a request to access for information form. The form is attached as Annexure B. This form must be forwarded to the Information Officer/ Deputy Information Officer using the addresses

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indicated above. Upon receipt of the individual's request, the following process will follow:

- 5.1.1 The Information Officer/Deputy Information Officer will determine whether the person requesting the information is personal requester or not, i.e. whether the information pertains only to the person requesting the information or not. If the person is a personal requester, no initial fee will be payable. If the information does not pertain only to the person requesting the information, an initial fee of R 35,00 is payable before the process continues. Thus, the request will not be processed until the initial fee has been paid.
- 5.1.2 Once the fee has been paid, the Information Officer will instruct the relevant personnel to retrieve the concerned record(s).
- 5.1.3 When the record has been retrieved, the Information Officer will review the document and compare the contents of the record with the grounds of refusal, as prescribed by the Act.
- 5.1.4 Should access be granted, the requester/personal requester will be informed of the costs that are to be paid for the reproduction of the record.
- 5.1.5 Upon payment of the relevant fees, the record/or part thereof that access has been granted to, will be reproduced and forwarded to the person that requested the information.
- 5.1.6 In the event that access to a record is not granted, the person that requested access to the record will be informed that:-
 - 5.1.6.1 access has not been granted;

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5.1.6.2 he or she may request reasons for the refusal to grant access to the record; and

5.1.6.3 he or she may lodge an appeal against the decision to refuse access to the record.

6. CATEGORISATION AND CLASSIFICATION OF RECORDS

6.1 The records in the Office of the Premier are loosely divided into correspondence records and all records other than correspondence (other records).

6.2 Correspondence is controlled and managed in terms of three filing systems approved for use in the office by the Provincial Archives. All correspondence regarding personnel matters is managed by the Uniform Personnel Functions Filing System; all other support functions related correspondence is controlled by the Uniform Personnel Functions Filing System. The two uniform filing systems are mandatory in all departments in the Northern Cape Provincial Administration (NCPA). All correspondence regarding the line functions of the Office of the Premier is controlled by the approved Line Functions Filing System, which is unique to the Office of the Premier and not in use in any other departments in the NCPA. Individual files opened in terms of these three systems are indicated in the attached Register of Files Opened.

6.3 Other records are controlled and managed in terms of the Records Control Schedule, which has not yet been approved by the Provincial Archives.

6.4 The Premier's "Ministry" has its own single approved filing system which may not be used by any other units in the Office of the Premier.

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7. RECORDS THAT ARE AUTOMATICALLY AVAILABLE FOR ACCESS

7.1 The following records may be requested without a formal application for access being made:

7.1.1 Annual and other progress reports (See Records Control Schedule and Register of Files Opened);

7.1.2 Strategic and Operation plans;

7.1.3 Budgets and related documentation (See Records Control Schedule and Register of Files Opened);

7.1.4 All policy files created in terms of the Uniform Support Functions Filing System (prefixed by H) and the Uniform Personnel Functions Filing System (prefixed by S);

7.1.5 Approved organogram of all departments in the NCPA;

7.1.6 Annual Financial Statements of departments;

7.1.7 All previously published records (e.g. brochures, newsletters, photographs, calendars etc.);

7.1.8 All records published on the NCPA web-site;

7.1.9 All records of proceedings of public forums.

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8. SERVICES THAT ARE AVAILABLE TO THE PUBLIC

8.1 It is not the primary function of the Office of the Premier to render services to the public. The functions of this Office are, however, extended to other departments that render specific services to the public. Hence, indirectly, this Office assists departments to render their services to the public. Although it is not the primary function of the Office of the Premier, there are functions that are performed that lead to service delivery to the public. In order to give a clear view, the services can be categorised and summarised as follows:

8.1.1 Direct services to the public

- 8.1.1.1 The Office on the Status of Disabled Persons (OSDP) assists the Public on issues concerning disabilities and disabled persons in the workplace. The Office of the Premier also manages the integrated strategy for people with disabilities within the Northern Cape, in collaboration with the OSDP.
- 8.1.1.2 Through the **Office on the Status of Woman**, the Office of the Premier campaigns for the rights of women and gender equality in the provincial administration, as well as civil society at large.
- 8.1.1.3 This Office also funds, co-ordinates and facilitates the development at local, regional and provincial level, in-line with policies of economic growth and human development.

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- 8.1.1.4 In order to facilitate effective and efficient service delivery, the **One Stop Service Delivery Project** was initiated. This was an effort to afford the community services that they needed, such as the services of the Department of Home Affairs, Department of Social Services and Population Development, Department of Transport, Roads and Public Works, etc, all under one roof and located within their immediate vicinity.
- 8.1.1.5 **The Chief Directorate: Information, Communication Technology** also assists graduates during and after their studies by admitting candidates to in-service training within the Information Technology unit.
- 8.1.1.6 **The Communications Directorate** ensures that all communities, including public servants, receive as much information as possible. All concepts and other information are contained in the Northern Cape Government Web-Site (<http://www.northern-cape.gov.za>) and the website of the Office of the Premier as a department (<http://premier.ncpg.gov.za>)
- 8.1.1.7 The Directorate on the **Office on the Rights of the Child** ensures development and protection of our children through the promotion of their rights.

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8.2 Indirect services to the public

8.2.1 The Information Technology (IT) Directorate ensures that all computerised equipment within all departments are in a good working order. Although some departments have their own IT units, the centralised IT unit, within the Office of the Premier, continues to render functional and procurement support to the personnel. Through the maintaining of IT systems, the departments, such as the Departments of Health and Social Services and Population Development, are able to render a more effective and efficient service to the public.

8.2.2 This Directorate also assists various Public Bodies, such as schools, with the layout and installation of computer equipment. In so doing, it is ensured that our scholars receive an education of a high standard and quality.

8.2.3 The Organisational Development unit is responsible for the restructuring of departments ensuring optimal utilisation of personnel. This unit also performs other studies, such as, office layouts, policy development, skills audits, activity sampling, etc. It is the key function of this unit to ensure that all departments function in the most cost effective and efficient manner. It is also imperative that departments perform their functions effectively. The services of this unit have also been extended to other public bodies, i.e. Municipalities. Through the performance of their core function, organisational development, this unit ensures that the services that are rendered to the public are of the highest quality.

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8.2.4 **The Policy and Planning unit** ensures that policy implementation is monitored and evaluated. This unit is responsible for the implementation of various policies, such as the Disability Strategy etc.

8.2.5 **The Human Resources Management and Human Resources Development unit** ensure that the personnel within the Office of the Premier are well trained in line with the Skills Development Plan. Though the performance of these functions, it is to ensure that the assistance that the personnel within the Office of the Premier provides to other public bodies is efficient, effective and of the highest quality.

8.2.6 **The Legal Advisory Services (Unit)** renders comprehensive, co-ordinated legal advisory services to the Northern Cape Provincial Administration and assist municipalities as well as to ensure compliance with the law to minimize litigation. The public now and then seeks and receives legal advice from the Unit.

9. CONSULTATION, PARTICIPATION AND INFLUENCING POLICY-MAKING

Through the "**Cabinet meets the People**" programme, the Executive Council receive public input and interaction that may influence the formulation of policy or the performance of their duties. Further to this, the Executive Council's decision making is among other being informed and guided by the needs of the communities expressed during the meeting sessions, placed in their order of priority.

*Office of the Premier: Northern Cape - Section 14 Manual***10. REMEDIES, APPEALS, PROCEDURES AND COURT APPLICATIONS**

- 10.1 Should the Information Officer refuse access to any record that held by the State or that Public Body, the person requesting the information is entitled to appeal the decision. In part with this, should access be granted to a record that involves a third party, that third party is also entitled to appeal the decision. The appeal will review by the Relevant Authority. The Relevant Authority will analyse the request and the record in terms of the prescripts of the Promotion of Access to Information Act, 2000.
- 10.2 Should it be found that the request was wrongfully denied, the relevant Authority will reverse the initial decision of the Information Officer and grant access to the record. The requester will then be informed of the decision and the necessary fees that are payable for the reproduction of the record or part thereof.
- 10.3 In the event that the Relevant Authority supports the decision of the Information Officer not to grant access to the record, the requester will be informed of that decision. The requester will also be informed of further remedies.
- 10.4 Once all internal appeal remedies, as identified by the Public Body have been exhausted, the requester has the right to appeal to a court of law.
- 10.5 The manner of internal appeal and the appeal to the court, as prescribed by the Act, are as follows:

10.5.1 Internal appeal-

- 10.5.1.1 Should be lodged in the prescribed form (as stipulated by the Public Body) within 60 days and 30 days for third party appeals.

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- 10.5.1.2 Must be delivered or forwarded to the Information Officer/Deputy Information Officer of the concerned public body at his/her contact details.
 - 10.5.1.3 Must identify the subject of the internal appeal.
 - 10.5.1.4 Must state the reasons for the internal appeal.
 - 10.5.1.5 May include any other relevant information that is known to the appellant.
 - 10.5.1.6 If, in addition to a written reply, the appellant should state how he/she wishes to be informed and all the relevant details in order to be so informed.
 - 10.5.1.7 Should there be an appeal fee, this fee should accompany the written appeal to the Information Officer. The prescribed appeal fee, if any, must be paid. Should the appeal not be paid, a decision on the appeal may be deferred until such time that the fee has been paid.
 - 10.5.1.8 The written appeal must specify a postal address or facsimile number.
- 10.6 If an appeal is lodged after the expiry time, i.e. 60 days/30 days, the Relevant Authority must, upon good cause shown, allow the late lodging of the internal appeal. Should the relevant authority disallow the late

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lodging of the internal appeal, he/she must give notice to the person that lodged the internal appeal.

10.7 The Information Officer should, within 10 working days after the receipt of an internal appeal, submit the following to the Relevant Authority:

10.7.1 The written internal appeal;

10.7.2 The reasons for the decision concerned;

10.7.3 Whether the internal appeal is against the refusal or granting of access; and

10.7.4 The contact details of any third party that must be notified.

10.8 If the Relevant Authority is considering an internal appeal against the refusal of a request for access to a record that pertains to a third party, the Relevant Authority must inform the third party of the internal appeal, unless all steps to locate the third party were unsuccessful. In the event that the third party had been informed, the third party should be allowed to make written/oral representations.

10.9 When making a decision on an internal appeal, the Relevant Authority considers the following:

10.9.1 The particulars that have been stated in the written internal appeal;

10.9.2 The reasons that were submitted by the Information Officer for the initial decision;

10.9.3 Any representations that were made;

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10.9.4 If a third party could not be located, the fact that the third party did not have the opportunity to make representations as why the internal appeal should be dismissed.

10.10 The relevant Authority may confirm the initial decision or he/she may issue a new decision. The decision on the internal appeal should be made within 30 days after the receipt of the internal appeal. Immediately after the decision has been made, the Relevant Authority must give notice of the decision to the appellant, every third party and the requester and, as far as possible, notify the appellant in the form that was requested. The notice of the decision should contain the following:

10.10.1 State adequate reasons for the decision;

10.10.2 State the provision of the Act that was relied upon;

10.10.3 Exclude any reference to the record;

10.10.4 State further internal appeal procedures that are available to the requester; or

10.10.5 State that the parties involved, i.e. the appellant, third party, etc, may lodge an application with a court against the decision on internal appeal within 60 days or 30 days (third party).

10.11 Upon the exhaustion of all internal appeal procedures, the requester has the right to access a court for further appeal.

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11. UPDATING THE MANUAL

The manual shall be updated at the start of every financial year. The Office of the Premier will increase the number of languages in which the manual is published in line with its Provincial Language Policy.

12. AVAILABILITY OF THE MANUAL

12.1 The manual including the Annexures shall be available from the Office of the Premier.

12.2 A copy of the manual will also be available from the Offices of the South African Human Rights Commission.
