

FREE STATE DEPARTMENT OF POLICE, ROADS AND TRANSPORT

MANUAL PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

THE VISION OF THE DEPARTMENT

Contribute towards the creation of a prosperous Free State through the facilitation of the provision of sustainable community safety, mobility and road infrastructure.

THE MISSION OF THE DEPARTMENT

To realise the aforesaid vision, we will:

- Monitor, oversee and assess police service delivery in the Free State
- Promote integrated crime prevention initiatives
- Ensure road safety and an integrated transport system and networks

The MEC is Mr TM Manyoni

The Acting Head of Department is Mr N Mokhesi

A. CONTACT DETAILS [*section 14(1)(b) of the Act*]

Information Officer

Mr N Mokhesi

Address: Room 411 Perm Building
Maitland Street
BLOEMFONTEIN
9301

Postal address: PO Box 119
BLOEMFONTEIN
9300

Tel: (051) 409-8856
Fax: (051) 409-8863
E-mail: sedibe@safety.fs.gov.za

Deputy Information Officer

Adv MP Nong (Deputy Director: Legal Services)

Address: Room 317 Perm Building
45 Maitland Street
BLOEMFONTEIN
9301

Postal address: PO Box 119
BLOEMFONTEIN
9300

Tel: (051) 409-8770
Fax: (051) 409-8866
E-mail: nongmp@safety.fs.gov.za

B. THE SECTION 10 GUIDE [*section 14(1)(c)*]

The South African Human Rights Commission must compile a guide on how to use the Act. This guide will be available no later than August 2003. Any queries about the guide can be addressed to:

PAIA Unit
Department of Research and Documentation Department
South African Human Rights Commission
Private Bag X2700
HOUGHTON
2041

Tel: (011) 484-8300
Fax: (011) 484-1360
E-mail: PAIA@sahrc.org.za
Website: www.sahrc.org.za

C. ACCESS TO THE RECORDS HELD BY THE DEPARTMENT

(a) Subjects and categories of records

The subjects and categories of records held by the Department of Police, Roads and Transport include the following:

- (i) Departmental personnel records
- (ii) Departmental procurement records
- (iii) Departmental financial records
- (iv) Agendas and minutes of meetings
- (v) Reports
- (vi) Publications
- (vii) Internal departmental policies
- (viii) Records on legal issues
- (ix) Provincial policies
- (x) Internal memoranda

- (xi) Speeches of the MEC
- (xii) Records and decision of the Transport Registrar and Provincial Licencing Board

(b) Request for information

(i) Automatic disclosures [section 14(1)(e)]

The following table sets out the records that are automatically available and the manner of access available:

AVAILABLE FOR COPYING	
Annual Reports	Available on Website (www.freetrans.gov.za) *Copies available on request from Deputy Information Officer
Budget Speech of the MEC	Available on Website (www.freetrans.gov.za) *Copies available on request from Deputy Information Officer
Lekomo News	Available on Website (www.freetrans.gov.za) *Copies available on request from Deputy Information Officer
*Copies to be provided against payment of R0.60 per page	

(ii) The request procedures

A requester must be given access to the record of the Department if the requester complies with the following:

- All the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any grounds for refusal mentioned in the Act.

Nature of the request:

- A requester must use the form printed in the *Government Gazette* [Govt. Notice R187- 15 February 2002].
- The requester must also indicate if the request is for a copy of the record or if the requester wants to peruse the record at the offices of the Deputy Information Officer.
- Alternatively, if the record is not a document it may be viewed in the requested form, if possible [section 29(2)].

- If a person asks for access in a particular form the requester should be given access in the manner requested. Acceding to the request should not interfere unreasonably with the running of the department, or damage the record, or infringe upon a copyright not owned by the State. If, for practical reasons access cannot be given in the required form but in an alternate manner, the fee must not be more than the fee calculated according to the person's first request [section 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wishes to be told about the decision in any other way, e.g. by telephone, this must be indicated [section 18(2)(e)].
- If a requester asks for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [section 18(2)(f)].
- If a requester is unable to read or write, or has a disability, they may make the request for the record orally. The information officer must fill in the form on behalf of the requester and give them a copy [section 18(3)].
- Two types of fees have to be paid in terms of the Act, the request fee and the access fee [section 22]:
- A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:
- The information officer must inform the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request fee payable to public bodies is R35. The requester may lodge an internal appeal, if appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request the requester must be notified of such a decision in the manner requested by them.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for the time exceeding the prescribed hours of searching and preparing the record for disclosure. The fees are prescribed by legislation.

D. SERVICES AVAILABLE [section 14(1)(f)]

i. Nature of services

The services of the Department are the following:

TYPE OF SERVICE		HOW/ WHERE IS SERVICE PROVIDED
1.	Civilian control and participation in safety	<u>Tel.</u> (051) 409 8829
2.	Social Crime Prevention	<u>Tel.</u> (051) 409 8843
3.	Rural Community Safety	<u>Tel.</u> (051) 409 8835
4.	Road Safety	<u>Tel.</u> (051) 409 8481
5.	Taxi Recapitalisation Programme	<u>Tel.</u> (051) 403 7400
6.	Roads Infrastructure	<u>Tel.</u> (051) 409 8616
7.	Fleet Management	<u>Tel.</u> (051) 400 5200
8.	Land Passenger Transport.	<u>Tel.</u> (051) 405 4361

2.	Call Centre to lodge complaints or submit enquiries	<u>Tel.</u> (051) 409 8849
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ii. How to gain access to these services

To gain access to the services of the Department, requests must be made to the Head of Department.

E. ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER [section 14(1)(g)]

In terms of the Rules and Orders of the Provincial Legislature, all legislation is published for public comment before being tabled. The public is given an opportunity to make written representations or to appear before different portfolio committees.

Different provincial laws make provision for members of the public to nominate members who are to serve on certain committees.

F. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH [section 14(1)(h)]

A requester may lodge an internal appeal against the decision of the information officer to the Department or a person designated by the Head of Department. Furthermore, the requester may apply to a court for appropriate relief after the requester has exhausted the internal procedure.

G. UPDATING OF THE MANUAL [*section 14(2)*]

The Provincial Administration will, if necessary, update and publish this manual, at intervals of not more than a year.

H. AVAILABILITY OF THE MANUAL [*section 14(3)*]

The manual of the Provincial Administration is made available in the following manner:

A copy in each of the three official languages must be made available to every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997; the South African Human Rights Commission; and every office of that public body.

The manual is to be published in Sesotho, English and Afrikaans.

The manual is available on the website of the Provincial Administration at <http://fspg ofs.gov.za>.