

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL





SECTION 14 MANUAL FOR THE SOUTH AFRICAN POST OFFICE (“THE POST OFFICE”)

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Introduction

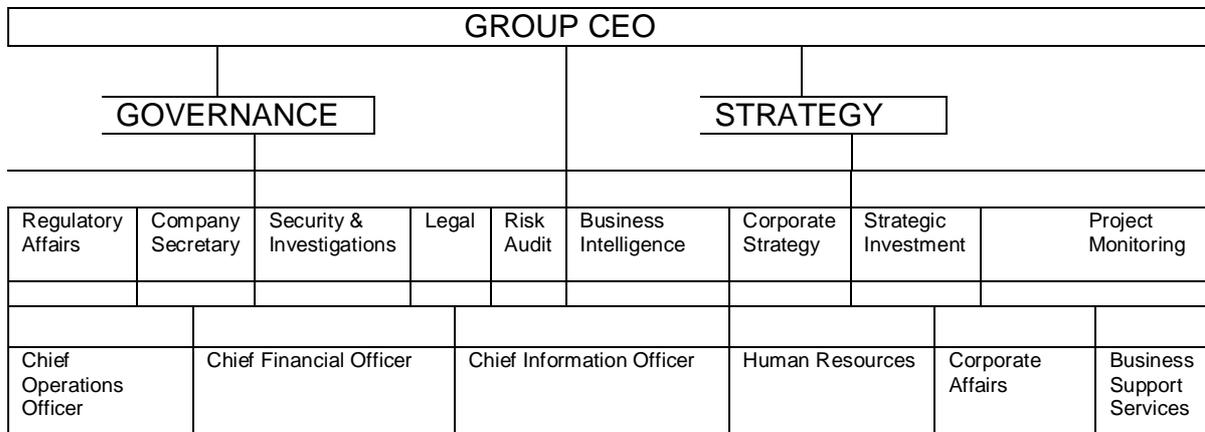
This Manual is published in terms of Section 51 of the Promotion of Access to Information Act No.2 of 2000 (hereinafter referred to as “the Act”). The Act gives effect to the provisions of Section 32 of the Constitution (Act No. 108 of 1996), which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/ or protection of any right.

About the South African Post Office

The South African Post Office (“the Post Office”), an independent public company since 1 October 1991, with the State as the sole shareholder, is the prime mover of written and published information in South Africa. We are committed to providing an efficient, affordable communication service to all people of South Africa.

The Post Office supports the constitutional right of access to information and is committed to providing access to our records as prescribed in accordance with the provisions of the Act.

Structure



Function

The main business of the South African Post Office is to enable the nation to efficiently connect with the world by distributing information, goods, financial and government services using its broad reach.

Contact Details

Name of Public Body	South African Post Office Ltd
Chief Information Officer	Ms Motshoanetsi Lefoka
Company Secretary	Adv. Mpho Mphelo (acting)
E-Mail Address of the Company Secretary	Mpho.mphelo@postoffice.co.za
Information Officer	Ms Motshoanetsi Lefoka
E-Mail Address of the Information Officer	motshoanetsi.lefoka@postoffice.co.za
Postal Address	P O Box 10 000 Pretoria 0001
Physical Address	2 nd Floor National Post Centre 497 Schubart Street Pretoria
Telephone No. (Information officer)	012-401 2000
Fax No. (Information Officer)	012-401 7719

Deputy Information Officer

The Chief Information Officer has duly authorized the person below as the Deputy Information Officer to ensure that the requirements of the Act are administered in a fair, objective and unbiased manner:-

Deputy Information Officer:

Postal Address: P O Box 10 000
Pretoria
0001

Physical Address: 2nd Floor
National Post Centre
497 Schubart Street
Pretoria

Phone Number: 012-401 2000

Guide on how to use the Act as described in Section 10

The Human Rights Commission has compiled a guide, in terms of Section 10 of the Act, containing information which may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide contains such information as may reasonably be required by any person who wishes to exercise any right contemplated in the Act. Therefore, any queries relating to this guide should be directed to:

The South African Human Rights Commission
Private Bag 2700
Houghton
2041
Tel: (+27 11) 484 8300
Fax: (+27 11) 484 0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

**Processes and procedures for requesting information or records –
[Section 14(1)(d)]**

- 1.1 The requester must use the prescribed form to make the request for access to a record. The request must be made to the Deputy Information Officer whose contact details are set out in paragraph six above. The request must be made to the address, fax number of the Deputy Information Officer set out in paragraph six above.
- 1.2 The requester must provide sufficient particulars on the request form to enable the Deputy Information Officer to identify the record requested and the requester
- 1.3 The requestor should also indicate which form of access is required
- 1.4 The requester must state whether the record concerned is preferred in any particular language

- 1.5 The requestor should also indicate if he or she wishes to be informed of the decision on the request in any other manner and state that manner and the necessary particulars to be so informed
- 1.6 If the request is made on behalf of another person, the requester must submit proof of the capacity in which he is making the request, to the reasonable satisfaction of the Deputy Information Officer
- 1.7 The Deputy Information Officer shall notify the requester (other than a personal request) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request
- 1.8 A requester whose request for access to a record has been granted must pay an access fee for the reproduction and for the searching and preparation of the copies or transcriptions of the content of the record requested and for the time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure
- 1.9 The Deputy Information Officer will inform the requester of his decision within 30 days after receipt of the request or may extend that period by a further period not exceeding 30 days. The period within which the Deputy Information Officer will inform the requester of his decision is subject to such extension as may be required to give third party the chance to make representations to the Deputy Information Officer where the record requested is with regard to the record of that third party.
- 1.10 In the event that the South African Post Office refuses to give the requester access to requested records, the requester may lodge an application with a court of law for the South African Post Office to be ordered to give the requester access to the requested records.
- 1.11 If the court orders the South African Post Office to grant the requester access to the requested records, the requester must pay the access fee contemplated in paragraph 1.8 above, before access to such records can be granted.

Request to access records held by the Post Office

Requests for access to records held by the Post Office must be made on the request forms (upon payment of prescribed fees) attached below or through forms available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations").

Requests for access must be made to the Information Officer at the postal address, fax number or electronic mail provided above.

As per the requirements of the Act, the request must provide sufficient and detailed information on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate if he or

she wishes to be informed in any other manner and state the necessary particulars to be so informed.

In addition, the requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the public body.

Accessibility of the manual

A copy of this Manual is available on our website (www.sapo.co.za) or by sending to the Information Officer a request by post, fax or electronic mail. The Manual is also obtainable from our head office, the South African Human Rights Commission (“SAHRC”) or from the Government Printers. Further, the Manual will, from time to time be updated in order for it to remain current.

Records Automatically Available [Section 14 (1) (e)]

Records that are automatically available to the public are all records the South African Post Office lodged in terms of government requirements with various statutory bodies including the Registrar of Companies, and the Registrar of Deeds, all records in the booklets and pamphlets published by the South African Post Office and all records available on the South African Post Office website (www.sapo.co.za).

Records held by the Post Office

The Post Office maintains various categories of records and information. However, the publication of categories of information and records in this Manual does not necessarily imply that request for access to such records or information would be honoured, other than for readily available information on the public domain, e.g. on www.sapo.co.za.

The following are records pertaining to the Post Office:

- Memorandum and Articles of Association
- Financial and Operational Records
- Statutory Records
- Policies and Procedures
- Product and Services Records
- Personnel Records
- Customer-related records

The request procedures

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with 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 ground of refusal mentioned in the Act.

Nature of the request:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form A].
- The requester must also indicate if the requester is for a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)]
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

Internal Appeal [Section 74, 75, 76 and 77]:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form B] and comply with all the provisions as outlined in the Act.
- Form B must be lodged by the appellant, within 60 days after receipt of the information officer's refusal to grant a request for access. This must be made to the information officer and comply with all the provisions outlined in the Act.
- The internal appeal will follow the prescribed process as outlined in terms of sections 74, 75, 76 and 77 of the Act.

Remedies available to the public in respect of an act by, or failure of, South African Post Office to act

- To lay a complaint against the South African Post Office with ICASA; or
- To commence legal proceedings against the South African Post Office in a court of law

Fees

There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee s22:

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 notify 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, where 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 way in which the requester wanted to be notified in.

- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Availability of the manual [Section 14(3)]

This manual has been made available to the Human Rights Commission in accordance with paragraph 4 (1) of the Regulations promulgated in terms of the Act and in published on the website of the South African Post Office www.sapo.co.za).

FORM A

REQUEST FOR ACCESS TO RECORD

(Section 53(1) of the Promotion of Access to Information Act, 2000)
(Act No. 2 of 2000)
(Regulation 10)

PARTICULARS OF PUBLIC BODY

The Chief Executive Officer: Ms Motshoanetsi Lefoka
The South African Post Office
P. O. Box 10 000
Pretoria
0001

PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD OF PUBLIC BODY

*(a) 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.
© Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names & surname:	
Identity number:	
Capacity in which request is made:	
Postal address:	
Telephone number:	
Fax number:	
E-mail address:	

PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request is made on behalf of another

person

Full names & surname:	
Identity number:	
Capacity in which request is made:	
Postal address:	
Telephone number:	
Fax number:	
E-mail address:	

PARTICULARS OF RECORD

(a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be located
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of record	
2. Reference number, if Available	
3. Any Further particulars of record	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicated which right is to be exercised or protected	
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2. Explain why the record requested is required for the exercise of protection of the aforementioned right	
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FEES

<p><i>(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.</i></p> <p><i>(b) You will be notified of the amount required to be paid as the request fee.</i></p> <p><i>(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.</i></p> <p><i>(d) If you qualify for exemption of the payment of any fee, please state the reason therefore.</i></p>

Reason for exemption of payment for the fee

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

<p><i>You will be notified in writing whether your request has been approved or 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.</i></p>

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 200__.

Signature of requester/person on whose behalf request is made