



## forestry, fisheries & the environment

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Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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## MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT No. 2 OF 2000) AND SECTION 17 OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

**Postal Address**  
Director-General  
Department of Forestry, Fisheries and  
the Environment  
Private Bag X447  
PRETORIA  
0001

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### 1. DEFINITIONS

In this guide unless the context requires otherwise –

**“access fee”** means a fee prescribed for the purposes of section 22 (6) or 54 (6), as the case may be;

**“court”** means –

- (a) the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution of the Republic of South Africa, 1996; or
- (b) (i) a High Court or another court of similar status; or  
(ii) a Magistrate’s Court, either generally or in respect of a specified class of decisions in terms of PAIA, designated by the Minister; by notice in the Gazette and presided over by a magistrate or an additional magistrate designated in terms of section 91A of PAIA, within whose area of jurisdiction –
  - (aa) the decision of the Information Officer or relevant authority of a public body or the head of a private body has been taken;
  - (bb) the public body or private body concerned has its principal place of administration or business; or
  - (cc) the requester or third party concerned is domiciled or ordinarily resident;

**“data subject”** means the person to whom personal information relates;

**“DFFE”** means the Department of Forestry, Fisheries and the Environment;

**“Guide”** means the book produced by the Information Regulator in terms of section 10 of PAIA for the purposes of reasonably assisting a person who wishes to exercise any right in terms of PAIA;

**“Information Regulator”** means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA);

**“Information Officer”**, in relation to the DFFE, means the Director-General;

**“Deputy Information Officers”** means the officials duly authorised by the Information Officer to ensure that the requirements of PAIA and POPIA are administered in a fair, objective and unbiased manner;

**“official”** in relation to a public body or private body means –

- (a) any person in the employ (permanently or temporary and full time or part-time) of the public or private body, as the case may be, including the head of the body, in his or her capacity as such; or
- (b) a member of the public or private body, in his or her capacity as such;

**“PAIA”** means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

**“person”** means a natural or a juristic person;

**“personal requester”** means a requester seeking access to a record containing personal information about the requester;

**“POPIA”** means the Protection of Personal Information Act, 2013 (Act No. 4 of 2013);

**“POPI Regulations”** means the regulations for the protection of personal information issued in terms of section 122(2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) on 14 December 2018;

**“private body”** means –

- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- (b) a partnership which carries or has carried on any trade, business or profession; or
- (c) any former or existing juristic person; but excludes a public body;

**“public body”** means –

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or
- (b) any other functionary or institution when –
  - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
  - (ii) exercising a public power or performing a public function in terms of any other legislation;

**“record”** means any recorded information –

- (a) regardless of the form or medium;
- (b) in the possession or under the control of that public or private body respectively; and
- (c) whether or not it was created by that public or private body, respectively;

**“Regulations in terms of the Promotion of Access to Information Act”** means regulations regarding the promotion of access to information published in Government Notice No. R. 187 of 15 February 2002 (Government Gazette No. 23119), amended by Government Notice No. R. 1244 of 22 September 2003 (Government Gazette No.25411);

**“relevant authority”** in relation to records requested from the DFFE, means the Minister of Forestry, Fisheries and the Environment (the Minister);

**“responsible party”** means the Department;

**“request for access”** means a request for access to a record in terms of section 11 of PAIA;

**“requester”** means –

- (a) any person (other than a public body contemplated in paragraph (a) or (b) (i) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or
- (b) a person acting on behalf of the person referred to in subparagraph (i);

**“third party”** means any person (including, but not limited, to the government of a foreign state, an international organisation or an organ of that government or organisation) other than –

- (a) the requester concerned; and
- (b) a public body.

**“working days”** means any days other than Saturdays, Sundays or public holidays, as defined in section 1 of the Public Holidays Act, 1994 (Act, No. 36 of 1994).

In this Guide, words importing any one gender shall include the other gender, and the singular shall include the plural, unless the context indicates otherwise.

## **2. INTRODUCTION**

Section 32(1)(a) of the Constitution of the Republic of South Africa, 1996, determines that everyone has a right of access to any information held by the State. Section 32(2) of the Constitution provides for the enactment of national legislation to give effect to this fundamental right. PAIA is the national legislation contemplated in section 32(2) of the Constitution.

Section 14 of the Constitution of the Republic of South Africa, 1996, provides for the right to privacy. POPIA gives effect to the constitutional right to privacy provided in section 14 of the Constitution -

- (i) by safeguarding a person’s personal information when processed by public and private bodies;

- 
- (ii) in a manner which balances the right to privacy with any other rights, including the rights in the Bill of Rights in Chapter 2 of the Constitution, particularly the right to access to information; and
  - (iii) subject to justifiable limitations, including, but not limited to effective, efficient and good governance and the free flow of personal information, particularly trans-border transfers.

Section 9 of PAIA recognises that the right of access to information is subject to certain justifiable limitations aimed at, amongst others:

- (a) the reasonable protection of privacy;
- (b) commercial confidentiality; and
- (c) effective, efficient and good governance.

Section 55(2) of POPIA requires the Department to register its Information Officer with the Regulator before taking up his or her respective duties in terms of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) and the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

Section 14(1) of PAIA stipulates that the Information Officer of the Public body must compile a manual in at least three official languages containing information on the Public Body for public consumption. Should this manual be translated into any other language and there is a conflict or inconsistency between the English version and the other languages, the English language text of the manual shall prevail. Regulation 4 (1) (c) of the POPIA Regulations confirms the publication requirement of PAIA when it stipulates that “...a manual is developed, monitored, maintained and made available as prescribed in sections 14 and 15 of PAIA.” The requirement for a manual is then extended to include POPIA requirements when section 17 of POPIA provides that a “...responsible party must maintain the documentation of all processing operations under its responsibility as referred to in section 14 or 51 of the Promotion of Access to Information Act”.

The purpose of this manual is to ensure that the DFFE (the public body in terms of PAIA and POPIA) complies with the requirements of both PAIA and POPIA.

### **3. PARTICULARS IN TERMS OF SECTION 14 OF PAIA**

#### **3.1 FUNCTIONS AND STRUCTURE OF THE DFFE [SECTION 14(1)(A)]**

##### ***The Mandate***

The mandate and core business of the DFFE is underpinned by the Constitution and all other relevant legislation and policies applicable to the government, such as the Batho Pele principles. The DFFE's specific mandate is derived from the following:

- The Constitution of the Republic of South Africa, 1996;
- Cabinet and Ministerial directives and policy decisions;
- Environment Conservation Act, 1989 (Act No. 73 of 1989);
- National Environmental Management Act, 1998 (Act No. 107 of 1998);
- National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004);
- National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);
- National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);
- National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008);
- World Heritage Convention Act, 1999 (Act No. 43 of 1999);
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);
- National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998);
- The National Forest Act, 1998 (Act No. 84 of 1998);
- Marine Living Resources Act, 1998 (Act No. 18 of 1998);
- Antarctic Treaties Act, 1998 (Act No. 60 of 1996); and
- Approximately 25 International Conventions.



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## ***The Vision***

A prosperous and equitable society living in harmony with our natural resources.

## ***The Mission***

Providing leadership in environmental management, conservation and protection towards sustainability for the benefit of South Africans and the global community.

## ***Departmental Values***

Driven by our **Passion** as custodians and ambassadors of the environment we have to be **Proactive** and foster innovative thinking and solutions to environmental management premised on a **People-centric** approach that recognises the centrality of Batho-Pele, for it is when we put our people first that we will serve with **Integrity**, an important ingredient in a high **Performance** driven organisation such as ours.

## ***Strategic Objectives and Key Focus Areas***

In line with our vision of creating a prosperous and equitable society living in harmony with the natural environment, the department provides leadership in environmental management, conservation and protection towards sustainability for the benefit of South Africans and the global community.

The DFFE aims to effectively manage the interface between the environment and development so as to stimulate and maximise the potential for economic growth in the environment sector. Our key strategic goals include:

- Protection, conservation, enhancement and sustainable utilisation of environmental assets;
- Providing leadership on climate change action;

- 
- Promoting skills development and employment creation by facilitating green and inclusive economic growth; and
  - Creating a better Africa and a better world by advancing national environmental interests through a global sustainable development agenda.

The top priority areas for DFFE over the medium term include:

- Providing support to local government in the areas of air quality management, waste management, biodiversity management, coastal planning and open space planning;
- Strengthening compliance and enforcement activities;
- Drawing linkages between climate change, the green economy and sustainable development;
- Aligning governance systems with the new Outcomes Approach, paying particular attention to ensuring that environmental assets and natural resources are valued, protected and continually enhanced; and
- Focusing on key national and international engagements.

The DFFE's programmes are aligned with the government's Outcomes Approach, especially having environmental assets and natural resources that are well protected and continually enhanced and the related outputs: reduced green house gas emissions, climate change impacts and improved air / atmospheric quality; sustainable environmental management and protected biodiversity.

### ***Organisational Structure of the DFFE***

The DFFE's structure consists of eight core branches and two transversal support service branches. The core branches, with their respective responsibilities, are:

1. **BIODIVERSITY AND CONSERVATION**
  - Protected Areas Systems Management
  - Biodiversity Management and Permitting
  - Biodiversity Economy and Sustainable Use
  - Biodiversity Monitoring Specialist Services

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**2. CHEMICALS AND WASTE MANAGEMENT**

Hazardous Waste Management and Licensing

Integrated Waste Management

Chemicals and Waste Policy, Circular Economy Monitoring and Evaluation

Chemicals Management

**3. CLIMATE CHANGE AND AIR QUALITY MANAGEMENT**

Climate Change Monitoring and Evaluation

Climate Change Adaption

Environmental Sector Planning and Performance

International Climate Change Relations and Reporting

International Governance and Resource Mobilization

Knowledge and Information Management

Air Quality Management

**4. ENVIRONMENTAL PROGRAMMES**

Environmental Protection and Infrastructure Programmes

Natural Resource Management

Information Management and Sector Coordination

**5. FISHERIES MANAGEMENT**

Aquaculture Development

Marine resources Management

Monitoring Control and Surveillance

Fisheries Research Development

**6. FORESTRY MANAGEMENT**

Forestry Operations

Forestry Development and Regulation

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**7. REGULATORY COMPLIANCE AND SECTOR MONITORING**

Litigation and Appeals  
Law Reform and policy Coordination  
Integrated Environmental Authorisations  
Sector Compliance  
Sector Enforcement

**8. OCEANS AND COASTS**

Integrated Coastal Management and Coastal Conservation  
Oceans Economy and Project Management  
Oceans and Coastal Research  
Specialist Monitoring Services

The transversal components provide strategic and management support to the core branches and coordinate cross-cutting projects to maximize the synergy potential in the DFFE. This consists of:

**9. CORPORATE MANAGEMENT SERVICES**

Communications and Advocacy  
Fisheries Operations Support  
Facilities Management  
Government Information Technology  
Human Capital Management

**10. FINANCIAL MANAGEMENT SERVICES**

Demand and Acquisition Management Services  
Logistics and Asset Management Services  
Budget and Financial Management  
Financial Support Services

**3.2 CONTACT DETAILS [SECTION 14(1)(B) OF PAIA]**

DFFE Call Center number      086 111 2468

DFFE Call Center Email      [callcentre@environment.gov.za](mailto:callcentre@environment.gov.za)

Switch Board Number      (012) 319 - 9000

Fax:      (012) 321 - 0198  
            (012) 359 - 3646

Website:      <http://www.environment.gov.za>

**MINISTRY - CAPE TOWN**

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**DEPUTY MINISTRY - CAPE TOWN**

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FAX: +27 (21) 465 7287

In terms of PAIA and POPI, the Head of the Department (Director-General) is the Information Officer for the Department. She has duly authorised the officials listed below as Deputy Information Officers to ensure that the requirements of PAIA and POPI are administered in a fair, objective and unbiased manner:

- (a) Chief Financial Officer
- (b) Deputy Director-General: Regulatory Compliance and Sector Monitoring
- (c) Deputy Director-General: Oceans and Coasts

- 
- (d) Deputy Director General: Biodiversity and Conservation
  - (e) Deputy Director General: Climate Change and Air Quality Management
  - (f) Deputy Director-General: Chemicals and Waste Management
  - (g) Deputy Director-General: Environmental Programmes
  - (h) Deputy Director-General: Corporative Management Services
  - (i) Deputy Director-General: Fisheries Management
  - (j) Deputy Director-General: Forestry Management

### **3.3 SECTION 10 GUIDE ON HOW TO USE PAIA**

The Information Regulator has in terms of section 10 of PAIA, compiled a guide on the use of PAIA. This guide is available in each official language at the following venues.

- Government Communications and Information Services (GCIS);
- All places of legal deposit (State libraries); and
- Every tertiary institution (Universities and Universities of Technology).

It is also available for public inspection during office hours at the offices of the Information Regulator at the following address:



The Information Regulator

Physical address: JD House  
27 Stiemens Street  
Braamfontein  
JOHANNESBURG  
2001

Postal address: P O Box 31533  
Braamfontein  
Johannesburg  
2017

Telephone number: +27 10 0235200

## REQUESTS FOR ACCESS TO INFORMATION

[SECTION 14(1)(D) OF PAIA]

Everyone has the right to request access to recorded information held by the DFFE, subject thereto that the request is made on the prescribed form and that the prescribed fees are paid. Access is also subject to the grounds of exclusion found in Chapter 4 of PAIA. The request may be made by anyone who acts in their own interests or acts on behalf of someone who cannot do so themselves.

### *Procedure for requesting records*

#### **Form 2**

A requester must complete the prescribed form which-

- (a) can be found in the 2021 Regulations to PAIA;
- (b) is on the website of the Information Regulator at [inforreg@justice.gov.za](mailto:inforreg@justice.gov.za)
- (c) is attached to this document as Annexure A; or
- (d) is obtainable from the DFFE's information centre and website.

## Process

- (a) The request for information must be submitted to:

Director-General  
Private Bag X 447  
PRETORIA  
0001

Attention: Ruth Maimela  
Office Administrator: Corporate Legal Support and Litigation  
Tel: +27 (012) 399 9338  
email: [rmaimela@dffe.gov.za](mailto:rmaimela@dffe.gov.za)

- (b) The requester must also indicate if he or she would like to obtain a copy of the record or would like to inspect the record at the offices of the DFFE. Alternatively, if the record is not a paper copy document, it can then be viewed in the requested form, where possible [s 29(2) of PAIA].
- (c) If a requester asks for access in a particular form, then he or she should get access in the manner that has been asked for. This principle applies, unless doing so would interfere unreasonably with the running of the DFFE, 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 alternative manner, then the fee must be calculated according to the way that was first asked for by the requester [s 29(3) and (4) of PAIA].
- (d) If, in addition to a written reply to their request for the record, the requester wants to be informed about the decision in any other way, for example telephonically, this must be indicated [s 18(2)(e) of PAIA].

***Request on behalf of another person***

If the request is made on behalf of another person, a requester must submit proof of the capacity in which he or she is making the request, to the reasonable satisfaction of the Information Officer [s 18(2)(f) of PAIA].

***Request by people with disabilities***

- (a) If a requester is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make a verbal request. The Information Officer will then complete the form on behalf of the requester and give a copy of the completed form to the requester [s 18(3) of PAIA].
  
- (b) The Information Officer will assist a requester to comply with the abovementioned requirements to request access to information, including referring a requester to another public body, if it is apparent that the request for information should have been made, to such other body [s 19 of PAIA].

***Transfer of requests [s 20 of PAIA]***

- (a) The Information Officer of the DFFE may transfer requests for records to another public body when:
  - (i) The record is in the possession of that public body;
  - (ii) the subject matter of the record is more closely associated with the functions of that public body;
  - (iii) the record was created for that public body, or was received first by that body; or
  - (iv) the record contains commercial information in which that public body has a greater commercial interest.
  
- (b) In such instances the Information Officer of the DFFE would have to transfer the request to the other public body as soon as is reasonably possible, but within 14 days after the



request is received. If the DFFE is in possession of the record which is being requested and its Information Officer considers it helpful to do so to enable the Information Officer of the other public body to deal with the request, the record or a copy of the record will be sent to that Information Officer.

- (c) If a request for access to a record has been transferred, any period prescribed for the completion of an activity related to the request, has to be computed from the date it was received by the Information Officer to whom it was referred. All the relevant periods that apply to a request for information have to be adhered to.

***Notification of transfer***

- (a) When a request for access has been transferred, the Information Officer making the transfer will immediately notify the requester of:
  - (i) The transfer;
  - (ii) the reasons for the transfer; and
  - (iii) the period within which the request must be dealt with [s 20(5) of PAIA].
- (b) The Information Officer will reasonably ensure that a record to which access has been requested is preserved until a decision is taken about access to the information [s 21 of PAIA].

***Payment of Fees [s 22 of PAIA]***

- (a) Two types of fees are required to be paid in terms of PAIA, namely a request fee and an access fee. A requester who seeks access to a record containing personal information about him / herself is not required to pay the request fee. Any other requester who is not a personal requester, must pay the required request fee.
- (b) The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.





- (i) After the Information Officer has made a decision on the request, the requester must be notified of such a decision in the manner in which the requester wanted to be notified.
  - (ii) 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 within which to search and prepare the record for disclosure.
- (c) The fees that have been prescribed are contained in the Regulations promulgated in terms of the PAIA and must be paid by a requester before the DFFE can make any records requested available to the requester. A copy of the schedule of prescribed fees is attached to this document as Annexure C.
- (d) Fees are payable, during office hours, at the DFFE Cashier's office on the Ground floor, Room A9, Environment House, 473 Steve Biko Road, Arcadia, Pretoria. Alternatively, fees may be paid by means of Electronic Funds Transfer as per the banking details below, quoting PAIA number as the reference number:

ABSA Bank

Department of Forestry, Fisheries and the Environment

Account number:1044240072

Beneficiary Account number: 632005

Reference: PAIA..... and Name of Requestor

Form 3

The Information Officer must within the prescribed timeframe inform the Requester of the outcome of the request by -

- a) granting the record requested;
- b) partially granting the record;
- c) refusing to grant the record; and
- d) the Form 3 is attached to this document as Annexure B.





The Information Office must further inform the Requester if-

- a) the request if being transferred / partially transferred
- b) third parties are engaged to obtain consent for record where personal information is requested
- c) the record requested does not exist (Sec 23 affidavit must be deposited to and provided to the Requester)

Form 4

All Requesters must be informed of-

- a) their right to Appeal the decision made by the Information Officer; and
- b) the prescribed Form 4 is attached to this documents as Annexure D.

### **3.5 CATEGORIES OF RECORDS HELD BY THE DFFE [SECTION 14(1)(D) OF PAIA]**

The records and information relevant to the functions and services of DFFE can broadly be categorised as follows:

- i. Policies, strategies, delegations, government notices and legislation;
- ii. Press statements and speeches;
- iii. Departmental personnel records;
- iv. Departmental financial records;
- v. Agendas and minutes of departmental meetings;
- vi. General administration information;
- vii. Departmental reports;
- viii. Internal circulars, internal memoranda, letters, cabinet memoranda;
- ix. Contracts and international Agreements;
- x. Branch specific information as described in paragraph 2.1.2 including:
  - a) Business plans;
  - b) Strategy documents;
  - c) Programme specific information;



- d) Permits and authorisations;
- e) Research documents;

### **3.6 NOTICE OF AUTOMATICALLY AVAILABLE RECORDS [SECTION 14(1)(E) OF PAIA]**

Notice of publication of section 15 list attached hereto as Annexure E.

### **3.7 SERVICES AVAILABLE TO THE PUBLIC AND HOW TO GAIN ACCESS TO THEM [SECTION 14(1)(F) OF PAIA]**

The following services are delivered by the DFFE:

- a) The publishing and implementation of legislation in the areas of Biodiversity, Protected Areas, Waste Management, Air Quality Management, Climate Change and Coastal Management.
- b) Further expansion of our Parks system.
- c) The drafting of a National Biodiversity Strategy and Action Plan.
- d) Expanding regional cooperation in environmental management through the establishment of Transfrontier Conservation Areas.
- e) Assisting provincial and local government to clean up towns, cities and rural areas through proper waste management systems.
- f) Addressing the air pollution problems in South Africa in terms of the National Environmental Management: Air Quality Act and its regulations and standards.
- g) Addressing waste management problems in South Africa in terms of the National Environmental Management: Waste Act.
- h) The development of a National Sustainable Development Strategy as part of the Medium Term Strategic Framework (MTEF).
- i) Implementation of the environment and culture component of the Expanded Public Works Programme.
- j) The issuing of environmental authorisations, permits and licenses for a variety of activities identified in terms of the various environmental management acts which provide the DFFE with its legal mandate.

k) Enforcement of legislation.

The public can gain access to the services provided by the DFFE through the Department's outreach programmes. Information on these programmes can be obtained-

- on the DFFE website [www.environment.gov.za](http://www.environment.gov.za);
- by contacting the DFFE Call Centre number 086 111 2468 or DFFE Call Center Email [callcentre@environment.gov.za](mailto:callcentre@environment.gov.za)

### **3.8 ARRANGEMENTS ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATION OF POLICY, EXERCISE OF POWERS OR PERFORMANCE OF DUTIES [SECTION 14(1)(G) OF PAIA]**

The DFFE has the following arrangements and / or provides the following opportunities for consultation, making representations or otherwise participating in or influencing the formulation of policy / legislation or the execution of the mandate of the Department:

- a) Public workshops;
- b) Publication of draft policy and legislation for public comment in the Government Gazette and on the DFFE website;
- c) Stakeholder Forum workshops;
- d) Discussions / workshops with government departments;
- e) Oversight of public participation and other processes during the execution of EIA's by developers; and
- f) the Administrative Appeal Process in terms of relevant legislation, for example, the National Environmental Management Act, 1998.

### **3.9 REMEDIES AVAILABLE IN THE EVENT OF NON-COMPLIANCE WITH THE PAIA**

[SECTION 14(1)(H) OF PAIA]

#### ***Internal appeal [s 74 of PAIA]***



A requester may lodge an internal appeal to the Minister against a decision of the Information Officer to refuse a request, against the requirement to pay request and access fees, against an extension of the period to deal with the request and against a decision to provide the information in a form other than in the particular form as requested.

***Form [s 75(1) of PAIA]***

- (a) The appeal must be lodged on the prescribed form that has been printed in the Regulations issued in terms of PAIA, or a form that substantially corresponds with that form. A copy of the form is attached to this document as Annexure D. Copies thereof are also available from the DFFE's office or from the Deputy Information Officers referred to in this document. The form is also available on the DFFE's website.
- (b) The appeal must be lodged within **60** days or if notice to a third party is required in terms of s49(1)(b) of PAIA, within **30 days** after notice has been given to the appellant of the decision appealed against, or if notice to the appellant is not required, after the decision was taken. The appeal must be sent to the address, fax number or e- mail address of the Information Officer.
- (c) An appellant must provide reasons for the internal appeal, how he or she wishes to be informed of the decision about the appeal and must pay the prescribed appeal fee (if any).
- (d) The Minister will allow late lodging of an appeal only if the appellant's motivation is credible. An appellant will be informed if his or her late appeal was disallowed.

***Appeal fee [s 75(3) of PAIA]***

An appellant has to pay the prescribed appeal fee (if any). A decision on the internal appeal may be deferred until the appeal fee is paid.

***Submission of an internal appeal to the Minister [s 75(4) of PAIA]***

The Information Officer must submit an internal appeal within **10 working days** after receipt thereof to the Minister. The Minister must, at the same time, be provided with the reasons for the Information Officer's decision against which the internal appeal was lodged and with the details of any third party that may be involved.

***Third party [s 76 of PAIA]***

- (a) When the Minister is considering an internal appeal against the refusal of a request for access to the record of a third party, the disclosure of which may involve the unreasonable revelation of personal information, may harm the third party's commercial or financial interests or would constitute a breach of confidence, the Minister must inform the third party about the appeal within **30 days** after receipt thereof. The Minister must furnish the third party with a description of the contents of the appeal, details of the appellant and must state whether the Minister is of the opinion that it would be in the public interest that the information should be revealed. The third party then has **21 days** to make a written representation to the Minister why the request for information should not be granted or, alternatively, give written consent for the disclosure of the record to the requester.
- (b) When the Minister is considering an internal appeal against the granting of a request for access to information, the Minister must notify the requester concerned of the appeal within **30 days** after receipt thereof. The third party has **21 days** to make a written representation why the access to the record should be granted.

***Notice of decision [s 77 of PAIA]***

When deciding on an internal appeal, the Minister may confirm the original decision or make a new decision. This must be done within **30 days** after receipt of the internal appeal, or within **5 working days** after receiving written representation regarding the appeal. The Minister must immediately notify the appellant, every third party involved and the requester of the decision and must provide the reasons for the decision. If the Minister fails to comply with the above procedures and time frames for the consideration of an internal appeal, it will be regarded that that the Minister has dismissed the internal appeal.

***Application to court [s 78 of PAIA]***

The appellant, third party or requester will also be informed that they may apply to a competent court for review of the decision of the Minister on an internal appeal. Such application must be made within **30 days** after the decision has been taken. However, a requester or third party may **ONLY** apply to a court for such a review after the requester or third party has exhausted the internal appeal procedure. The court may confirm, amend or set aside the decision on an internal appeal or may grant an interdict.

**4. PARTICULARS IN TERMS OF SECTION 17 OF POPIA**

**4.1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION**

1. A data subject who wishes to object to the processing of personal information in terms of section 11(3)(a) of POPIA, must submit the objection to the Department on Form 1.
2. The Department, or a designated person, must render such reasonable assistance as is necessary, free of charge, to enable the data subject to make an objection using Form 1.

**4.2 REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTRUCTION OR DELETION OF RECORD OF PERSONAL INFORMATION**

- (1) A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information of that data subject in terms of section 24(1) of POPIA, must submit a request to the Department using Form 2.



- (2) The Department, or a designated person, must render such reasonable assistance, as is necessary free of charge, to enable a data subject to complete Form 2.

#### **4.3 APPLICATION FOR ISSUING CODE OF CONDUCT**

If the Department can justify that it sufficiently represents a class of bodies, profession, or vocation that wishes to apply for the issuing of a code of conduct in terms of section 61(1)(b) of POPI, must submit an application to the Regulator using Form 3.

#### **4.4 REQUEST FOR DATA SUBJECT'S CONSENT TO PROCESS PERSONAL INFORMATION**

If the Department wishes to process personal information of a data subject for the purpose of direct marketing by electronic communication must in terms of section 69(2) of POPI submit a request for written consent to that data subject using Form 4.

#### **4.5 SUBMISSION OF COMPLAINT**

- (1) Any person who wishes to submit a complaint contemplated in section 74(1) of POPI must submit such a complaint to the Regulator using Part I of Form 5.
- (2) The Department or a data subject who wishes to submit a complaint contemplated in section 74(2) of POPI must submit such a complaint to the Regulator on Part II of Form 5.

#### 4.6 REGULATOR ACTING AS CONCILIATOR DURING INVESTIGATION

- (1) If during the investigation of a complaint the Regulator decides to act as a conciliator in terms of section 76(1)(b) of POPI, and convene a conciliation meeting, the Regulator must, as soon as it is practically possible, inform the data subject and the Department using Form 6 of the following:
  - (a) the Regulator's decision to act as a conciliator in the matter; and
  - (b) the date, time and place of the conciliation meeting.
  
- (2) The Regulator-
  - (a) may consolidate separate complaints, which are alleged to relate to the same interference with the protection of personal information by the same responsible party, in order to deal with the complaints in the same conciliation proceedings;
  - (b) must ensure that all persons entitled to attend the conciliation meeting are notified within a reasonable time, of the date, time and place of the meeting;
  - (c) may request all the relevant documentation relating to the complaint from the data subject and the responsible party; and
  - (d) may confer with the parties in person, by electronic communication means, or by any other means as is deemed appropriate.
  
- (3) Where a conciliation meeting fails to take place, the Regulator must arrange for an alternative date and notify the persons entitled to attend the conciliation meeting accordingly.
  
- (4) The Regulator must issue a conciliation certificate using Form 7 within a reasonable time after the date of the conclusion of the conciliation meeting.
  
- (5) If the complaint is not resolved, or either or both of the parties did not attend a conciliation meeting, the Regulator must proceed with the complaint as provided for in terms of section 76 of POPIA.

#### **4.7 PRE-INVESTIGATION PROCEEDINGS OF REGULATOR**

- (1) If the Regulator intends to investigate any matter contemplated in Chapter 10 of POPIA, the Regulator must in terms of section 79 of POPIA, notify the parties to whom the investigation relates of such intention on Part I using Form 8 prior to conducting the investigation.
- (2) The Regulator must inform the Department if the investigation relates to it on Part II of Form 8 of the complaint, or the subject matter of the investigation, and must inform the Department of the right to submit a written response to the complaint or the subject matter of the investigation within the time allocated by the Regulator.

#### **4.8 SETTLEMENT OF COMPLAINTS**

- (1) If it appears from a complaint or any written reply to the complaint under section 79(b)(ii) of POPIA or during a conciliation meeting, that it may be possible to secure a settlement between the parties and if appropriate, satisfactory assurances as contemplated in section 80 of POPIA, the Regulator may confer with the parties in person, by electronic communication means, or by any other means as is deemed appropriate to endeavour to obtain a settlement and if appropriate, satisfactory assurances as contemplated in section 80 of POPIA.
- (2) If during the process referred to in sub-paragraph (1) above the Regulator decides to convene a settlement meeting, the Regulator must, as soon as it is practically possible, inform the data subject and the Department using Form 9 of the date, time and place of the settlement meeting.
- (3) For the purpose of settlement proceedings, the Regulator has the same powers of a conciliator contemplated in sub-regulations (2) to (3) of Regulation 8 of POPIA.
- (4) The Regulator must issue a settlement certificate using Form 10 within a reasonable time after the date of the conclusion of the settlement meeting.



- (5) If no settlement and assurance is secured or if either or both of the parties did not wish to attend a settlement meeting, the Regulator must proceed with the matter as provided for in terms of section 76 of POPIA.

**4.9 ASSESSMENTS**

- (1) A request for an assessment in terms of section 89(1) of POPI must be submitted to the Regulator on Part 1 of Form 11.
  
- (2) The Regulator must inform the requester on Part II of Form 11 if it has decided to conduct an assessment on-
  - i. its own initiative; or
  - ii. as requested in terms of sub-paragraph (i) above;

within a reasonable time from the date that the decision was made,
  
- (3) The period of assessment will be determined by the Regulator on a case by case basis.
  
- (4) The Regulator must notify the requester or the Department (if not the requester) of any decision made, or action taken, or view formed on Form 12 within a reasonable time from the date that the decision was made or action taken or view formed.

**4.10 INFORMING THE PARTIES OF DEVELOPMENTS REGARDING INVESTIGATION**

- (1) During the course of an investigation, the Regulator must within a reasonable time from the date of a decision being made or action being taken-
  - (a) keep the complainant, the data subject (if not the complainant) and the responsible party informed of the developments of the investigation; and



(b) inform the complainant, data subject (if not complainant) and the responsible party of the result of the investigation.

(2) The notifications contemplated in sub-regulation (1) of POPI Regulations must be served at the designated addresses of the complainant, the data subject and the Department advising-

(a) on Form 13 that an enforcement notice will not be issued in terms of section 94(a) of POPIA;

(b) on Form 14 that the complaint has been referred to the Enforcement Committee in terms of section 92 of POPIA;

(c) on Form 15 that an enforcement notice has been served in terms of section 95 of POPIA;

(d) on Form 16 that an enforcement notice had been cancelled or varied in terms of section 96 of POPIA;

(e) on Form 17 that an appeal has been lodged against an enforcement notice for cancellation or variation of the notice in terms of section 97 of POPIA;

(f) on Form 18 that an appeal against an enforcement notice has been allowed and that an enforcement notice has been substituted in terms of section 98 of POPIA; or

(g) on Form 19 that an appeal has been dismissed in terms of section 98 of POPIA.

## **5. AVAILABILITY OF THE MANUAL [SECTION 14(3) OF PAIA]**

This manual will be made available to the Information Regulator in accordance with paragraph 4(1) of the Regulations promulgated in terms of PAIA and will be published on the DFFE's website (<http://www.environment.gov.za>). Copies of the manual will also be available at DFFE's offices for perusal. The prescribed fees apply when copies have to be made for requesters.



## 6. VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

(SECTION 15) OF PAIA

The DFFE makes a wide variety of information available through its website. Typical information that can be expected to be found on the website is:

- a) The DFFE Calendar of Events;
- b) Maps and Graphics;
- c) GIS Data sets;
- d) Environmental Potential Atlas Series;
- e) Enviro-Info 2001;
- f) Vacancies;
- g) Bids;
- h) Projects and programmes;
- i) Register of all rights of access, other rights, permits and licences granted or issued in terms of the Marine Living Resources Act, 1998 (Act No. 18 of 1998);
- j) News Releases;
- k) Policy and legislation;
- l) Marine Protected Areas;
- m) Coastal management;
- n) International obligations and agreements;
- o) Environmental Crimes Brochure;
- p) Environmental Management Inspector Training;
- q) Bioprospecting Application Forms;
- r) Benefit sharing and Material Transfer Agreement Forms (under bioprospecting);
- s) Regulations under the National Environmental Management: Biodiversity Act;
- t) Waste Policies;
- u) Waste Regulations;
- v) Waste Guidelines;
- w) Application Forms for waste disposal/management;
- x) Newsletters on waste management;

- 
- y) DFFE Annual reports;
  - z) Supply Chain Management: Policies; Procedure Manuals; Guidelines; Application Forms;
  - aa) Public Finance Management Act and Treasury Regulations;
  - bb) Information relating to the following statutory bodies:
    - i. South African National Parks;
    - ii. South African Weather Services; and
    - iii. South African National Biodiversity Institute.

Most of the information is provided free of charge. The conditions for the use of the information can be found on the website.

## **7. PUBLIC INSTITUTIONS REPORTING TO THE DFFE**

The following public entities report to the DFFE:

### **iSimangaliso Wetlands Park Authority**

Chairperson

Prof Thandi Nzama

Tel: 012 482 3322

Fax: 012 482 2276

E-mail: NzamaA@unizulu.ac.za

Chief Executive Officer

Mr Sibusiso Bukhosini

Tel: 035 590 1633

Fax: 035 590 1602

E-mail: Bukhosini@isimangaliso.com

### **The South African National Parks (SANParks)**

Chairperson

Mr Kuseni Dlamini

Tel: 012 426 5006  
Fax: 012 343 9959  
E-mail: [kdlamini@sanparks.org](mailto:kdlamini@sanparks.org)

Chief Executive Officer  
Mr Fundisile Mketeni  
Tel: 012 426 5001  
Fax: 012 343 9959  
E-mail: [fundisile.mketeni@sanparks.org](mailto:fundisile.mketeni@sanparks.org)

**South African Weather Services**

Chairperson  
Prof Lindisizwe Magi  
Tel: 012 367 6078  
E-mail: [magilm@telkomsa.net](mailto:magilm@telkomsa.net)

Chief Executive Officer  
Mr Ishaam Abader  
Tel: 012 367 6111  
Fax: 012 367 6113  
Mail: [Ishaam.Abader@weathersa.co.za](mailto:Ishaam.Abader@weathersa.co.za)

**South African National Biodiversity Institute**

Chairperson (Acting)  
Ms Nana Magomola  
Tel: 011 0267323  
Fax: 011 256 9217  
E-mail: [nana.magomola@thamaga.co.za](mailto:nana.magomola@thamaga.co.za)

Chief Executive Officer  
**Mr Shonisani Munzhedzi**  
Email: [S.Munzhedzi@sanbi.org](mailto:S.Munzhedzi@sanbi.org)

**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:

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

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<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			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
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			

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
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	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
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 <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>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>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.</i>	
Indicate which right is to be exercised or protected	



Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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**

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

\_\_\_\_\_

*Signature of Information Officer*



**ANNEXURE B – FORM 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.

TO:

Reference number:

Your request dated , refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body (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) 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.	<input type="checkbox"/>
--	--------------------------

OR

**2. You requested:**

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	<input type="checkbox"/>
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	<input type="checkbox"/>
Transcription of soundtrack (written or printed document)	<input type="checkbox"/>
Copy of information on flash drive (including virtual images and soundtracks)	<input type="checkbox"/>
Copy of information on compact disc drive (including virtual images and soundtracks)	<input type="checkbox"/>
Copy of record saved on cloud storage server	<input type="checkbox"/>

**3. To be submitted:**

Postal services to postal address	<input type="checkbox"/>
Postal services to street address	<input type="checkbox"/>
Courier service to street address	<input type="checkbox"/>
Facsimile of information in written or printed format (including transcriptions)	<input type="checkbox"/>
E-mail of information (including soundtracks if possible)	<input type="checkbox"/>
Cloud share/file transfer	<input type="checkbox"/>
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)	<input type="checkbox"/>

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	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
<b>TOTAL:</b>			

**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)

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



## ANNEXURE C – PRESCRIBED FEES

### ANNEXURE B FEES

#### Fees in Respect of Public Bodies

Item	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)	R40.00
	(ii) Compact disc	
	. If provided by requestor	R40.00
	. If provided to the requestor	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)	R40.00
	(ii) Compact disc	
	. If provided by requestor	R40.00
	. If provided to the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R100.00
	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.

#### Fees in Respect of Private Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on:	
	(iii) Flash drive (to be provided by requestor)	R40.00
	(iv) Compact disc	
	. If provided by requestor	R40.00
	. If provided to the requestor	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:	
	(v) Flash drive (to be provided by requestor)	R40.00
	(vi) Compact disc	



	. If provided by requestor	R40.00
	. If provided to the requestor	R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	R145.00
	To not exceed a total cost of	R435.00
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."



**ANNEXURE D – INTERNAL APPEAL**

**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	<input type="checkbox"/>	No	<input type="checkbox"/>
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 <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				



<b>DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED</b> <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	<input type="checkbox"/>
Decision regarding fees prescribed in terms of section 22 of the Act	<input type="checkbox"/>
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	<input type="checkbox"/>
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	<input type="checkbox"/>
Decision to grant request for access	<input type="checkbox"/>
<b> GROUNDS FOR APPEAL</b> <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:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
*Signature of Appellant/Third party*

**ANNEXURE E – SECTION 15**

96 No. 36922

GOVERNMENT GAZETTE, 15 APRIL 2016

**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

NO. 435

15 APRIL 2016

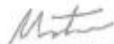
**PROMOTION OF ACCESS TO INFORMATION ACT, 2000**

**DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)**

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

As set out in the Schedule



**TSHILOLO MICHAEL MASUTHA, MP (ADV)**

**MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES**

## SCHEDULE

## AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:

[Section 15 of the Promotion of Access to Information Act, 2000 (Act 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, AND OF THE MANNER OF ACCESS	
AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)  OR  COPYING IN TERMS OF SECTION 15(1)(a)(ii) The official to be contacted and the contact number is listed below next to the relevant records	
<p>1. Authorisations/permits and licenses:-</p> <p>1.1 Environmental Authorisations issued in terms of the Environmental Impact Assessment Regulations;</p> <p>1.2 Permits issued in terms of the Biodiversity Act; and</p> <p>1.3 Licenses issued in terms of the Waste Act;</p> <p>1.4 General Permits for Boat Based Whale Watching and White Shark Cage Diving</p> <p>1.5 Atmospheric Emission Licenses issued in terms of the National Environmental Management Air Quality Act</p> <p><i>(the release of the abovementioned documents, together with all relevant supporting documentation, will be subject to compliance with section 15 (4) of PAIA, wherein certain portions may be redacted, and where relevant, will be released in the same form as they were published during public participation process)</i></p>	<p>PAIA Administrator. Tel. no: 012 390 9336 Email address: <a href="mailto:psabeka@environment.gov.za">psabeka@environment.gov.za</a></p>

AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(ii) AT <a href="http://www.environment.gov.za">www.environment.gov.za</a>
1. The Departmental Calendar of Events
2. Policy and legislation
3. Departmental Annual Reports
4. News Releases
5. International obligations and agreements
6. Background information on the Department's Environmental Programmes
7. Natural Resource Management (NRM):- 7.1 NRM Annual Audited KPI report 7.2 Maps of NRM priority areas 7.3 Research reports and publications for NRM
8. Maps and Graphics on the DEA Website
9. Geographic Information Systems data sets generated by the Department on:- 9.1 Protected areas 9.2 Conservation areas 9.3 Renewable energy spatial data
10. Marine Protected Areas:- 10.1 Maps and coordinates 10.2 Activities allowed in each area 10.3 Conditions for scuba diving in such areas 10.4 Conditions for the use of jetskis in such areas 10.5 Dive ban regulations for the protection of abalone in certain areas
11. Coastal management:- 11.1 A Summary Guide to South Africa's Integrated Coastal Management Act 11.2 A User friendly Guide to the Integrated Coastal Management Act of South Africa 11.3 General published reasons and decision sheets for allocation of permits for boat based whale watching and white shark cage diving 11.4 National and Local Oil Spill Contingency Plans 11.5 Pollution Status Reports 11.6 Policy on Dispersant Use 11.7 Technical reports on marine pollution
12. National Environmental Compliance and Enforcement Report, 2007-2008 and 2008-2009
13. Stepping up Enforcement against Environmental Crime (Brochure)
14. Holders of Bioprospecting Permits
15. Bioprospecting notifications
16. National Biodiversity Framework
17. National Protected Areas Expansion Strategy



18. Guideline regarding the Determination of Bioregions and the Preparation of and Publication of Bioregional Plans
19. Norms and Standards for Biodiversity Management Plans for Species
20. Annual Professional Hunting Statistics
21. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Annual Report
22. Integrated Environmental Management: Information Series
23. Integrated Environmental Management: Guideline Series
24. List of waste management activities requiring licensing
25. Database of licensed waste management activities in South Africa
26. Waste Information Today (Newseletter)
27. National Environment Management: Waste Act (59/2008): National Waste Management Strategy. GN 35306, 4 May 2012
28. National Environment Management: Waste Act (59/2008): National Policy on Thermal Treatment of General and Hazardous Waste. GN 32439, 24 July 2011.
29. National Policy for the provision of basic refuse removal services to indigent households. GN 34385, 22 June 2011.
30. Environment Conservation Act (73/1989): Plastic carrier Bags and plastic Flat Bags Regulations. GN 24639, 9 May 2003.
31. National Environment Management: Waste Act (59/2008): List of waste management activities that have, or are likely to have a detrimental effect on the environment. GN 37083 29 November 2013.
32. National Environmental Management: Waste Act (59/2008): National Domestic Waste Collection Standards. GN 33935, 21 January 2011.
33. National Environment Management: Waste Act (59/2008): National norms and standards for disposal of waste for landfill disposal. GN 36784, 23 August 2013.
34. National Environment Management: Waste Act (59/2008): National norm and standards for the assessment of waste for landfill disposal. GN 36784, 23 August 2013.
35. National Environment Management: Waste Act (59/2008): National Standards extraction, flaring and recovery of landfill gas. GN 37086, 29 November 2013.
36. National Environment Management: Waste Act (59/2008): National Standards for the scrapping or recovery of motor vehicles. GN 37087, 29 November 2013.
37. National Environment Management: Waste Act (59/2008): National norms and standards for the storage of waste. GN 37086, 29 November 2013.
38. National Environment Management: Waste Act (59/2008): Approval of an Integrated Industry Waste Tyre Management Plan of the Recycling Economic Development Initiative of South Africa. GN 35927, 30 November 2012.
39. Municipal Waste Sector Plan. GN 35206, 30 May 2012.
40. National Climate Change Response White Paper
41. National Environmental Management: Air Quality Act (39/2004): Amendment to the 2007 National Framework for Air Quality Management in the Republic of South Africa
42. List of publications: Chemicals and Waste Management
43. Regulations regarding fees for the provision of Aviation Meteorological Services
44. Supply Chain Policy
45. Bid Adjudication Committee Policy

NOTES:

Certain sub categories may not be accessible in their entirety on grounds stated in Chapter Four of PAIA

The Department shall delete any part of a record listed above which must be refused in terms of Chapter 4 of PAIA as per section 15 (4) of PAIA.

In instances where any of the contact people listed above cannot be reached, the requester may contact our call-center at: 086 111 2468