



**PROCEDURES FOR THE HANDLING OF
REQUESTS RECEIVED THROUGH THE
PROMOTION OF ACCESS TO INFORMATION
ACT, 2000. (PAIA)**

1. Introduction

The Promotion of Access to Information Act (PAIA) is a piece of legislation that stems from section 32 the Constitution of South Africa. The Act allows the public or citizens to access records held by a public or private body. As an organisation we are mandated by the Act to comply with the requirements thereof. By virtue of the Act, the CEO (Chief Executive Officer) is the Chief Information Officer (CIO), and (s)he has delegated the task of administering obligations in terms of the Act to the Deputy Information Officer.

2. Purpose

The purpose of the document is to provide procedures on the administration and handling of requests received through the Promotion of Access to Information Act, including the compilation and submission of Section 32 Report to the SAHRC.

3. Definitions

TERMS	DESCRIPTIONS
Information Officer	<p>The Chief Information Officer of the HSRC is the Information Officer as defined by the Act.</p> <p>The Information Officer may delegate a power or duty conferred or imposed on him/her by this Act to a Deputy Information Officer of the HSRC.</p> <p>Any delegation:</p> <ul style="list-style-type: none">▪ must be in writing;▪ does not prohibit the person who made the delegation from exercising the power concerned or performing the duty concerned himself or herself; and▪ may at any time be withdrawn or amended in writing by that person.
Deputy Information Officer	<p>The Chief Information Officer of the HSRC must designate a person(s) as Deputy Information Officer(s) as necessary to render the Human Sciences Research Council accessible as reasonably possible for requesters of its records.</p> <p>The Chief Information Officer of the Human Sciences Research Council has designated the Director: Library and Information Services as the Deputy Information Officer of the HSRC.</p>
Record	<p>In relation to the Human Sciences Research Council, a record means any recorded information:</p> <ul style="list-style-type: none">▪ regardless of form or medium;▪ in the possession or under the control of that public body; and▪ whether or not it was created by that public body.▪ regardless of when a record came into existence
Human Rights Commission	<p>Means the South African Human Rights Commission referred to in section 181 (1)(b) of the Constitution.</p>

Requestor	Any person making a request for access to a record of the Human Sciences Research Council.
Personal Requestor	A person seeking access to a record containing personal information about the requestor.
PAIA	Promotion of Access to Information Act, No 2 of 2000
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)
Appeal	An appeal is a process for requesting a formal change to an official decision.

4. Regulatory Framework

This procedure manual has been drafted within the framework of the following prescripts:

- The Constitution, 1996 (Section 32)
- Promotion of Access to Information Act, No 2 of 2000

5. Procedures of handling requests received through the PAIA

1. All PAIA requests are received by the Chief Information Officer's office.
2. Upon receipt of the request, the requestor will be provided with the documents when readily available. If not, the requestor must comply with the procedural requirements (No. 5 in the HSRC PAIA manual).
3. The Requestor must complete Form A (Request for access to record of public body) and submit it by hand, fax or email.

Street address:

HSRC Building
134 Pretorius Street
Pretoria, 0001

Email to: researchoutputs@hsrc.ac.za

The completed form should provide details of the records requested. The following information should always be provided by the requestor:

- Indicate the name and identity of the requestor
- Indicate the form of access required
- Specify postal address or fax number in South Africa or an email address
- Identify the right he/she wants to exercise or protect and give an explanation why the record is needed
- Indicate the form of reply to his/her request, other than a written reply, which he/she prefers, with the relevant particulars
- Give proof of the capacity in which he/she is acting, if requesting access on behalf of another.
- If the requestor is uncertain as to the exact location of the records concerned, he/she can contact the Director: Information Management who will assist in identifying the record concerned.

4. Once content with the information provided, record the request in the **PAIA Requests Register** – date, requestor, records requested, location of requested records, date memo was forwarded to that directorate, date records were sent to the requestor.
5. If Form A is not attached or not completed in full, please notify the requestor in writing of the outstanding information and forward the Form A to requestor.
6. If the request for records is with another public body, the information officer can transfer the request to the information officer of the other public body (Section 20 - PAIA)
7. If Form A has been completed in full, acknowledge receipt of the request in writing, e.g. email, fax or letter to the requestor.
8. Identify the location of the requested information within the HSRC.
9. Prepare a memo to be signed and approved by the Deputy Information Officer (DIO), requesting information to be forward to the CIO. Attach the original request with all supporting documents (e.g. PAIA, PAIA Manual). Place the red urgent sticker on the cover of the submission. Ps. emphasise the importance of responding within 30 days.
10. If information is not received within 2 weeks, send a reminder to the unit where the information is located.
11. Upon receipt of the records, repackage the information; prepare a memo to the Deputy Information Officer (DIO) designated to the CIO, requesting to release the records to the requestor. Attach the following supporting documents with the memo: original request, response draft letter and the requested records.
12. Once the DIO has approved, send the records to the requestor.
13. Courier services will be used depending on the urgency of the request.

6. HANDLING APPEALS

1. Appeals that are received by the Information Officer, has to be forwarded immediately to the Legal department of the HSRC for action/advice.
2. Record the appeal in the **PAIA Requests Register** – date, requestor, type of appeal; date memo was forwarded to Legal Services.
3. Prepare a memo and attach the appeal to the Director: Legal Services for their action.

7. SECTION 32 REPORT

The report has to be submitted to the South African Human Rights Commission by 31 May of each year. It has to reflect on the number of requests made to public bodies as well as the outcome of such requests within the public financial year reporting period, ie, 01 April to 31 March. The report will be submitted by the Deputy CIO on behalf of the CIO.

The Section 32 Report should be compiled as follows:

REPORT IN TERMS OF 32 OF PAIA

NAME OF PUBLIC BODY:

- a) the number of requests for access received;
- b) the number of requests for access granted in full;
- c) the number of requests for access granted in terms of section 46;
- d) the number of requests for access refused in full and refused partially and the number of times each provision of this Act was relied on to refuse access in full or partial;
- e) the number of cases in which the periods stipulated in section 25 (1) were extended in terms of section 26 (1);
- f) the number of internal appeals lodged with relevant authority and the number of cases in which, as a result of an internal appeal, access was given to a record;
- g) the number of internal appeals which were lodged on the ground that a request for access was regarded as having been refused in terms of section 27;
- h) the number of applications to a court which were lodged on the ground that an internal appeal was regarded as having been dismissed in terms of section 77 (7); and;
- i) such other matters as may be prescribed.

Any comments on problems encountered in the administration of PAIA:

Name of information officer:

Signature:

Date:

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