
**Office of the Public Protector
(OPP)**

Access to Information Manual in terms of section 14 of the Access to Information Act, 2000



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2. Particulars in terms of Section 14

2.1. The mandate of the OPP

2.1.1 The institution of the Public Protector was established in terms of Chapter 9 of the Constitution as one of a number of bodies that support constitutional Democracy. The operational requirements of the Office of the Public Protector are provided for by the Public Protector Act, 1994.

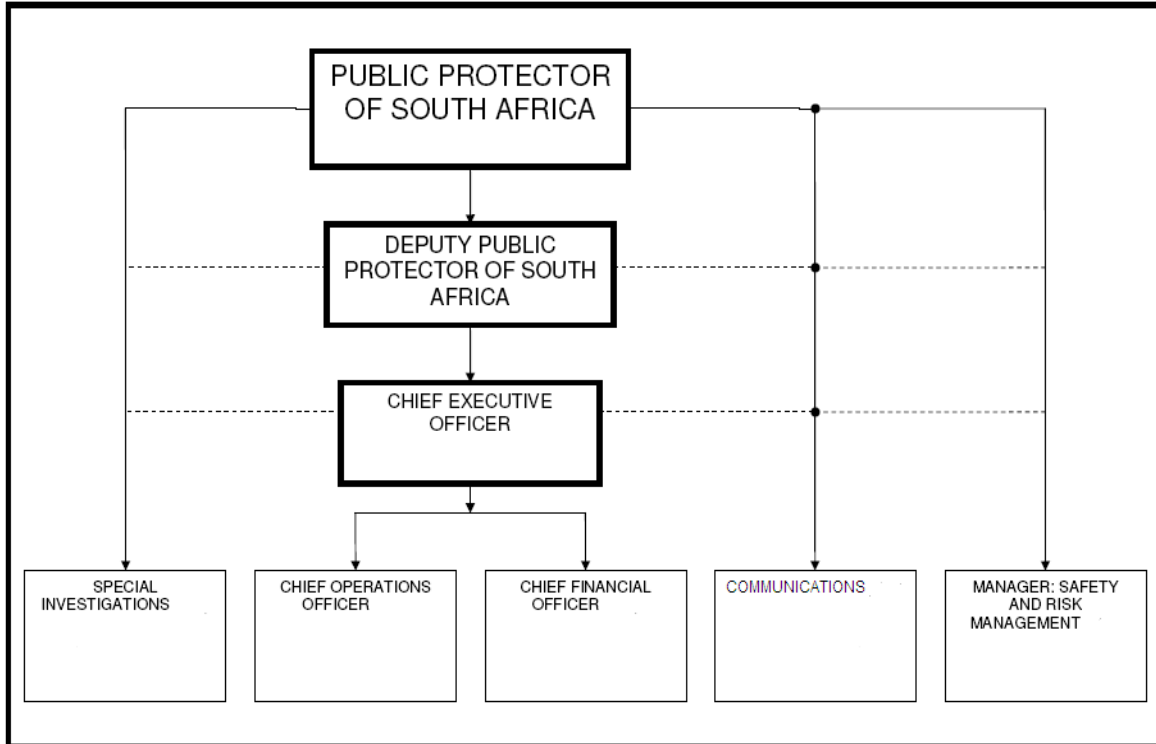
2.1.2 The Public Protector receives complaints from aggrieved persons and institutions against government agencies and officials. He/she has the power to investigate these matters, to report on his/her findings and to take appropriate remedial action.

2.2. The Function and objectives of the OPP

2.2.1 The core business of the OPP is:
To investigate any conduct in State affairs or in the public administration in any sphere of government that is alleged or suspected to be improper or to result in impropriety or prejudice.

2.2.2 To mediate, negotiate, conciliate report and recommend remedial actions.

2.3. High-Level Organisational Structure – (New structure still to be approved)



**3. Contact Details
(Section 14 (1) (b))**

Information Officer
Mr Themba Mthethwa
E-mail address:
Thembam@pprotect.org

Deputy Information Officer
Ms Sibongile Luwaca
E-mail address:
Sibongilel@pprotect.org

Physical Address:

175 Lunnon Street,
Hillcrest Office Park
Pretoria

Postal Address:

Private Bag X677
Pretoria
0001

Telephone Numbers:

(012) 366-7000

Fax Numbers:

(012) 362-3473

Website:

www.publicprotector.org

**4. The Section 10 guide on how to use
the Act. - Section 14(1)(c)**

The South African Human Rights Commission (SAHRC) will, in terms of Section 10 of the PAIA, 2000, compile a guide on the use of this Act. This guide will be made available at the commission and our offices. Any queries relating to the guide should be directed to the commission at:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Postal address: Private Bag 2700
Houghton, 2041
Telephone: (011) 484 8300
Fax: (011) 484 0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

5. Access to records held by the OPP

5.1 Automatic access & disclosures –

Section 15 (1) (a) Regulation 5 A

All information available on our website

<http://www.publicprotector.org>

is voluntarily disclosed.

- Annual Reports
- Annual financial statements
- Report by the Auditor-General concerning the Office
- Executive Reports- Reports from EXCO (N.B. This excludes minutes)
- Documents relating to the policy and governance of the OPP, i.e. The Public Protector Act as amended, Public Finance Management Act, Labour Relations Act, etc.
- Investigation Reports by the Office.
- OPP Strategic Plans
- Marketing & Corporate Communications
- OPP posters
- Media Briefings
- Newsclips about the Office
- Booklets- OPP Brochures
- Newsletters
- Pamphlets

5.2 The following documents are not automatically available - Section 33

According to the Access to Information Act these documents should be made available on request from members of the public following certain procedures required by the Act and at certain times disclosure may be refused-

5.2.1 Operational Information and Agreements relating to the following categories: -

- OPP Internal investigation files.
- Directives, resolutions and instructions of the Executive Committee
- Agreements with any person, government or administration
- Rental agreements, title deeds mortgage bonds and notarial bonds relating to movable and immovable property
- Memorandums of Understanding

5.2.2 Finances and Accounting

records relating to the following categories: -

- Bank account records
- Books of Account and financial statements

- Annual budget and corporate plan as provided for in the Public Finance Management Act, Act No. 1 of 1999
- VAT, SITE and PAYE records

5.2.3 Human Resources records relating to the

following categories: -

- Personnel files
- Contracts, conditions of service and other agreements
- Statutory employee records
- Pension fund records of the pension fund established
- Medical Scheme Records
- Budget and budget projections
- Banking details
- Employee payment and benefits
- Accounting records
- Asset registers
- Correspondence with internal and external parties
- Tender and bid documentation
- Supplier Service Level Agreements
- Minutes of Staff meetings, MANCO, Executive & Audit Committee.

6. The Request Procedures– Section 14

(1)(d)

6.1 Disclosure of records

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 provided for in the Act.

6.2 Nature of the request

A requester must use the prescribed form, Form A, published in Government Notice R187 of 15 February 2002. (See Annexure A)

The requester must indicate whether the request is to obtain a copy of the record or whether inspection of the record at the offices of the public body is requested. Alternatively, if the record is not a document, it can be viewed.

7. The remedies available if the provisions of the Act are not complied with Section 14(1)(h)

The OPP does not have an internal appeal procedure in place to facilitate appeals

against decisions of the Information Officer of Deputy Information Officer.

An aggrieved party may by way of application apply to Court for appropriate relief. On hearing such application the Court may grant any order that is just and equitable including:

- Confirming, amending or setting aside the decision that is the subject of the

Application, or

- Requiring the Information Officer to take some action or to refrain from taking

such action as the Court considers necessary within the period mentioned in the order.

8. Particulars of the Public Protector’s Provincial & Regional Offices:

A person wishing to lodge a complaint with the Public Protector can do so at the office nearest to him or her. The contact details for our Regional Offices are as follows:

<p><u>Eastern Cape Office</u> Adv Nomsa Thomas (Provincial Representative) Physical Address Unathi House Independent Avenue Bisho</p>	<p><u>Mpumalanga Office</u> Mr Sibekuzo Dube (Provincial Representative) Physical Address Pinnacle Building, Suite 101</p>
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<p>Postal Address P O Box 1400 BISHO 5605 Tel No. (040) 635-1286 Fax No. (040) 635-1291</p>	<p>1 Parkin Street, Nelspruit Postal Address P O Box 3373 NELSPRUIT 1200 Tel No. (013) 752-8543 Fax No. (013) 752-7883</p>
<p><u>Free State Office</u> Ms S Griessel (Provincial Representative) Physical Address Public Protector House 82 Kellner Street Westdene Postal Address PO Box 383 BLOEMFONTEIN 9300 Tel No. (051) 448-6172/ 6191 Fax No. (051)-448-6070</p>	<p><u>Northern Cape Office</u> Mr Botromia Sithole (Provincial Representative) Postal Address Office of the Public Protector Auditor-General Building 31 McDougall Street Postal Address P O Box 1505 KIMBERLY 8300 Tel No. (053) 831-7766 Fax No. (053) 832-3404</p>
<p><u>KwaZulu-Natal Office</u> Mr M Nkosi</p>	

<p>(Provincial Representative)</p> <p>Physical Address 21st Floor, Commercial City, Suite 2119 40 Commercial Road Durban</p> <p>Postal Address P O Box 4267 DURBAN 4000 Tel No. (031) 307-5300 Fax No. (031) 307-2424</p>	<p><u>North West</u> Mr Johann Raubenheimer (Provincial Representative)</p> <p>Physical Address Public Protector's Chambers Cnr Martin & Robinson Streets Mafikeng</p> <p>Postal Address P O Box 512 MAFIKENG 2745 Tel No. (018) 3811060/1/2 Fax No. (018) 381-2066</p>
<p><u>Limpopo Office</u> Mr N H Mukwevhu (Provincial Representative)</p> <p>Physical Address Unit 2301 Wyndom Park 23 Rabie Street Polokwane</p> <p>Postal Address P O Box 4533 POLOKWANE</p>	<p><u>Western Cape Office</u> Mr Ruthven Janse van Rensburg (Provincial Representative)</p> <p>Physical Address 4th Floor, 51 Wale St & Bree St, Cape Town.</p> <p>Postal Address P O Box 712</p>

<p>0700 Tel No. (015) 295-6984 Fax No. (051) 295-2870</p>	<p>CAPE TOWN 8000 Tel No. (021) 423-8644 Fax No. (021) 423-8708</p>
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<p><u>Regional Office :</u> <u>Kuruman</u> Ms Aleta Pule (Investigator)</p> <p>Physical Address 1 Rose Avenue Shop 1 Kuruman 8460</p> <p>Postal Address P.O.Box 79 MOTHIBISTAD 8474 Tel no. (053) 7121762 Fax No. (053) 9272509</p>	<p><u>Mabopane</u> Mr Rodney Mataboge (Provincial Representative)</p> <p>Physical Address Central House 2nd Floor Room 334 Mabopane</p> <p>Postal Address P O Box 3165 Rosslyn 0020 MABOPANE Tel No. (012) 7025458 Fax No. (012) 7028172</p>
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<p><u>Regional Office:</u> <u>Vryburg</u> Mr David Matha (Investigator)</p> <p>Physical Address Old Mutual Building 55 Market Street Vryburg</p> <p>Postal Address PO Box 891</p>	<p><u>Siyabuswa</u> Ms Portia Mtsweni (Investigator)</p> <p>Postal Address Job Skosana Street Old Parliament Building Siyabuswa 0472</p> <p>Postal Address</p>
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<p>VRYBURG 8000 Tel No. (053) 9272221 Fax No. (053) 9272509</p>	<p>P O Box 2391 SIYABUSWA 0472 Tel No. (013) 9730033 Fax No. (013) 9730029</p>
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<p><u>Branch Office of The North West Office :</u> Rustenburg Mr Thomas Magoba (Investigator) Physical Address Suite No. 12 Old Saambou Building Cnr Fatima Bayat & Boom Streets Rustenburg Postal Address P O Box 371 TLHABANE Tel No. (014) 5929023/6 Fax No. (014) 5929031</p>	<p><u>George Regional Office</u> Mr Tili Lolwana (Investigator) Physical Address 1st Floor, South Wing Bataleur Park Cnrs of Cathedral & Cradock Streets George Postal Address P O Box 9481 GEORGE 6530 Tel No. (044) 8742887 Fax No. (044) 8745922</p>
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<p><u>Gauteng :</u> Johannesburg Ms Lesedi Sekele (Provincial Representative) Physical Address Constitutional Hill Women's Jail 2 Kotze Street</p>

<p>Cnr Joubert & Kotze Streets Johannesburg Postal Address P O Box 32738 BRAAMFONTEIN 2017 Tel No. (011) 3393737 Fax No. (011) 3392858</p>
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ANNEXURE A

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 6]

FOR DEPARTMENTAL USE

Reference number: _____

Request _____ Received by _____

name and surname of information officer/deputy information officer on
(date) at _____ (place) _____

Request fee (if any): R _____

Deposit (if any): R _____

Access fee: R _____

Signature of information officer/deputy Information Officer

- A Particulars of the public body:** Office of the Public Protector
Private Bag x 677
Pretoria
0001
Telephone No. 012- 3667000
Fax No. 012- 3667050
Email address: publicprotector@pprotect.org

The Information Officer/Deputy Information Officer: _____

B Particulars of person requesting access to the record

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____

Telephone number: _____

E-mail address: _____

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

D. PARTICULARS OF RECORD

1 Description of record or relevant part of the record: _____

2 Reference number, if available: _____

3 Any further particulars of record: _____

E. Fees Paid

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Reason for exemption from payment of *fees*: _____

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

<u>Disability:</u>		Form in which record is required:	
Mark the appropriate box with an X.			
1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc:			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record	<input type="checkbox"/>	printed copy of information derived from the record* copy in computer readable form* (stiffy / or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
Note that <i>if</i> the record is not available in the language you prefer, access may <i>be granted</i> in the language in <i>which</i> the record is available.		
In which language would you prefer the record?		

G. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified whether your request has been approved/ 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.

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

Signed at thisday of..... 20

SIGNATURE OF REQUESTER THE PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

FEES IN RESPECT OF PUBLIC BODIES

1.	The fee for a copy of the manual as contemplated in regulation 5(c) is for every photocopy of an A4-size page or part thereof.	R0,60
2.	The fees for reproduction referred to in regulation 7(1) are as follows:	R
	For every photocopy of an A4-size page or part thereof	0,60
	(a) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
	(b) For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
	(c) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
	(d) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
	(ii) For a copy of an audio record	17,00
3.	The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.	
4.	The access fees payable by a requester referred to in regulation 7(3) are as follows:	R
	(1) (a) For every photocopy of an A4-size page or part thereof	0,60
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	0,40
	(c) For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
	(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00

- | | | |
|------|---|-------|
| (ii) | For a copy of visual images | 60,00 |
| (e) | (i) For a transcription of an audio record,
for an A4-size page or part thereof | 12,00 |
| | (ii) For a copy of an audio record | 17,00 |
| (f) | To search for and prepare the record for disclosure R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. | |
| (2) | For purposes of section 22(2) of the Act, the following applies: | |
| | (a) Six hours as the hours to be exceeded before a deposit is payable; and | |
| | (b) one third of the access fee is payable as a deposit by the requester. | |
| (3) | The actual postage is payable when a copy of a record must be posted to a requester. | |

FEES IN RESPECT OF PUBLIC BODIES

1.	The fee for a copy of the manual as contemplated in regulation 5(c) is for every photocopy of an A4-size page or part thereof.	R0,60
2.	The fees for reproduction referred to in regulation 7(1) are as follows:	R
	For every photocopy of an A4-size page or part thereof	0,60
	(e) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,40
	(f) For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
	(g) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
	(h) (i) For a transcription of an audio record, for an A4-size page or part thereof	12,00
	(ii) For a copy of an audio record	17,00
3.	The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.	
4.	The access fees payable by a requester referred to in regulation 7(3) are as follows:	R
	(1) (a) For every photocopy of an A4-size page or part thereof	0,60
	(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine- readable form	0,40
	(c) For a copy in a computer-readable form on -	
	(i) stiffy disc	5,00
	(ii) compact disc	40,00
	(d) (i) For a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
	(e) (i) For a transcription of an audio record,	

- | | | |
|------|---|-------|
| | for an A4-size page or part thereof | 12,00 |
| (ii) | For a copy of an audio record | 17,00 |
| (g) | To search for and prepare the record for disclosure R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. | |
| (2) | For purposes of section 22(2) of the Act, the following applies: | |
| (b) | Six hours as the hours to be exceeded before a deposit is payable; and | |
| (b) | one third of the access fee is payable as a deposit by the requester. | |
| (3) | The actual postage is payable when a copy of a record must be posted to a requester. | |