

MANUAL OF
**THE DEPARTMENT OF SCIENCE
AND TECHNOLOGY**
COMPILED IN COMPLIANCE WITH
THE
**PROMOTION OF ACCESS TO
INFORMATION ACT (PAIA)**
(ACT NO. 2 OF 2000)

FIRST EDITION
2004

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1. INTRODUCTION

- 1.1 The promotion of Access to Information Act No2 of 2000 (“the Act” or “PAIA”) was enacted on 9 March 2001, giving effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to which the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

The Act sets out the requisite procedural issues attached to such request. This manual is intended to foster a culture of transparency and accountability within the Department of Science and Technology (“the DST”) by giving effect to the right to information that is required for the exercise and protection of an individual or organization’s rights.

1.2 Historical background of the Department

The Department of Arts, Culture, Science and Technology was established in 1994 and split into the Department of Arts and Culture and Department of Science and Technology in 2002.

1.3 Applicability of the Promotion of Access to Information Act (hereinafter referred to as PAIA)

The Promotion of Access to Information Act (No 2 of 2000) is applicable to the Department as a public body, particularly in respect to its internal records systems. See also section 2, *Access Procedure*.

1.4 Purpose of the Manual in terms of PAIA

The purpose of this Manual is to identify the structures and functions of the Department and describe its records systems to facilitate the objectives of PAIA.

1.5 The official PAIA Guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any rights in terms of this Act. The PAIA Guide published by the Human Rights Commission assists the public in how to use the PAIA Act (See sections 14(1)(c) and 10 of PAIA).

The guide includes the following:

- a) the objects of the PAIA Act;
- b) the postal and street address, phone and fax number and if available, electronic mail address of –
 - (i) the information officer of every public body; and

- (ii) every deputy information officer of every public body appointed in terms of section 17(1);
- c) such particulars of every private body as are practicable;
- d) the manner and form of a request for –
 - (i) access to a record of a public body contemplated in section 11 of the PAIA Act; and
 - (ii) access to a record of a private body contemplated in section 50 of the PAIA Act
- e) the assistance available from the information officer of a public body in terms of the PAIA Act;
- f) the assistance available from the Human Rights Commission in terms of the PAIA Act;
- g) all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by the PAIA Act, including the manner of lodging –
 - (i) an internal appeal; and
 - (ii) an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision of the head of a private body;
- h) the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- i) the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- j) the notices issued in terms of sections 222 and 54 regarding fees to be paid in relation to requests for access; and
- k) the regulations made in terms of section 92 of PAIA.

The guide can be obtained from the Human Rights Commission, the contact details of which are as follows:

Post: South African Human Rights Commission
 Promotion of Access to Information Act Unit
 Research and Documentation Department
 Private Bag 2700
 Houghton
 2041

Telephone: (011) 484 8300

Fax: (011) 484 0582

Website: <http://www.sahrc.org.za>

E-mail: PAIA@sahrc.org.za

2. ACCESS PROCEDURE

2.1 Certain records excluding records with a security classification are automatically available. See 8.1 of the Manual.

- 3.2 Access to other records maintained by the Division must be requested from the Information Officer in terms of the procedures defined in sections 17-32 of PAIA. See contact details of Information Officer in par. 3.
- 2.3 Prescribed request forms
The prescribed request forms can be obtained from the Information Officer of the Department of Science and Technology. See par. 3.
- 2.4 Supervised Access
Access is provided in designated areas such as reading rooms under the supervision of a member of staff, who is able to provide guidance on the retrieval and contextualization of information in records and archives.

3. CONTACT INFORMATION

- 3.1 Contact details of Information Officer of the Department of Science and Technology
Dr. Rob Adam
Director-General
Department of Science and Technology

Postal address

Private Bag X894
PRETORIA
0001

Street address

Oranje Nassau Building
188 Schoeman Street
Pretoria

Telephone number

(012) 317 4300

Fax number

(012) 317 4636

- 3.2 Contact details of Deputy Information Officer of the Department of Science and Technology:
Mr. Daniel Moagi
Chief Operations Officer
Department of Science and Technology

Postal address

Private Bag X894
PRETORIA
0001

Street address

Oranje Nassau Building

188 Schoeman Street
PRETORIA

Telephone number
012 317 4347

Fax Number
012 317 4636

- 3.3 Website addresses of the Department of Science and Technology
<http://www.dst.gov.za>
<http://www.national.archives.gov.za> (National Archives and Records Service)

4. STRUCTURE AND FUNCTIONS

4.1 Vision, Mission and Corporate Values

The Department of Science and Technology strives towards introducing measures that put science and technology to work to make an impact on growth and development in a sustainable manner, in areas that matter to all the people of South Africa.

This includes focused interventions, networking and acting as a catalyst for change in terms of both productive components of our economy, making it competitive in a globally competitive liberalized environment, and also in respect of the huge development backlog existing among the poorest components of our society. The goal of realising this vision is underpinned by development and resourcing strategies for the formation of science, engineering and technology human capital, democratization of state and society, promotion of an information society and ensuring environmental sustainability in development programmes.

4.2 Strategic direction

Maintaining an adequate science base and translating it into jobs and growth poses some major challenges. The approach of National System of Innovation (NSI) in recognizing the non-linearity of innovation – where performance is a function not only of the innovation in individual organizations but also of the relationships and networks between institutions – is increasingly driving government towards the role of catalyst, facilitator and strategic investor.

Objectives

- 4.3
- Maximizing the contribution of Science, Engineering and Technology (SET) institutions to the achievement of the goals encompassed by the adoption of a National System of Innovation strategy for development.
 - Promoting public awareness, appreciation, critical evaluation and understanding of SET through systemic, coherent and coordinated

projects.

- Strengthening the extent and nature of private sector articulation within the NSI.
- Managing the establishment of new institutional infrastructure where such ventures demonstrate potential for impacting positively on development at a sectoral or macro level.
- Improving and strengthening the level of collaboration within the broader research community.
- Promoting engagement by South Africa's research community with strategic partners/collaborations within the international science and technology community.
- Internationalising/branding South Africa's SET capabilities.
- Improving the quality and depth of SET statistical information to support development and investment decision making as well as to drive improvements in the quality of SET activities against the backdrop of internationally recognized benchmarks.
- Promoting access to and utilisation of information as a strategic resource.
- Advancing information literacy to facilitate science literacy.

Our Mission

- 4.4 The mission of the Department of Science and Technology is the development of science and technology expressed through the enabling mechanism of the National System of Innovation, for communities, researchers, industry and government.

Corporate Values

We are guided by the following values:

4.5 ***Professionalism***

An employee must strive to deliver top-class quality products and services, seek innovative ways to solve problems and enhance effectiveness and efficiency.

Competence

An employee must be faithful and honest in the execution of her or his duties and must be committed through timely service towards the development and upliftment of all South Africans.

Integrity

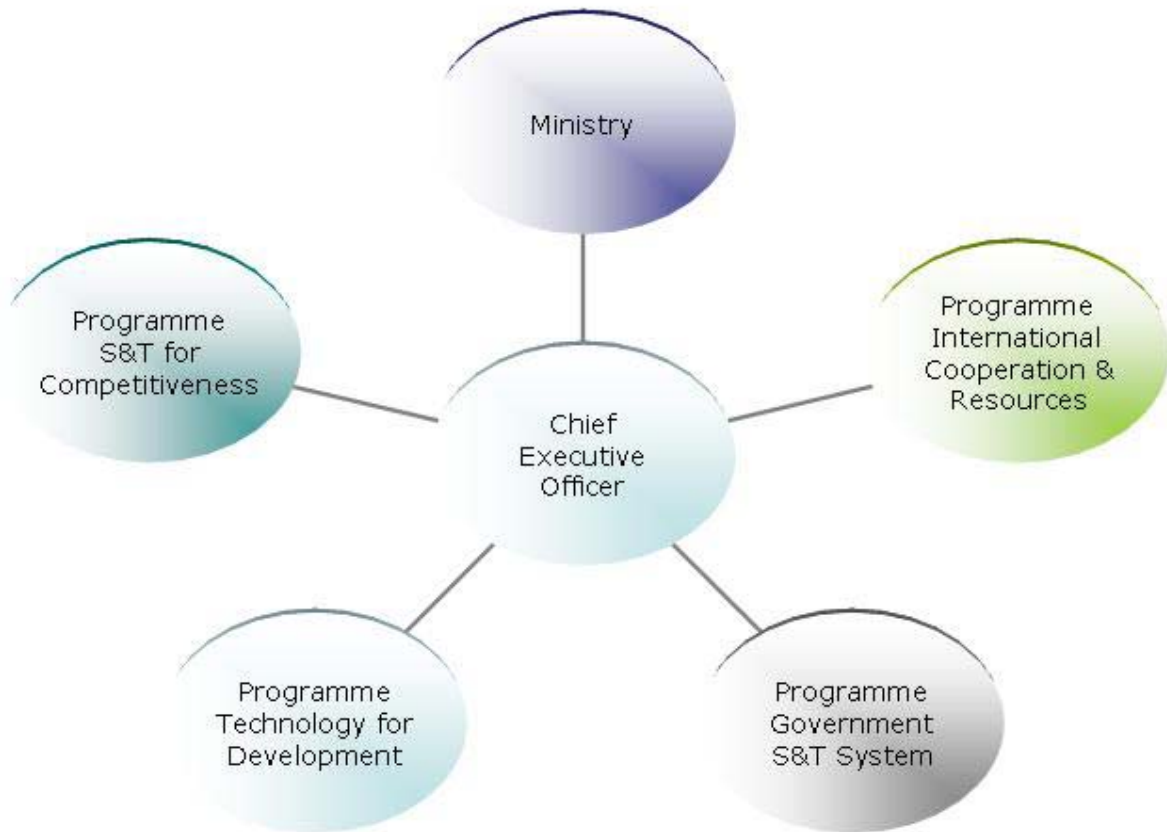
An employee must be responsible and accountable in dealing with public funds, property and other resources.

Transparency

An employee must promote transparent administration and recognize the right of access to information excluding information that is specifically protected by

law.

5. ORGANISATIONAL STRUCTURE



6. SERVICES (Publications for Sale)

(Annexure 3 is a file plan with a detailed list of records of these services)

6.1. Programme 1: Administration

- Provides policy leadership and advice, integrative functions across the Department and the broader S&T system and services to the Minister.

6.2. Programme 2: Technology for Development

- Focuses on improving quality of life and reduction of poverty.

6.3. Programme 3: International Co-operation and Resources

- Responsible for International Co-operation and International Resources.

6.4. Programme 4: Government Science and Technology System

- Provides strategic direction, funding and support for development and growth of government's S&T institutions.

6.5. Programme 5: Science and Technology for Competitiveness

- Develops the technology missions, human capital formation and national science activities in support of the National System of Innovation.

7. INFORMATION GENERALLY AVAILABLE (through the dst website)

7.1 Reports and Publication

- Annual Report
- Strategic Reports
- Discussion Documents
- Publications

7.2 Legislation and Policies

- Acts and Bills

7.3 Programmes

- Science and Society
- Technology Development
- Biotechnology
- Bilateral Co-operation
- Multilateral Co-operation
- Indigenous Knowledge Systems
- Institutional Performance Management
- Budget Planning
- Poverty
- Finance
- Technology Missions

7.4 Innovation and Funding

- Funding Instruments
- Patenting Steps
- The Innovation

7.5 Where to find us

7.6. Events Calendar

7.7. Vacancies

- Vacant positions
- Guidelines for Applicants

7.8. Tenders

- Tender system

7.9. Forms

- Application for Employment

7.10. DST Magazine

8. DST: INSTITUTIONS SERVED

- 8.1. National Research Foundation
- 8.2. National Advisory Council on Innovation
- 8.3. Council for Scientific and Industrial Research
- 8.4. Human Science Research Council
- 8.5. Innovation Trust

9. ACTS ADMINISTERED BY DST

- 9.1. Africa Institute of South Africa Act 68 of 2001
- 9.2. Academy of Science of South Africa Act 67 of 2001
- 9.3. National Advisory Council on Innovation Act 55 of 1997
- 9.4. National Research Foundation Act 23 of 1998
- 9.5. The Natural Scientific Professions Act 27 of 2003

10. PUBLIC SERVICES

- Identification and retrieval of archival records in all media, including an enquiries service, and facilities to consult and copy archival material. Archives may be retrieved using manual finding aids in reading rooms and the National Automated Archival Information Retrieval System (NAAIRS) which is available on the NARS website (www.national.archives.gov.za). No fees are charged for access to archives. Fees as prescribed by the Treasury are levied for the making of copies and the use of editing tables at the National Film, Video and Sound Archives.
- Maintenance of the National Automated Archival Information Retrieval System (NAAIRS) incorporating national registers of non-public records in the custody of collecting institutions, accessible free of charge on the NARS website (www.national.archives.gov.za).
- Supply of publications relating to archives and finding aids according to tariffs set out in the *List of Publications For Sale*.
- Design and registration of heraldic representations. Fees as prescribed by the Treasury are levied for this service.

- Some services are rendered to governmental bodies only, e.g. records management services, training of records managers and the supply of archives.

11. RECORDS AUTOMATICALLY AVAILABLE

11.1. Disclosures in terms of section 15 of PAIA

The following archives and records are automatically open:

Archives:

- Public records in archival custody which are older than 20 years in age
- Records of court proceedings and deceased estates
- Non-public records acquired without stipulation of conditions of access

Internal records:

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11.2 Records categories which are already published or are available to the public without the need for a PAIA request

- Archives and non-public records which are accessible in terms of the National Archives and Records Service of South Africa Act
- Annual Reports of the Department, National Archivist and the State Herald
- Records management publications available on NARS's website
- Databases in the National Automated Archival Information Retrieval System (NAAIRS) containing data on the holdings of archives, non-public records and registrations of heraldic representations, names, uniforms and badges

12. REQUEST PROCEDURE

12.1. Process

In order to process a request for information via the Access to Information Act, the following processes has been implemented by the Department:

12.1.1. Step1

To request information, the requester has to complete the request form (see Annexure A) and submit it to:

- By hand

The Director-General
 Department of Science and Technology
 188 Schoeman Street
 Oranje Nassau Building
 Pretoria

OR

- By Post

The Director-General
 Department of Science and Technology
 Private Bag X894
 Pretoria
 0001

OR

- By Fax

The Director-General
 Department of Science and Technology
 +2712 3174636

As instructed by the Act, an amount of R35, 00 must accompany the request for information. This is payable by cheque, cash (if delivered by hand) or deposited into the DST bank account (proof of the deposit must accompany the request form)

Bank:	ABSA Bank
Account Number:	4056183523
Branch Number:	323645
Account Type:	Deposit Account

12.1.2. *Step 2: validation and acknowledgement*

The Information Officer of the DST receives and validates the request to see whether the required information is available in the DST. The request is then accepted, rejected or transferred to the rightful keepers of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

12.1.3. *Step 3: Information processing*

If the request is accepted, the DST will gather and prepare the information and calculate the relevant cost involved. The cost is calculated in respect of paragraph 13.

12.1.4. *Step 4: Final notification*

The requester will be informed of the completion of the request as well as the outstanding fees payable to the DST.

12.1.5. *Step 5: Payment and delivery*

Once the payment as stipulated in Step 4 is received, the information is released to the requester.

The prescribed form must be filled in with enough particularity to at least enable the information Officer to identify:

- The record(s) requested.
- The identity of the requester.
- Which form of access is required, if the request is granted;
- The postal address or fax number of the requester.

The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

The Department will process the request within 30 days, unless the requester has stated special reasons, which would satisfy the Information Officer that circumstances dictate that the above time periods should not be complied with. The 30 day period may be extended for a further period of 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of the institution and the information cannot be obtained within the original 30 day period. The institution will notify the requester in writing should an extension be sought.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the information officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The requester must pay the prescribed fee, before any further processing can take place.\

13. FEES

The Act provides for two types of fees:

- A request fee, which will be a standard fee, and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and costs, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed fee (if any), before further processing of the request.
- If a search for the record has been made and the preparation of the record for disclosure, (including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted.
- The Information Officer shall withhold a record until the requester has paid the fees as indicated in **clause 13.1**.

- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.
- If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

13.1. Fees in respect of Public Bodies

For purposes of Section 22(2) of the Act, the following applies:

DESCRIPTION	AMOUNT(R)
The request fee payable by every requester, other than a personal requester referred to Regulation 7(2)	35, 00
Copy of the manual as contemplated in regulation 5(c) (for every photocopy of A4 size page or part thereof)	0, 60
The fees for reproduction referred to in regulation 7(1) are as follows:	
1) For every photocopy of an A4 size page or part thereof	0, 60
2) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine	5, 00
3) for a copy in a computer-readable form on	
a) stiffer disc	5, 00
b) compact disc (readable form)	40, 00
4) For a transaction of visual images	
a) for an A4 size page or part thereof	22, 00
b) for a copy of visual images	60, 00
5) for a transaction of an audio record	
a) for an A4 size page or part thereof	12, 00
b) for a copy of an audio record	17, 00
The access fees payable by a requester referred to in regulation 7(3) are as follows:	
1) For every photocopy of an A4 size page or part thereof	0, 60
2) 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
3) for a copy in a computer readable form on	
a) stiffer disc	5, 00
b) compact disc	40, 00
4) For a transcription of visual images, for an A4 size page or part thereof	22, 00
5) For a copy of visual images	60, 00
6) For a transaction of an audio record,	
a) for an A4 size page or part thereof	12, 00
b) for a copy of audio records	17, 00
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.	
The actual postage is payable when a copy of a record must be posted to a requester. Postage costs are dependant on the relevant tariff in terms of postage destination.	

13.2. Refusal of request and appeal

A requester may lodge an internal appeal against a decision of the information officer of a public body to refuse a request for access or taken in terms of section 22, 26(1) or 29(3), in relation to that requester with the relevant authority.

A third party may lodge an internal appeal against a decision of the information officer of a public body referred to in paragraph (a) of the definition of “public body” in section 1 to grant a request for access.

13.3. Manner of appeal, and appeal fees

An appeal must be lodged in the prescribed form:

- Within 60 days
- If notice to a third party is required, within 30 days after notice is given to the appellant of the decision appealed against; or
- If notice to the appellant is not required, after the decision was taken it must be delivered or sent to the information officer of the public body concerned at his or her address, fax number or electronic mail address;
- Must identify the subject of the appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant;
- If, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
- If applicable, must be accompanied by the prescribed fee, and must specify a postal address or fax number.

If an appeal is lodged after the expiry of the period referred to, the relevant authority must, upon good cause shown, allow the late lodging of the appeal.

If that relevant authority disallows the late lodging of the appeal, he/she must give notice of that decision to the person who lodged the appeal.

A requester lodging the appeal against the refusal of his/her request for access must pay the prescribed appeal fee (if any).

If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid.

As soon as reasonably possible, but in any event within 10 working days after receipt of an appeal, the information officer of the public body concerned must submit to the relevant authority:

- The appeal together with his/her reasons for the decision concerned;

- And if the appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified of the request.

- **Annexure A: List of Terms**

File plan:

A pre-determined logical and systematic structure into which records are arranged and intellectually stored according to subject groups and subjects to facilitate efficient retrieval and disposal of records. The *file plan* is used for both current paper-based and current electronic correspondence systems. It usually contains the reference number, title, description and disposal authority of files/folders held in an office.

General authority:

This is a standing authority, which is issued in respect of types of records, which generally occur in all offices, e.g. financial records

Governmental body:

Any legislative, executive, judicial or administrative organ of state (including a statutory body) at the national level of government and until provincial archival legislation takes effect also all provincial administrations and local authorities.

Head of a governmental body:

The chief executive officer of a governmental body or the person who is acting as such.

PAIA Act:

The Promotion of Access to Information Act (Act No. 2 of 2000)

PAIA Manual:

Manual on functions of, and index of records held by, a public body

Public record:

A record created or received by a governmental body in pursuance of its activities, regardless of form or medium. (See Annexure 1)

Record:

- 1) Recorded information regardless of form or medium.
- 2) Evidence of a transaction, preserved for the evidential information it contains.

Record classification system:

A plan for the systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods and procedural rules represented in the classification system. The records classification systems prescribed by the National Archives and Records Service are *filing system* for correspondence systems and the *schedule for records other than correspondence systems*.

ANNEXURE B: NOTICE OF APPEAL



NOTICE OF
INTERNAL APPEAL.pc

Annexure C – File Plan



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ANNEXURE D: REQUEST FOR ACCESS TO RECORDS



REQUEST FOR
ACCESS TO RECORD