



tourism

Department:
Tourism
REPUBLIC OF SOUTH AFRICA

**SECTION 14 MANUAL:
PROMOTION OF ACCESS TO INFORMATION ACT 2
OF 2000 (PAIA)**

MANUAL PREPARED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

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PART 1 – INTRODUCTION

The purpose of the Promotion of Access to Information Act 2 of 2000 (commonly referred to as the “PAIA”) is to give effect to the constitutional right of access to any information held by the state, as well as information held by another person that is required for the exercise or protection of any right.

The motivation for giving effect to the right to access to information is to foster a culture of transparency and accountability both in public and private bodies, and to promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.

Section 14 of the PAIA prescribes that a Public Body, such as the Department of Tourism must compile a manual. The manual should provide details of the Information Officer (and deputies, where available), structure, functions and records of such a body.

The purpose of the manual is to provide information that shall enable a person to understand the functions of the public body and the records in its custody. Armed with that information a person shall be able to identify the records she/he wants and the procedure to follow to request for access to such records.

PART 2 – GUIDE OF ALL MANUALS IN THE REPUBLIC

The Information Regulator has published the guide as is prescribed by section 10 of the PAIA.

The guide is available at the offices of the Information Regulator:

Physical Address
JD House
27 Stiemens Street,
Braamfontein,
Johannesburg

Postal Address
P O Box 31533;
Braamfontein,
Johannesburg,
2017

Telephone: +27 (0) 10 023 5200

E-mail: inforeq@justice.gov.za

Website: <https://www.justice.gov.za/inforeq/contact.html>

PART 3 – CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTIES

Physical Address
17 Trevenna Street
Sunnyside
Pretoria
0002

Postal Address
Private Bag X424
Pretoria
0001



INFORMATION OFFICER

Director-General: Mr Victor Tharage

Telephone: 012 444 6721/6379

Email: vtharage@tourism.gov.za

DEPUTY INFORMATION OFFICER

Ms Mpho Boikanyo
Chief Director: Legal Services

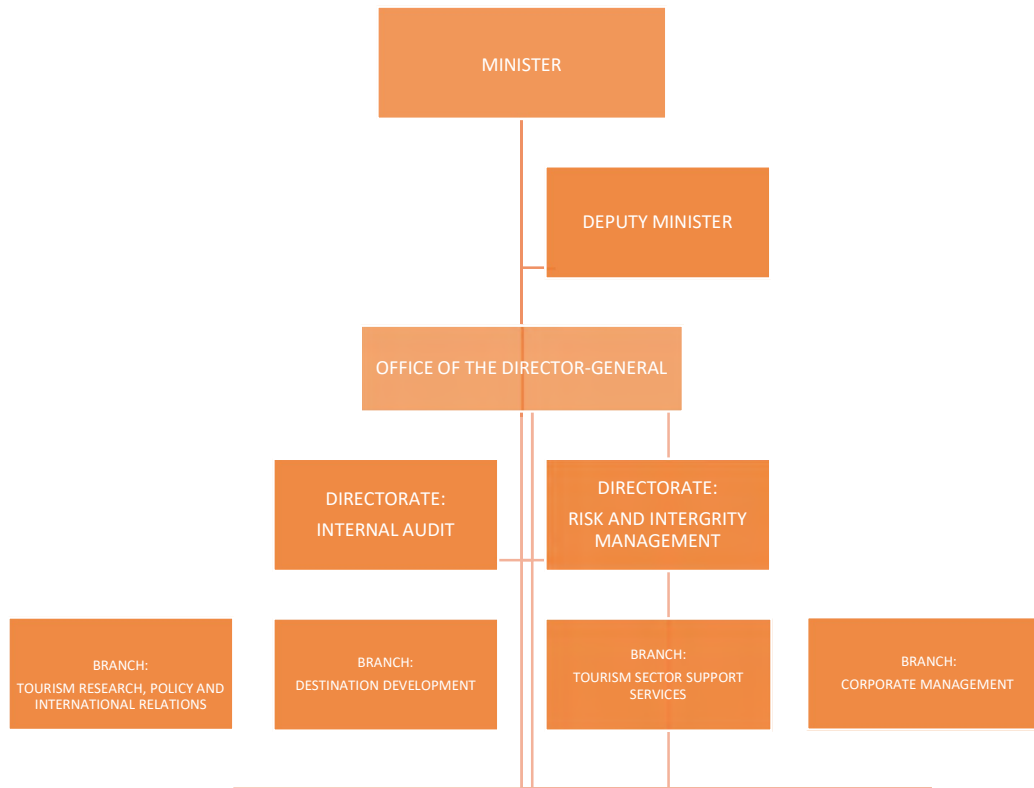
Telephone: 012 444 6275

E-mail: mboikanyo@tourism.gov.za

Description of functions:

The Deputy Information Officers, under the direction and guidance of the Information Officer, ensures the implementation of the PAIA by the Department of Tourism, and provide assistance to anyone who, in terms of the PAIA, wants to access information that is the custody of the Department.

PART 4 – STRUCTURE OF THE DEPARTMENT



PART 5 – FUNCTIONS OF BRANCHES OF THE DEPARTMENT OF TOURISM

1.	Corporate Management	To provide strategic leadership, management and support services to management.
2.	Tourism Research, Policy and International Relations	Enhance strategic policy environment, monitor the tourism sector's performance and enable stakeholder relations.
3.	Destination Development	Facilitate and co-ordinate tourism destination development.
4.	Tourism Sector Support Services	Enhance transformation of the sector, increase skills levels and support development to ensure that South Africa is a competitive tourism destination.



PART 6 – SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC & HOW TO ACCESS THEM

Section 15(1) of PAIA has been amended and the Department is no longer required to submit, to the Minister of Justice and Correctional Services, a list of records that are automatically available to access without a request, to be published in the Government Gazette in terms of section 15(1) of PAIA, as this subsection has been deleted.

The Department has however, previously submitted to the Minister of Justice and Correctional Services a list of information that is automatically available to publish in the gazette. This information is also available on the website of the Department: [http:// www.tourism.gov.za](http://www.tourism.gov.za).

PART 7 – HOW TO REQUEST FOR INFORMATION

1. Request

- A request for access to information must be made in writing by completing a request form (“Form 2”) (the form is available upon request from the Deputy Information Officer or from the Department’s website (www.tourism.gov.za)).
- Submit the “Form 2” to the Information Officer by sending it to vtharage@tourism.gov.za or to the address of the Information Officer.
- A “request fee” of R35-00 is payable – for payment methods, kindly refer to paragraph 6 (below).

Note – A request shall not be processed before the “request fee” has been paid.

2. Oral requests

Requests that are not made in writing are not forbidden, therefore:

- A requestor who can’t read or write may present the request orally and such a request shall be recorded in writing and processed – the Information Officer shall provide guidance on the matter.
- The Information Officer/ Deputy Information Officer is under an obligation to assist any requester who experiences difficulties with making a request for access to information.

3. Voluntary access

There is certain information that one may access without completing the request form (“Form 2”) at all.

- Information that is automatically available shall be made available, either at the offices of the Department or in the manner or form required by the requester e.g. by email or post etc. (where possible).
- The manner of access shall include perusal, with copying of the record and/or transcriptions thereof (if required).
- Payment of a fee may be required for some of the requested records.

Note – for a list of records that are automatically available, kindly refer to Part 9 of this manual.

4. Decision

The Information Officer/ Deputy Information Officer may refuse a request for access to information where the PAIA allows her/ him to do so.

The PAIA has provided certain grounds (in sections 7, 12 and Chapter 4 of PAIA) upon which a request may be refused and these grounds of refusal include the following: -

- Records requested for criminal or civil proceedings after commencement of proceedings;
- Disclosure of the record would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement;
- Disclosure may endanger the life or physical safety of an individual;
- Disclosure of the record may cause prejudice to the defence, security and international relations of the country;
- Disclosure of the record is likely to materially jeopardise economic interests and financial welfare of the country;
- Records of an opinion, advice, report or recommendation, consultation, discussion, including minutes of a meeting, to formulate a policy or take a decision.

The Information Officer/ Deputy Information Officer is required to inform the requester of her/his decision, whether or not access is granted, within thirty (30) calendar days. However, the period may be extended by another thirty (30) calendar days and, if the period is extended, the requester shall be informed.

5. Granting access

- The requestor must indicate the form or manner of access sought.
- The Department shall endeavour to give access in the form requested, unless this would tamper with the smooth running of its operations.
- It shall also give due consideration to the preservation of the record and infringement of copyright.
- an "access fee" for the search, preparation and reproduction of the requested record is payable – refer to Part 9 of this manual.

Note – unless one qualifies for an exemption, a record shall not be forwarded to the requester before the "access fee" has been paid.

6. Payment Methods

- Cash (or Card – if the facility is available) Department's Finance Directorate at Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, during office hours; or
- Deposit into the bank account of the Department.

Account holder : Department of Tourism
Name of Bank : ABSA
Type of Account : Deposit Acc. (Current)
Account Number : 40 7532 7895
Branch Code : 632005

PART 8 – REMEDIES AVAILABLE TO A REQUESTER

If one is not satisfied with any decision of the Information Officer/ Deputy Information Officer, one has the right to: - lodge an internal appeal to the Minister; and if not satisfied with the decision of the Minister, one can either:

- complain to the Information Regulator; or
- apply to court for relief.

8. Internal Appeal

The internal appeal must be lodged with the relevant authority, who is the Minister of Tourism;

- must be lodged within sixty (60) days of the decision of the Information Officer/ Deputy Information Officer;
 - one must complete a “Form 4” – the form is available upon request from the Deputy Information Officer or from the Department’s website;
- submit the “Form B” to the Information Officer by sending it to vtharage@tourism.gov.za and to mboikanyo@tourism.gov.za or by post to the address of the Information Officer; and
- the Deputy Information Officer shall help and guide you through the process of lodging an appeal.

2. Complaint to the Information Regulator

- The complaint must be lodged by completing a “Form 5” and sending it to the Information Regulator;
- This must be done within hundred and eighty (180) calendar days of the Minister’ decision; and
- The Information Regulator shall help and guide you through the process of lodging a complaint.

Alternatively

3. Application to Court.

- The application must be lodged within hundred and eighty (180) calendar days of the decision of the Minister or that of the Information Regulator;
- Every Magistrates Court has jurisdiction to hear the PAIA application; and
- The Clerk of the Court shall help and guide you through the process of lodging an application to court.



PART 9 – VOLUNTARY ACCESS (RECORDS THAT ARE AUTOMATICALLY AVAILABLE)

The Minister has, in terms of section 15(2), published in the Government Gazette a notice of records that are automatically available.

As indicated above (under Part 6, item 3), these are records that are requested under the following conditions:- o a requester does not need to complete the “Form 2” and to pay the request fee of R100.00; o records may be available for free, for inspection, for a pre-determined fee or as copies; and o where copies (in any format) are made, the prescribed fee is payable – the Deputy Information Officer shall inform you whether or not a fee is payable. The Minister has, in terms of section 15(2), published in the Government Gazette a notice of records that are automatically available. As indicated above (under Part 6, item 3), these are records that are requested under the following conditions:- o a requester does not need to complete the “Form 2” and to pay the request fee of R100.00; o records may be available for free, for inspection, for a pre-determined fee or as copies; and o where copies (in any format) are made, the prescribed fee is payable – the Deputy Information Officer shall inform you whether or not a fee is payable.

<p>DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000</p>	<p>MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(a))</p>
<p>FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)</p>	
<p>(a) All information on the website The following information is available on the website (www.tourism.gov.za):</p> <ul style="list-style-type: none"> - About the Department; - Government Links; - Tourism Links; - Environment Links; and - Tourism Authority Links. - Media; <ul style="list-style-type: none"> • Media Alerts; • Media Statements; • Speeches; and • Media Invites. - Events Calendar; - Functions (Services); - Reports; <ul style="list-style-type: none"> • Tourism Quarterly Statistics Reports; • Tourist Arrivals to South Africa Monthly Reports; • Quarterly Performance Reports; and • Budget Reports etc. 	<p>From the website of the Department.</p>



- Provincial Consumer Affairs Contact Details;
- National Tourism Sector Strategy (NTSS);
- FAQs;
- PAIA;
- Department of Tourism Medium Term Strategic Plan;
- National Heritage and Cultural Tourism Strategy;
- Domestic Tourism Growth Strategy;
- National Rural Tourism Strategy;
- National Tourism Service Excellence;
- Tourism Act, 2014;
- Tourism Incentive Programme;
- Tourism Transformation Fund;
- Green Tourism Incentive;
- Tourism Incentive Programme;
- Knowledge Portal;
- Tourism B-BBEE Portal;
- Service Standards;
- Financial Statements; and
- Manuals and Directives.
- Tourism Guidelines:
 - Grading support;
 - Market access; and
 - Service Charter.
- Policy and Knowledge Services; and
- SDIP for NDT.
- General News;
- Departmental Policy with quarterly updates;
- Brochures;
 - Tourism BBBEE Code; and
 - BEE related documents.
- Publications;
 - Annual Report;
 - Strategic Plan;
 - Annual Performance Plan;
 - Careers; and
 - Tenders.
- Newsletters;
 - Bojanala Stakeholder Magazine; and
 - Quarterly Policy Watch.



AUTOMATICALLY AVAILABLE FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii)	
(a) The list of records above.	<p>The records may be obtained on request in writing and on payment of a prescribed amount, addressed to:</p> <p>The Information Officer The Department of Tourism Private Bag X 424 PRETORIA 0001</p>
AUTOMATICALLY AVAILABLE FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	
(a) The list of records above.	<p>The records may be obtained on request in writing on payment of a fee prescribed in item 2 of Part II of Annexure A of the regulations relating to the Promotion of Access to Information Act, addressed to:</p> <p>The Information Officer The Department of Tourism Private Bag X 424 PRETORIA 0001</p>
AUTOMATICALLY AVAILABLE FOR FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
(a) The list of records above.	<p>The records may be obtained on request in writing addressed to:</p> <p>The Information Officer The Department of Tourism Private Bag X 424 PRETORIA 0001</p>



PART 10 – PAYMENT OF FEES

(a) Personal requestor

Anyone who seeks information pertaining to her / himself is called a personal requestor and is exempted from paying the requestor's fee.

(b) Requestor

The request fee payable is R35-00 as prescribed by the Regulations to the PAIA. In addition, if any copies or transcripts are requested, those will be charged according to the fee structure as prescribed by the Regulations and the Information Officer or Deputy Information Officer may charge for the time spent on processing the request.

(c) Payment Methods

- Cash (or Card – if the facility is available) Department's Finance Directorate at Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, during office hours; or
- Deposit into the bank account of the Department.

Account holder : Department of Tourism
Name of Bank : ABSA
Type of Account : Deposit Acc. (Current)
Account Number : 40 7532 7895
Branch Code : 632005

PART 11 – PROCESSING OF PERSONAL INFORMATION

Protection of Personal Information Act 4 of 2013 ("POPIA")

1. Purpose of Processing

The Department collects and processes personal information for, amongst others, the following purposes: -

- (a) To administer legislation;
- (b) To comply with orders of court;
- (c) To process applications for employment;
- (d) To process applications of service providers; and
- (e) For the administration of matters concerning its employees.

2. Categories of Data Subjects and their Personal Information

Data Subjects	Personal Information (examples)
Employees	<ul style="list-style-type: none">• Names and contact details;• Identity numbers;• Employment history• Banking details
Prospective employees	<ul style="list-style-type: none">• CVs – which include, for example• Names and contact details• Identity number• Employment history
Members of the public	<ul style="list-style-type: none">• Names and contact details• Postal addresses• Identity numbers
Contractors and Service Providers	<ul style="list-style-type: none">• Names and contact details; Identity number• Company' details

3. Recipients to whom Personal Information may be Supplied

The Department does not transfer personal information to another person or institutions, unless the data subject or legislation permits such transfer.

4. Transborder Flows of Personal Information

The Department does not transfer personal information to another country, unless the data subject or legislation permits such transfer.

5. Security Measures to Ensure Confidentiality, Integrity and Availability of Information

The Department has in place technical and organisational measures to prevent loss of, damage to or unauthorised access/destruction of, personal information. These measures include the following: -

- (a) Dedicated records storage rooms
- (b) Experienced Records Manager and Registry officials;
- (c) IT infrastructure managed by a dedicated team of experts;
- (d) Security Unit that regularly assesses the suitability and security of records management facilities;
- (e) Continuous education and monitoring of all officials by the Records Manager on the proper management of records;
- (f) Information received and Records created and managed in accordance with records management principles prescribed by relevant legislation;
- (g) Records management policy and related codes and prescripts are in place and in line with the National Archives and Records Services Act 43 of 1996; and
- (h) Dedicated and experienced team of officials to whom requests for access to information can be made in line with the PAIA.



PART 12 – UPDATING AND AVAILABILITY OF THE MANUAL

- This manual shall be updated annually;
- Shall be published in all eleven official languages; and
- Is available on the Department' website (www.tourism.gov.za) and upon request from the Deputy Information Officer, or the Head of any Office of the Department.

