



**human settlements**

Department of Human Settlements  
**FREE STATE PROVINCE**

# **FREE STATE DEPARTMENT OF HUMAN SETTLEMENTS**

## **MANUAL PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000) (the “ACT”)**

### **VISION OF DEPARTMENT**

Integrated and sustainable Human Settlements

### **MISSION OF DEPARTMENTS**

The Department will develop cohesive, sustainable and integrated human settlements in the Free State Province.

### **LEADERSHIP OF DEPARTMENT**

The Member of the Executive Council is Ms MA Koloji

The Head of Department of the Department of Human Settlements is Mr N Mokhesi

## A. CONTACT DETAILS

### Information Officer: Human Settlements

The Information Officer of is the Head of the Department. His contact details are as follows:

#### Mr N Mokhesi

**Address:** Room 749 OR Tambo House  
cor. St Andrews and Markgraaff Streets  
BLOEMFONTEIN  
9301

PO Box 211  
BLOEMFONTEIN  
9300

Tel.: (051) 403-3883 / 405-4727

Fax: (051) 403-3699

E-mail: [hodhs@fshs.gov.za](mailto:hodhs@fshs.gov.za)

Website: [www.fshs.gov.za](http://www.fshs.gov.za)

### Deputy Information Officer

The person designated to provide information to the public is the Chief Director: Corporate Services or person assisting in that post. He is therefore the Deputy Information Officer for the Department.

#### Mr T Motaung

**Address:** Room 902 OR Tambo House  
cor. St Andrews and Markgraaff Streets  
BLOEMFONTEIN  
9301

PO Box 211  
BLOEMFONTEIN  
9300

Tel.: (051) 403-3655

Fax: (051) 403-3699

E-mail: [taunyana@fshs.gov.za](mailto:taunyana@fshs.gov.za)

Website: [www.fshs.gov.za](http://www.fshs.gov.za)

## **B. THE SECTION 10 GUIDE [*section 14(1)(c)*]**

The South African Human Rights Commission has published a guide on how to use the Act in the twelve official languages. The manual can be accessed at [tsebulela@sahrc.org.za](mailto:tsebulela@sahrc.org.za) or [www.sahrc.org.za](http://www.sahrc.org.za). The Human Rights Commission can also be contacted at the following address:

PAIA Unit  
Department of Research and Documentation Department  
South African Human Rights Commission  
Private Bag X2700  
HOUGHTON  
2041  
Tel: (011) 877-3821/3645  
Fax: (011) 403-0668

## **C. ACCESS TO THE RECORDS HELD BY THE DEPARTMENT**

### **C.1 Automatic disclosures**

The following categories of records are automatically available from the Department and can be accessed at [www.fs.gov.za](http://www.fs.gov.za) or be obtained from the deputy information officer.

- Strategic Plan
- Business Plan
- Annual Report
- Budget vote of the MEC
- Publications
- Press Releases

### **C.2 Records that may be requested**

The following records may be made available, if all the procedural requirements in the Act relating to the request for access to that record have been met and access to that record is not refused on any grounds for refusal mentioned in the Act. The Deputy Information Officer could be contacted regarding further information on grounds for refusal.

- Minutes of meetings
- Papers delivered by the MEC
- Workshop and Seminar Resolutions
- Published Reports
- Complaints received
- Policy and strategy frameworks
- Employment records
- Budget Statements
- MTEF submissions
- Memoranda and documentation

### **C.3 The request procedure**

- A requester must use the form printed in the *Government Gazette*, which is attached hereto.
- The requester must also indicate if the request is for a copy of the record or if the requester wants to peruse the record at the offices of the Department. Alternatively, if the record is not a document it may be viewed in the requested form, if possible.
- If a person asks for access in a particular form the requester should be given access in the manner requested. Acceding to the request should not interfere unreasonably with the running of the Department, or damage the record, or infringe upon a copyright not owned by the state. If, for practical reasons access cannot be given in the required form but in an alternate manner, the fee must be calculated according to the person's first request.
- If, in addition to a written reply to their request for the record, the requester wishes to be told about the decision in any other way, e.g. by telephone, this must be indicated.
- If a requester asks for the information on behalf of somebody else, the capacity in which the request is being made should be indicated.
- If a requester is unable to read or write, or has a disability, they may make the request for the record orally. The information officer must fill in the form on behalf of the requester and give them a copy.
- Two types of fees have to be paid in terms of the Act, the request fee and the access fee.
- The deputy information officer must inform the requester by notice, requiring the requester to pay the request fee of R35 before further processing the request.
- The requester may lodge an internal appeal, if appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request the requester must be notified of such a decision in the manner requested by them and of any remedies available.
- If the request is granted then a further access fee must be paid as prescribed. The fees are attached hereto.
- The Information Officer has a period of 30 calendar days within which he/she must respond to the request.
- Under certain circumstances, the Information Officer may extend the 30-day period once only and for a further period of 30 days.

## **D. SERVICES and ORGANISATIONAL FUNCTIONS**

### **D.1 Nature of services**

The services of the Department are the following:

- Housing Project Management and Technical Services
- Housing Policy Development, Planning and Research
- Housing Contract and Asset Management
- Housing Capacity Building and Partnership
- Information Settlements and Land Tenure Services
- Information Management and Customer Care Services
- Housing Subsidies and Development
- People Housing Processes
- Social Housing and Rental

### **D.2 How to gain access to these services**

To gain access to the services of the Department, requests must be made to the Head of Department or the Deputy Information Officer.

## **F. ARRANGEMENT ALLOWING FOR PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER**

- Campaigns, etc are arranged on regular intervals throughout the Province. The purpose is to bring about face-to-face provincial government interaction with communities to explain and account on policies, programs and projects.
- In terms of the Rules and Orders of the Provincial Legislature, legislation is published for public comment before being tabled. The public is given an opportunity to make written representations or to appear before different portfolio committees.
- Different provincial laws make provision for members of the public to nominate members who are to serve on certain committees. These representatives could influence decision-making.
- In drafting of regulations, the public are also invited in terms of the provisions of the Promotion of Administrative Justice Act, 2000, to submit inputs with regard to matters affecting their rights.
- Hlasela-TV is placed at the airport, hospitals and other public places on which information regarding the provincial government, including this Department, made available to the public.
- The media is used to provide information to the public.

**G. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH**

A requester may lodge an internal appeal against the decision of the information officer to the MEC or a person designated by the MEC. Furthermore, the requester may apply to a court for appropriate relief after the requester has exhausted the internal procedure. Fees are also prescribed for this process and such fees are also included on attached list of fees.

**H. UPDATING OF THE MANUAL**

The Department will, if necessary, update this manual.

**I. AVAILABILITY OF THE MANUAL**

The manual of the Department is made available in the following manner:

- A copy in each of the three official languages must be made available to the South African Human Rights Commission; and every office of that public body.
- The manual is to be published in Sesotho, English and Afrikaans.
- The manual is available on the website of the Department at [www.freestateonline.fs.gov.za](http://www.freestateonline.fs.gov.za).