



the premier

Office of the Premier
FREE STATE PROVINCE

FREE STATE OFFICE OF THE PREMIER

MANUAL PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

THE VISION OF THE DEPARTMENT

Leading Free State Province towards service excellence.

THE MISSION OF THE DEPARTMENT

To provide strategic direction and co-ordinate integrated service delivery within government in the Free State.

The Premier is Ms SH Ntombela

The Head of Department is the Director General, Mr KF Ralikontsane

A. CONTACT DETAILS

Information Officer

Mr Kopung F Ralikontsane

Address: Room 448 OR Tambo House
cor. St Andrews and Markgraaff Streets
BLOEMFONTEIN
9301

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Fax: (051) 405-5671

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Deputy Information Officer

Adv A Swanepoel (Chief Director: Legal Services)

Address: Room 633 OR Tambo House
cor. St Andrews and Markgraaff Streets
BLOEMFONTEIN
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Postal address: PO Box 517
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Website: www.freestateonline.fs.gov.za

B. THE SECTION 10 GUIDE

The South African Human Rights Commission has compiled a guide on how to use the Act. Any queries about the guide can be addressed to:

PAIA Unit
Research and Documentation Department
South African Human Rights Commission
Private Bag X2700
HOUGHTON
2041

Tel: (011) 877 3821/3645
Fax: (011) 403 0668
E-mail: tsebulela@sahrc.org.za
Website: www.sahrc.org.za

C. ACCESS TO THE RECORDS HELD BY THE DEPARTMENT

(a) Subjects and categories of records

The subjects and categories of records held by the Department of the Premier include the following:

- (i) Departmental personnel records
- (ii) Departmental procurement records
- (iii) Departmental financial records
- (iv) Agendas and minutes of meetings
- (v) Reports
- (vi) Publications
- (vii) Internal departmental policies
- (viii) Records on legal issues: Judgements and legislation
- (ix) Provincial policies
- (x) Internal memoranda and documentation
- (xi) Speeches of the Premier

(b) Request for information

(i) Automatic disclosures

The following table sets out the records that are automatically available and the manner of access available, which is also published in terms of section 15 of PAIA:

AVAILABLE FOR PURCHASING	
<i>Provincial Gazette</i>	Copies available at Room 341, OR Tambo House, Tel. (051) 405 5217/4237
AVAILABLE FOR COPYING	
Annual Reports	*Copies available on request from Deputy Information Officer
Government News	*Copies available on request from Deputy Information Officer
State of Province Address	*Copies available on request from Deputy Information Officer
Budget Speech of Premier	*Copies available on request from Deputy Information Officer
Annual Performance Plan	*Copies available on request from Deputy Information Officer
Press releases	*Copies available on request from Deputy Information Officer
Policies	*Copies available on request from Deputy Information Officer
Budgets	*Copies available on request from Deputy Information Officer
Strategic plans	*Copies available on request from Deputy Information Officer
Free State Growth and Development Strategy (FSGDS)	*Copies available on request from Deputy Information Officer
Quarterly Legal Review	*Copies available on request from Deputy Information Officer
Legal Corner	*Copies available on request from Deputy Information Officer
Acts and regulations	*Copies available on request from Deputy Information Officer
*Copies to be provided against payment of R0.60 per page unless it can be electronically send	
AVAILABLE FREE OF CHARGE	
Application forms for employment	Office visit (Human Resource Advice, Co-ordination and Management, Ground Floor, OR Tambo House)
Newsletters and publications, where available	Office visit (Media Strategy and Liaison, 2 nd Floor, OR Tambo House)

(ii) The request procedures for other requests

- A requester must be given access to the record of the Department if the requester complies with the following:
 - 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 grounds for refusal mentioned in the Act. The Deputy Information Officer may be contacted to provide further information regarding grounds of refusal.
 - A requester must use the form printed in the *Government Gazette*. A copy is attached.
- 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 Deputy Information Officer.
- 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 not be more than the fee 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 Deputy 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. Information regarding the bank account and reference number can be obtained from the Deputy Information Officer. A requester is also made aware that the Minister has exempted certain categories of persons from paying access fees and could obtain further information regarding such exemptions from the Deputy Information Officer.
- A requester who seeks access to a record must pay the required request fee of R35.

- The Deputy Information Officer must inform the requester by notice, requiring the requester to pay the prescribed fee (if any) 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 Deputy Information Officer has made a decision on the request the requester must be notified of such a decision in the manner requested by them.
- If the request is granted then a further access fee must be paid for the search, preparation, reproduction and for the time exceeding the prescribed hours of searching and preparing the record for disclosure. The fees are prescribed by legislation and are attached hereto.

D. SERVICES AVAILABLE DIRECTLY TO THE PUBLIC

The purpose of the Department is not mainly to deliver services directly to the public, but to give strategic direction and co-ordinate services in the Free State Provincial Government. However, the Department provides the following services directly to the public:

TYPE OF SERVICE	HOW/WHERE IS SERVICE PROVIDED
1. Information to public	<p>1. Thusong Service Centres:</p> <p>Kopanong Service Centre in Trompsburg <u>Tel.</u> (051) 713 0189</p> <p>Mohokare Service Centre in Zastron <u>Tel.</u> (051) 673 1671</p> <p>Service Centre at Thaba Nchu Training College <u>Tel.</u> 082 550 8512</p> <p>Botshabelo Service Centre <u>Tel.</u> (051) 532 0855</p> <p>Namahadi Service Centre in QwaQwa <u>Tel.</u> (058) 789 1147</p> <p>Phuthaditjhaba Thusong Service Centre in Qwaqwa <u>Tel.</u> (058) 713 2422</p> <p>Hertzogville Service Centre <u>Tel.</u> 082 6691653</p> <p>Winburg Service Centre <u>Tel.</u> (051) 881 0003</p>
2. Call Centre to lodge complaints or submit enquiries	2. Contact No. (051) 403 3974

E. ORGANISATIONAL STRUCTURE AND FUNCTIONS OF THE DEPARTMENT

The Department of the Premier consist of three programmes, namely:

1. Programme 1: Administration

This programme provides effective management and administrative support to the Premier and the Executive Council to achieve government's goals and priorities. The programme consists of the following components: Premier Support, Executive Secretariat Services, and Office of the Director-General, Security Advice/Co-ordination, Internal Audit, Financial Management Services and Special Programmes.

2. Programme 2: Institutional Development

Programme 2 strives to ensure the achievement of the objectives of Department of the Premier through the provision and maintenance of well trained and capacitated human resources, facilitating and coordinating the building of transverse capacity within the provincial government through training and skills development, providing strategic direction and rendering and co-ordinating of legal services in the Free State Provincial Government. This programme consists of the following: Human Resources, Information Technology, Legal Services, Communication, Free State Training and Development Institute, Organizational Development.

3. Programme 3: Policy and Governance

This Programme is the epicentre of provincial policy coordination and the provisioning of strategic direction. The Programme consists of: Intergovernmental Relations and Provincial Strategic Planning, Policy and Research, Provincial Intervention and Monitoring and Evaluation.

4. Provincial Monitoring and Evaluation

To give effect to the vision of the Department to lead the Free State Province towards Service Excellence and the mission of the Department to provide strategic direction and coordinate integrated service delivery within government in the Free State. To drive Free State government performance through M&E and manage and coordinate the Free State Integrated Service Delivery through Operation Hlasela.

More details regarding the functions of the Department is set out on www.freestateonline.fs.gov.za.

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

1. 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.

2. 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.
3. 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.
4. 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.
5. Public information screens are placed at certain public places on which information regarding the provincial government is made available to the public.
6. 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 or third party may lodge an internal appeal against the decision of the Deputy Information Officer within 60 days to the Premier or a person designated by the Premier. The appeal must be submitted to the Office of the Deputy Information Officer, who must in terms of the Act forward it to the appeal authority. 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.