



Western Cape
Government

Agriculture

BETTER TOGETHER.

Promotion of Access to Information Manual, 2018

compiled in terms of section 14 of the
Promotion of Access to Information
Act (PAIA), 2000 for the Department of
Agriculture

PAIA Manual

Western Cape Department of Agriculture

2018

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1 INTRODUCTION

- 1.1 The Constitution of the Republic of South Africa, 1996 (the Constitution) makes provision for the right of access to any information held by the State, subject to justifiable limitations, which includes the limitation to protect privacy.
- 1.2 The Constitutional Court interpreted the right of access to information as not merely a right to obtain access to information for the exercise or protection of a right, but also to ensure that there is an open and accountable administration at all levels of government.
- 1.3 Section 32(1)(a) and (2) of the Constitution reads as follows:

“(1) Everyone has the right of access to –

 - (a) any information held by the State; and*
 - (b) any information that is held by another person and that is required for the exercise or protection of any rights.*

(2) National legislation must be enacted to give effect to this right, and may provide for reasonable measures to alleviate the administrative and financial burden on the state.”
- 1.4 The aforesaid resulted in the enactment of the Promotion of Access to Information Act, 2000 (PAIA). The purpose of PAIA is to foster a culture of transparency and accountability in public and private bodies and to empower and educate the people of South Africa to understand their rights.
- 1.5 This manual is compiled in terms of section 14 of PAIA which requires that the Department of Agriculture (DOA) must have a manual which sets out, amongst others, its structure and functions, include an index of its records and services, provide assistance on the procedure to access its records and services.

2 STRUCTURE OF THE DEPARTMENT OF AGRICULTURE as at 31 December 2017 – section 4 (1)(a)

Organisational Organogram



3 FUNCTIONS OF THE DEPARTMENT

3.1 Programme Administration (Programme 1)

3.1.1 Office of the MEC: To set priorities and political directives in order to meet the needs of clients. (For the efficient running of the MEC's office).

3.1.2 Senior Management: To translate policies and priorities into strategies for effective service delivery and, to manage, monitor and control performance.

Strategic Objective:

To direct the activities of the Department and to strengthen the alignment between the three spheres of government.

3.1.3 Corporate Services: To provide coordination or support services as applicable to the other programmes with regard to human resources management and human capital development, facility support maintenance, registry services and security and safety.

Strategic Objectives:

Well-maintained infrastructure and accommodation to support effective service delivery.

Effecting the human capital development strategy to address the skills needs in the Department and sector.

Ensure business continuity in the event of disasters or major interruptions.

Obtain maximum energy efficiency in the entire Department.

3.1.4 Financial Management: To provide effective support service (including monitoring and control) with regard to budgeting, financial accounting, moveable assets, motor fleet service, provisioning and procurement and caretaking of information technology.

Strategic Objective:

Good governance confirmed through efficient financial management and administration and governance embedded processes and systems according to the service delivery needs of the Department.

3.1.5 Communication Services: To focus on internal and external communications of the department through written, verbal, visual and electronic media as well as marketing and advertising of the departmental services.

Strategic Objective:

Departmental activities effectively communicated.

3.2 Sustainable Resource Management (Programme 2)

Strategic Objective: The Programme: SRM delivers a support services to all farmers in the Province, and the major emphasis is to maintain and improve the current natural resources through implementation of projects, application of regulations and communication campaigns. In its endeavours to ensure the overall sustainability of the agricultural sector, the focus is on interventions at farm level. The impact of climate change will be felt by SRM first and the changes in methodologies to support famers will force this Programme to remain innovative.

Purpose:

The purpose of the Programme is to provide agricultural support services to farmers in order to ensure sustainable development and management of agricultural resources.

3.2.1 Engineering Services: To provide engineering support (planning, development, monitoring and evaluation) with regard to irrigation technology, on-farm mechanization, value adding infrastructure, farm structures, resource conservation management.

Strategic Objective 1:

To promote the optimal and sustainable utilisation of the Western Cape's land and water resources.

Strategic Objective 2:

To render an engineering service to increase production and farming feasibility.

3.2.2 LandCare: To promote the sustainable use and management of natural agricultural resources by engaging in community based initiatives that support sustainability (social, economic and environmental), leading to greater productivity, food security, job creation and better well-being for all.

Strategic Objective:

Promote the conservation of the natural agricultural resources.

3.2.3 Land Use Management:

To promote the preservation and sustainable use of agricultural land through the administration of the Subdivision of Agricultural Land Act (SALA) and the Conservation of Agricultural Resources Act (CARA).

Strategic Objective:

Provide comments on subdivision and rezoning of agricultural land applications.

3.2.4 Disaster Risk Management: To provide agricultural disaster risk management support service to clients/farmers.

Strategic Objective:

Provide a disaster management service to our clients, proactively and reactively.

3.3 Farmer Support and Development (Programme 3)

The purpose of the Programme is to provide support to farmers through agricultural development programmes.

3.3.1 Farmer Settlement and Development: To provide support to smallholder and commercial farmers through sustainable agricultural development.

Strategic Objective:

Land reform facilitated with agricultural support.

3.3.2 Extension and Advisory Services: To provide extension and advisory services to farmers.

Strategic Objective:

To ensure farms become successful business enterprises by increasing the

production of agricultural produce for the domestic and international markets.

3.3.2 Food Security: To support, advise and coordinate the implementation of the National Policy on Food and Nutrition Security.

Strategic Objective:

Facilitate access to affordable and diverse food for the food insecure and vulnerable communities.

3.3.4 Casidra SOC Ltd: To support the Department with project implementation and state farm management.

Strategic Objective:

To support the Department with project management and state farm management.

3.4 Veterinary Services (Programme 4)

The purpose of the Programme is to provide veterinary services to clients in order to ensure healthy animals, safe animal products and welfare of the people of South Africa.

3.4.1 Animal Health

Strategic Objective:

Detection, prevention and control or eradication of significant animal diseases.

3.4.2 Export Control

Strategic Objective:

Provide an enabling environment for export certification for animals and animal products from the Western Cape Province.

3.4.3 Veterinary Public Health

Strategic Objective:

Fulfil a mandatory legislative role through implementation of the Meat Safety Act (Act 40 of 2000), the Animal Diseases Act (Act 35 of 1984) and other relevant legislation.

3.4.4 Veterinary Laboratory Services

Strategic Objective:

Render an efficient and appropriate veterinary diagnostic service.

3.5 Research and Technology Development Services (Programme 5)

The purpose of the Programme is to render expert and needs based research, development and technology transfer services impacting on development objectives.

Strategic Objective:

To expand access to appropriately packaged information emanating from research to farmers and clients and to improve on the technical communication effort of the Department.

The purpose of the sub-programmes is as follows:

3.5.1 Research:

To improve the agricultural production through conducting, facilitating and coordinating medium to long term research and technology development.

Strategic Objectives:

- Conduct agricultural research and technology development.
- Increase mitigation and adaptation options against climate change for farmers.
- Engage with stakeholders to determine relevant research needs.

3.5.2 Technology Transfer Services:

To disseminate information on research and technology developed to clients, peers and the scientific community.

Strategic Objective:

Increase access to scientific and technical information on agricultural production practices to farmers and clients.

3.5.3 Research Infrastructure Support Service: To manage and maintain infrastructure facilities for the line function to perform their research and

technology transfer functions, i.e. experimental farms.

Strategic Objective:

Increase the on-farm infrastructure support to the research effort and departmental services.

3.6 Agricultural Economics Services (Programme 6)

The purpose of the Programme is to provide timely and relevant agricultural economic services to ensure equitable participation in the economy.

The purpose of the sub-programmes is as follows:

3.6.1. Production Economics and Market Support

To provide production economics and marketing services to agri-businesses.

Strategic Objective:

Provide agricultural stakeholders with agricultural economic advice.

3.6.2. Agro-Processing Support

Purpose: To facilitate agro-processing initiatives to ensure participation in the value chain.

Strategic objective: Agri processing initiatives performed to support agri processing.

3.6.3. Macroeconomics Support: To provide macroeconomic and statistical information on the performance of the agricultural sector in order to inform planning and decision making.

Strategic Objective:

Information activities performed to support sound decision-making.

3.7 Structured Agricultural Education and Training (Programme 7)

The purpose of the Programme is to facilitate and provide structured agricultural education and training aligned to the National Education and Training Strategy for Agriculture, Forestry and Fisheries (NETSAFF) and adhering to quality standards of the Higher Education Quality Committee in order to establish a knowledgeable, prosperous and competitive agricultural sector.

The purpose of the sub-programmes is as follows:

3.7.1 Higher Education and Training (HET):

To provide tertiary agricultural education and training from NQF level 5 anyone who meets the minimum requirements.

Strategic Objective:

To provide tertiary agricultural education and training from NQF level 5 and higher to applicants who meets the minimum requirements.

3.7.2 Agricultural Skills Development (ASD):

To provide formal and non-formal in vocational education and training programmes on NQF levels 1-4 to interested agricultural role-players.

Strategic Objective:

To ensure that agricultural skills development training and accredited Learnership programmes are provided

3.8 Rural Development (Programme 8)

The purpose of the Programme is to coordinate the development programmes by stakeholders in rural areas.

The purposes of the sub-programmes are as follows:

3.8.1 Rural Development Coordination:

Purpose: To initiate, plan and monitor development in specific rural areas (CRDP sites) across the three spheres of government in order to address needs that have been identified.

Strategic Objective:

To successfully coordinate the implementation of the national CRDP in the selected rural nodes in the Western Cape.

3.8.2 Social Facilitation:

Purpose: To engage communities on priorities and to institutionalise and support community organisational structures (NGOs etc.)

Strategic Objective:

Facilitate social cohesion and development efforts, as part of the CRDP, in the selected rural development nodes in the Western Cape

3.8.3 Farm Worker Development:

Purpose: To enhance the image and the socio-economic conditions of agri workers and their family members, through facilitation of training and development initiatives, in order to improve their quality of life.

Strategic Objective:

Facilitating of training and development interventions for agri workers and their family members, to enhance their image and socio-economic conditions.

4 CONTACT DETAILS OF THE INFORMATION OFFICER SECTION 14(1)(b)

Adv. B Gerber

1st Floor

15 Wale Street

Cape Town

8000

Tel: 021 4836032 | Fax: 021 4833300/4715

E-mail: Brent.Gerber@westerncape.gov.za

CONTACT DETAILS OF THE DEPUTY INFORMATION OFFICER SECTION 14(1)(b)

Ms Joyene Isaacs

Head: Western Cape Department of Agriculture

Western Cape Government

Private Bag X 1 / Muldersvlei Road

ELSENBURG

7607

Tel: 021 808 5004 | Fax: 021 808 5000 / 483 6412

E-mail: joyenei@elsenburg.com

5 GUIDE BY THE HUMAN RIGHTS COMMISSION – section 14(1)(c)

5.1.1 The Human Rights updates and makes available a guide compiled in terms of section 10 of the PAIA which informs persons of:

- the objects of PAIA and how to exercise their rights in terms of this act;
- the contact details of the information officer and deputy information officer (where applicable) of every public body and the assistance available from them;
- how to access records of public bodies; and the legal remedies that are available when there is a failure to act in accordance with PAIA.

5.1.2 All enquiries to obtain access to this guide should be directed to:

The Office of the Human Rights Commission	
Telephone	+27 11 877 3900
Fax	+27 11 403 0684
E-Mail Address	PAIA@sahrc.org.za
Postal Address	PAIA Unit: Promotion of Access to Information Private Bag 2700 Houghton 2041
Street Address	South African Human Rights Commission 33 Hoofd Street Braamfontein 2017 JOHANNESBURG
Website	www.sahrc.org.za

5.1.3 **Appendix A** to this manual includes information on how to access records of the Department, its internal appeal procedure, or applying to a court against decisions by the Information Officer or Deputy Officer, as the case may be.

6 INFORMATION ON THE PROMOTION OF ACCESS TO INFORMATION ACT, 2002

6.1 SUBJECTS AND CATEGORIES OF DEPARTMENTAL RECORDS – section 14(1)(d)

The Department holds records on the following subjects and categories:

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • File plans • Register of incoming and outgoing items • Register of files • Disposal Authorities • Service level agreements • Audit reports • Payment vouchers • Salary files • Asset register • S & T claims • Orders • Receipts • Invoices • Financial statements and reports • BAS (Basic Accounting Systems) • Quotations • Minutes of tender committee meetings • Tender contracts • Maintenance files: IT infrastructure • Data base of suppliers • Tender evaluation reports • Application: E-mail • Organisational Structure 	<p>Programme 1</p>
<ul style="list-style-type: none"> • Project Files of Engineering Services provided (all 6 districts) • Project files of LandCare projects (all 6 districts) 	<p>Programme 2</p>

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Proof of Evidence (APP) • Internships • Disaster Aid provided • Applications for subdivision and/or rezoning of agricultural land • BID procurements • Coordinating Committee on Agricultural • Water minutes • Register of files • Asset register • S & T claims • Quotations • Provincial Water Liaison Committee minutes • WC Water Supply Strategic Committee • Various water study projects 	
<ul style="list-style-type: none"> • Programme Project Files (all 6 districts) • Proof of Evidence (APP) • Departmental Project Allocation Committee (DPAC) Meetings • Commodity Files • Commodity Project Allocation Committee Meetings (CPAC) • Smart Pen / Xcallibre File • Manstrat • Comprehensive Agricultural Support Programme (CASP) • Extension Revitalisation Programme (ERP) 	<p>Programme 3</p>

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Ilima Letsema • Public Service Commission • Mechanisation • Mentorship • Interdepartmental Task Team on Food Security • Provincial Restitution Steering Committee • Provincial Grants Committee (DRDLR) • Casidra 	
<ul style="list-style-type: none"> • Client personal information • Laboratory reports • Research results • Epidemiology Reports • Filing (Record Keeping incl personnel files) • List of registered abattoirs • List of authorised meat inspectors/examiners • List of Sterilisation plants • List of abattoirs approved for hides & skins export • List of intermediate stores for hides & skins export • Line function Annual Report Animal Health • Reports on outbreaks of animal diseases • Animal census report • Animal disease Contingency Plans and Standard procedures • Reports on animal disease surveillance 	<p>Programme 4</p>

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Reports on animal disease prevention and vaccination actions • Detailed records of exports and export establishments 	
<ul style="list-style-type: none"> • Research projects • Research results • Filing (Record Keeping incl personnel files) • Proof of evidence (APP) • Minutes of management and staff meetings • Records on soil, water, plant and animal feed analysis • Client personal information • Laboratory reports • Client personal information • Business plans • Service Level Agreement • Reports • Payments • Asset register • S & T Claims • Invoice and claims file • Transfer payments • Departmental research committee meetings • Work requests for on-farm maintenance • Maintenance lists for project execution by Department of Public Works and Transport 	<p style="text-align: center;">Programme 5</p>

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Reports, Statistics 	
<ul style="list-style-type: none"> • Land Reform survey information • Purchased subscription data • Quantec data • Technofresh data • Crop price data • Livestock product price data • Livestock breed auction data • Agricultural land value data • Game species auction data 	Programme 6
<ul style="list-style-type: none"> • Admission/Graduation records • Logis payments files • Bursary Files • Examination papers • Examination answer sheets • Labour relations files • Hostel Files • Students Statistics • Student Files • Files on student related matters. • Tender contracts • Exam results • Catering information • Financial reports • Invoice and claims files • Facilities Management files • S&T claims • Asset register • Government Cars • Minutes of the staff meetings. • Minutes of Departmental Chairs Meetings 	Programme 7

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Marks Meetings • Prospectus • Programme Self Evaluation • Subject Evaluation • Files Short Courses • Quotation files • Sport & Recreation for students • Injury on duty files • Marketing • Thusongs, Exhibitions, Career Exhibitions) 	
<ul style="list-style-type: none"> • Programme Project Files (all active CRDP wards) • Proof of Evidence (APP) • Departmental Project Allocation Committee (DPAC) Meetings • Interdepartmental Steering Committee meetings • PSO 11: Working group 4 Meetings • Casidra • Client personal information • Business plans • Service Level Agreement • Reports • Payments • Asset register • S & T Claims • Invoice and claims file • Transfer payments • Farm Worker of the Year Competitions • Farm Worker Summits (National and Provincial) • Farm Worker Referral Register 	<p>Programme 8</p>

Category and Subject Matter	Programme requires a request
<ul style="list-style-type: none"> • Minutes of the staff meetings • Programme Project Files (all 6 districts) • Proof of Evidence (APP) • Departmental Project Allocation Committee (DPAC) Meetings • Logis payments files • Labour relations files • Catering information • Financial reports • Monthly reports • Quarterly reports • Invoice and claims files • Facilities Management files • S&T claims • Asset register • Government Cars 	

6.2 DEPARTMENTAL RECORDS THAT ARE AUTOMATICALLY AVAILABLE WITHOUT THE NEED TO REQUEST ACCESS – section 14 (1)(e)

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
<p>(a) Brochures on agriculture-related subjects</p> <p>(b) Publications, Pamphlets, Newsletters, posters</p> <p>(c) All information on the website</p>	<p>Copies of these records are available free of charge from the Agriculture Branch, Private Bag X1, Muldersvlei Road, Elsenburg</p> <p>The following information is available on the website</p> <p>www.elsenburg.com):</p> <ul style="list-style-type: none"> – About the Department – Events – Media

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
	<ul style="list-style-type: none"> - Radio Elsenburg - Events Calendar - Services - Research and Development - Agricultural Development Centres - Information Sheets

The following records are available for inspection in terms of section 15(1)(a)(i) and copying in terms of section 15(1)(a)(ii). Documents that are available for download from the website: www.elsenburg.com free of charge in terms of section 15(1)(a)(iii) are marked with an asterisk.

Description of categories of records automatically available in terms of section 15(1)(a)	Manner of access to records section 15(1)(b)
(a) Annual Reports* (b) 5 Year Strategic Plans* (c) Organisational Structure* (d) Citizen's Report* (e) Service Delivery Charter* (f) Annual Performance Plan (g) Budget :Estimates and Revenue and Expenditure for the Department for 2018/19	Available on the Departmental Website: www.elsenburg.com (f) to (g). Available from Provincial Treasury as contained in the Budget: Estimates of Provincial Revenue & Expenditure – 15 Wale Street, Cape Town

6.3 SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC – section 14(1)(f)

The Department of Agriculture has both internal and external clients. The internal clients of the organisation consist of the Ministry and Department of Agriculture, the organisation's top management, other directorates and sub

directorates within the organisation (e.g. researchers, extension officers and training staff).

The external clients consist of farmers (agricultural producers and their organisations), rural communities, consumers of agricultural products, other national and provincial government departments, processors, dealers and suppliers of agricultural supplies, financial institutions, overseas trade-partners, non-governmental organisations, tertiary training institutions, other agriculturists, city planners, consultants, farm workers, urban-agriculturists, private veterinarians, nature conservation organisations, research trusts, statutory boards, students and municipalities.

The organisation renders services on request of clients or through marketing of services during personal contact, farmers days, extension sessions, as well as by means of information technology (the Internet). Marketing strategies with regards to the establishment and rendering of services must be optimally distributed to suit the needs of consumers but also according to the availability of finances and human resources. There exists a different relationship with regard to services between supplier and consumer, with the client relying on the supplier for advice, the client prefers more direct contact and negotiation with this organisation. A copy of the Department's Service Charter is attached per Appendix B and it may be accessed online via the following link:

<http://www.elsenburg.com/resource-library/official-publications>

Services rendered by the Department of Agriculture	How to access these services
<p>The Department of Agriculture has both internal and external clients.</p> <p>The internal clients of the organisation consist of the Ministry and Department of Agriculture, the organisation's top management, other directorates and sub directorates within the organisation (e.g. researchers, extension officers and training staff).</p>	<p>Access the DOA webpage at https://www.westerncape.gov.za</p> <p>Access the Department of Agriculture portal http://www.elsenburg.com</p>

Services rendered by the Department of Agriculture	How to access these services
<p>The external clients consist of farmers (agricultural producers and their organisations), rural communities, consumers of agricultural products, other national and provincial government departments, processors, dealers and suppliers of agricultural supplies, financial institutions, oversees trade-partners, non-governmental organisations, tertiary training institutions, other agriculturists, city planners, consultants, farm workers, urban-agriculturists, private veterinarians, nature conservation organisations, research trusts, statutory boards, students and municipalities.</p> <p>The organisation renders services on request of clients or through marketing of services during personal contact, farmers days, extension sessions, as well as by means of information technology (the Internet). Marketing strategies with regards to the establishment and rendering of services must be optimally distributed to suit the needs of consumers but also according to the availability of finances and human resources. There exists a different relationship with regard to services between supplier and consumer, with the client relying on the supplier for advice, the client prefers more direct contact and negotiation with this organisation.</p>	<p>All services can be accessed by contacting the Department at:</p> <p>Telephone Number: 021 - 8085111 / 021-8085111</p> <p>FAX: 021 - 8085120</p> <p>Website: http://www.elsenburg.com</p>

6.4 ARRANGEMENTS FOR PUBLIC PARTICIPATION BY CONSULTATION AND/OR REPRESENTATION ON THE FORMULATION OF DEPARTMENTAL POLICY AND/OR PERFORMANCE OF FUNCTIONS – section 14(1)(g)

Provincial Policies that has an external impact will require Public Participation and the process to be followed will be approved of by the Provincial Cabinet on a case by case basis

6.5 REMEDIES AVAILABLE IN RESPECT OF ACTS OR FAILURE TO ACT BY THE DEPARTMENT - section 14(1)(h)

Legislation applicable to the Department (as set out in its Departmental Annual Performance Plan¹) may provide for an internal review or appeal procedure. Should this procedure be exhausted, or no provision be made for such procedure, a court may be approached for an appropriate order.

Questions, complaints or comments regarding any service delivery by the Department of Agriculture may be made as follows:

E-mail us: info@elsenburg.com

Visit us: Muldersvlei Rd, Elsenburg Stellenbosch

Call us: 021 808 5111; (Monday - Friday 08:00am – 4.30pm)

¹ <http://www.elsenburg.com/resource-library/official-publications>



7 ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL – Section 14(3)

- 7.1 The manual is available in English, for viewing between 8am and 4.30pm Mondays to Fridays (excluding public holidays) at the office of the Deputy Information Officer Ms J Isaacs at: Western Cape Department of Agriculture Muldersvlei Road Elsenburg.
- 7.2 The manual may be accessed online through the World Wide Web by visiting the following web address: <http://www.elsenburg.com>

APPENDIX A:

GUIDANCE ON ACCESS TO RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE

1 COMPLETION OF APPLICATION FORM, PAYMENT OF FEES and FORM OF ACCESS – sections 18, 19, 22, 29 and 31.

1.1 Application form

- A prescribed form (attached as **FORM A**) must be completed by the requester and submitted to the Information Officer/Deputy Information Officer.
 - If a requester cannot read or write or complete the form due to a disability, the request may be made orally. The Information Officer/Deputy Information Officer will then complete Form A on behalf of the requester, keep the original and give the requester a copy thereof.
 - A request may be made on behalf of another person but then the capacity in which the request is made must be indicated on Form A.

1.2 Fees

- The fees for requesting and searching for a record, as well as making copies of the record, are prescribed by the regulations made in terms of PAIA. (Attached as **FEE SCHEDULE**) The following fees are payable:
 - Request fee of R35.00 for each request;
 - Access fee for the reasonable time spent to search for and prepare the record, if it takes more than an hour to search and prepare a record. A deposit, of not more than a third of the total access fee, may be required. However, the full access fee is payable before access is granted; and
 - For making copies of the record.

1.3 Applicants who are exempt from paying a request fee:

- A maintenance officer/investigator requesting access to a record for a maintenance investigation or inquiry in terms of the Maintenance Act, 1998 (or regulations made in terms thereof.)
- A person requesting a record that contains his/her personal information.

1.4 Applicants who are exempt from paying an access fee:

- A person requesting a record that contains his/her personal information.
- A single person whose annual income does not exceed R14 712 per annum.
- Married persons, or a person and his or her life partner whose annual income does not exceed R27 192.

1.5 Form of access

- A requester must indicate on Form A if a copy or an inspection of the record is required.
 - If a copy is required the requester must indicate the form thereof (e.g. printed or electronic) and the preferred language (where the record is available in more than one language). The Department does not translate records that are only available in one language.
- The record will be provided in the requested format unless it is unpractical or it will unreasonably interfere with the running of the Department's business

2 DECISION TO GRANT OR REFUSE ACCESS – Sections 25 and 26

2.1 Time period to make a decision

The Information Officer/ Deputy Information Officer must as soon as reasonably possible after receipt of the R35 and the completed Form A, but at least within **30 days** of receipt thereof, decide whether to grant or refuse the request and notify the requester of the decision.

2.2 Extension of time period

The Information Officer / Deputy Information Officer may extend the period of 30 days, **once** for a further period of **30 days** in the following circumstances:

- the request is for a large number of records or requires a search through a large number of records and attending to the request unreasonably interferes with the department's activities;
- the request requires a search for records from an office that is not in the same town or city as that of the Information officer/Deputy Information Officer;
- consultation is required with other departments of the WCG or other public bodies to decide upon the request; or
- the requester consented to an extension.

3 RECORDS THAT CONTAIN INFORMATION OF THIRD PARTIES – sections 47, 48

3.1 Notification:

The Information Officer/Deputy Information Officer must take all reasonable steps to inform a third party as soon as possible, but at least within **21 days**, of receipt of any request for a record that contains:

- a third party's personal information;
- a third party's trade secrets;
- a third party's financial, commercial, scientific or technical information and disclosure would likely cause commercial or financial harm to the third party;
- information supplied by a third party in confidence and the disclosure would prejudice or put the third party at a disadvantage in contractual or other negotiations or commercial competition;
- information supplied in confidence by a third party and disclosure would (i) amount to a breach of a duty of confidence owed to the third party in

terms of an agreement; or (ii) reasonably prejudice the future supply of similar information which should, in the public interest, be supplied; or

- information about research being carried out by or on behalf of a third party that would seriously disadvantage either the third party, the agent or the research subject matter.

3.2 Third Party representations and consent

Within **21 days** of the notification (3.1 above) a third party may either (i) make written or oral representations to the Information Officer/ Deputy Information Officer why the request should be refused; or (ii) give written consent for the disclosure of the record.

3.3 Decision on representation for refusal

The Information Officer/ Deputy Information Officer must as soon as reasonable possible, but at least within **30 days** after the notification (3.1 above) decide whether to grant or refuse the request for access and must notify the third party concerned as well as the requester of the decision.

4 **INTERNAL APPEAL – sections 74 and 75**

4.1 Requester

A requester may lodge an internal appeal, within **60 days** after notice is given of a decision by the Information Officer/Deputy Information Officer to:

- refuse a request for access (see 2 above);
- pay a fee (see 1.2 above);
- extend the period to give access (see 2.2 above).

4.2 Third party

A third party may lodge an internal appeal, within **30 days** after notice is given of a decision by the Information Officer/Deputy Information Officer to grant access to a record that contains information about the third party (see 3 above).

4.3 Manner of internal appeal

An internal appeal is lodged by completing the prescribed form (**Form B** attached) and delivering or sending it to the Information Officer/ Deputy Information Officer.

5 APPLICATION TO COURT

5.1 A requester or third party may apply to court for appropriate relief if

- an internal appeal was lodged and the applicant remains unsatisfied with the outcome of the internal appeal ; or

5.2 The application to court must be made within **180 days** after being informed of the outcome of the internal appeal.

APPENDIX B: SERVICE CHARTER

SERVICE DELIVERY CHARTER

THE WESTERN CAPE DEPARTMENT OF AGRICULTURE IS COMMITTED THROUGH THIS SERVICE CHARTER TO PROVIDE YOU WITH THE QUALITY SERVICES YOU DESERVE. LET'S MAKE SERVICE DELIVERY BETTER TOGETHER.

THE DELIVERY OF SERVICES IN ACCORDANCE WITH THE STATED SERVICE STANDARDS IS SUBJECT TO A SUSTAINABLE AND CONSISTENT ENERGY SUPPLY AND AVAILABILITY OF WATER.

Our Commitment

- We are committed to assist you in the following:
 - To assist you with the application of the relevant legislation, regulations and policies.
 - To assist you with the application of the relevant legislation, regulations and policies.
 - To assist you with the application of the relevant legislation, regulations and policies.

Your service requirements

- We will ensure that you are aware of the relevant legislation, regulations and policies.
- We will ensure that you are aware of the relevant legislation, regulations and policies.
- We will ensure that you are aware of the relevant legislation, regulations and policies.

You have the right to

- To be treated with respect and dignity.
- To be treated with respect and dignity.
- To be treated with respect and dignity.



Hard Skills/Qualifications

• All staff must have the necessary qualifications and skills to perform their duties effectively.

• All staff must have the necessary qualifications and skills to perform their duties effectively.

Farmer Support and Development Services

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

Structured Agricultural Extension and Training

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.



Service	Description
Registration	• We will ensure that you are aware of the relevant legislation, regulations and policies.
Inspection	• We will ensure that you are aware of the relevant legislation, regulations and policies.
Compliance	• We will ensure that you are aware of the relevant legislation, regulations and policies.
Enforcement	• We will ensure that you are aware of the relevant legislation, regulations and policies.
Dispute Resolution	• We will ensure that you are aware of the relevant legislation, regulations and policies.
Appeals	• We will ensure that you are aware of the relevant legislation, regulations and policies.

Farmer Services

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

Personnel Development

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

Agripreneur

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

Agripreneur, Land Care and Agricultural Extension

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

Our Commitment

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.

OUR MISSION

• We will ensure that you are aware of the relevant legislation, regulations and policies.

• We will ensure that you are aware of the relevant legislation, regulations and policies.



Western Cape Government
 Department of Agriculture

EXECUTIVE AUTHORITY DECLARATION

I, **[Signature]**, the **[Signature]**, do hereby declare that the contents of this Service Charter are true and correct.

APPENDIX C: 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: _____

(state rank, 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 public body

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

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

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- (b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

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

2. Reference number, if available: _____

3. Any further particulars of record: _____

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*
- (b) You will be notified of the amount required to be paid as the request fee.*
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefore.*

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 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
-------------	-----------------------------------

Mark the appropriate box with an "X".

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form -

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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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"/>	copy of 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*	<input type="checkbox"/>	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? A postal fee is payable.	YES	NO
--	-----	----

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof 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 _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

APPENDIX D: FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 8]

STATE YOUR REFERENCE NUMBER:

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of requester/third party who lodges the internal appeal

- (a) *The particulars of the person who is lodging the internal appeal, must be completed below.*
- (b) *Proof of the capacity in which appeal is lodged, if applicable, must be attached.*
- (c) *If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be stated at C below.*

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____ Telephone number: _____

E-mail address: _____

Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) is lodging the internal appeal.

Full names and surname: _____

Identity number: _____

D. The decision against which the internal appeal is lodged

<i>Mark the decision against which the internal appeal is lodged with an "X" in the appropriate box:</i>	
<input type="checkbox"/>	Refusal of request for access.
<input type="checkbox"/>	Decision regarding fees determined in terms of section 22 of the Act.
<input type="checkbox"/>	Decision regarding the extension of the period within which request must be dealt with in terms of section 26(1) of the Act.
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form as requested by the requester.
<input type="checkbox"/>	Decision to grant request for access.

E. Grounds for appeal

*If the provided space is inadequate please continue on a separate folio and attach it to this form. **You must sign all the additional folios.***

State the grounds upon which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal: _____

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner: _____

Particulars of manner: _____

Signed at _____ this _____ day of _____ 20

SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on _____ (date) by

(state rank, name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the records, submitted by information officer/deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

CONFIRMED/SUBSTITUTED BY NEW DECISION

NEW DECISION:

DATE

RELEVANT AUTHORITY

DATE RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE RELEVANT AUTHORITY:

APPENDIX E: FEE SCHEDULE

Annexure A

GENERAL: VALUE-ADDED TAX

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value-added tax to all fees prescribed in this Annexure.

PART I

FEES IN RESPECT OF GUIDE

1. The fee for a copy of the guide as contemplated in regulations 2 (3) (b) and 3 (4) (c) is R0,60 for every photocopy of an A4-size page or part thereof.

PART II

FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5 (c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7 (1) are as follows:

	R
(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
(iii) 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

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.	

PART III
FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(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	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(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	20,00

(ii) For a copy of an audio record 30,00

(f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

(2) For purposes of section 54 (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.