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PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL, 2021
COMPILED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT, 2000 (AS AMENDED) FOR THE DEPARTMENT OF PROVINCIAL TREASURY

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TABLE OF CONTENTS

1.	LIST OF ACRONYMS AND ABBREVIATIONS.....	3
2.	PURPOSE OF THE PAIA MANUAL.....	4
3.	ESTABLISHMENT OF THE PROVINCIAL TREASURY.....	4
3.1	OBJECTIVES/MANDATE.....	4
4.	STRUCTURE OF THE PROVINCIAL TREASURY AND FUNCTIONS.....	7
4.1	STRUCTURE.....	7
4.2	FUNCTIONS.....	8
5.	KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE PROVINCIAL TREASURY.....	16
6.	DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE PROVINCIAL TREASURY.....	16
7.	GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE.....	17
8.	DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE PROVINCIAL TREASURY.....	18
9.	CATEGORIES OF RECORDS OF THE PROVINCIAL TREASURY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS.....	20
10.	SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE PROVINCIAL TREASURY AND HOWTO GAIN ACCESS TO THOSE SERVICES.....	21
11.	PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY PROVINCIAL TREASURY.....	21
12.	PROCESSING OF PERSONAL INFORMATION	21
12.1.	PURPOSE OF THE PROCESSING	21
12.2.	DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS, INFORMATION PROCESSED AND RECIPIENTS THEREOF	22
12.3.	PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION	22
12.4.	GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE PROVINCIAL TREASURY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION.....	23
13.	ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL.....	25
14.	UPDATING OF THE MANUAL	25
	APPENDIX A:	26
	GUIDANCE ON ACCESS TO RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE.....	26
	APPENDIX B:	30
	SERVICE CHARTER.....	30

1. LIST OF ACRONYMS AND ABBREVIATIONS

AFS	Annual Financial Statements
CAE	Chief Audit Executive
CGRO	Corporate Governance Review and Outlook
DBAC	Departmental Bid Adjudication Committee
DIO	Deputy Information Officer
DOTP	Department of the Premier
DPSA	Department of Public Service and Administration
ERMCO	Enterprise Risk Management Committee
GRAP	Generally Recognised Accounting Practices
HOD	Head of Department
LED	Local Economic Development
ICT	Information and Communication Technology
IDMS	Infrastructure Development Management System
IDP	Integrated Development Plan
IFMS	Integrated Financial Management System
IGR	Intergovernmental Relations
IO	Information Officer
LG MTEC	Local Government Medium Term Expenditure Committee
MEC	Member of the Executive Committee
MERO	Municipal Economic Review and Outlook
MFMA	Municipal Finance Management Act
MSCOA	Municipal Standard Chart of Accounts
MTEF	Medium Term Expenditure Framework
PAIA	Promotion of Access to Information Act, 2000
PERO	Provincial Economic Review and Outlook
PFMA	Public Finance Management, 1999
POPIA	Protection of Personal Information Act, 2013
PSA	Public Service Act, Proclamation 103 of 1994
PT	Provincial Treasury
Regulator	Information Regulator
SIME	Strategic Integrated Municipal Engagement
SIPDM	Standard for Infrastructure Procurement and Delivery Management
SCM	Supply Chain Management
TCF	Technical Committee on Finance
TIME	Technical Integrated Municipal Engagement
the Constitution	Constitution of the Republic of South Africa, 1996
WCG	Western Cape Government
WCGRB	Western Cape Gambling and Racing Board
WC MTBPS	Western Cape Medium Term Budget Policy Statement

2. PURPOSE OF THE PAIA MANUAL

This manual can be used by members of the public to:

- 2.1 Check the nature of the records which may already be available at Provincial Treasury, without the need for submitting a formal PAIA request.
- 2.2 Understand how to make a request for access to a record of the Provincial Treasury.
- 2.3 Obtain all the relevant contact details of the persons who will assist the public with the records they intend to access.
- 2.4 Be aware of all the remedies available from the Provincial Treasury regarding a request for access to the records, before approaching the Regulator or the Courts.
- 2.5 Obtain a description of the services available to members of the public from the Provincial Treasury and how to gain access to those services.
- 2.6 Obtain a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 2.7 Know if the Provincial Treasury will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.8 Know if the Provincial Treasury has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
- 2.9 Know whether the Provincial Treasury has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE PROVINCIAL TREASURY

The Provincial Treasury is a provincial structure within the public service which is established in terms of section 197 of the Constitution. The PSA which gives effect to section 197 of the Constitution provides in section 7 thereof for provincial departments.

3.1 Objectives/Mandate

The Department's core functions, powers and responsibilities are captured in Section 18 of the Public Finance Management Act (PFMA) and section 5 of the Municipal Finance Management Act (MFMA). The key objective of the Department is prudent fiscal and financial governance, through embedding good financial governance and integrated service delivery practices across the Province.

This requires that the Department focuses on ensuring efficient and effective management of provincial and municipal financial resources; providing policy direction, facilitating and enforcing management of provincial financial systems; strengthening supply chain and moveable asset management within the provincial and municipal spheres; and promoting accountability and financial governance within departments, entities and municipalities.

To this end, the Department continues to improve integrated policy, planning and budgeting processes by means of economic and socio-economic research, integrated provincial and municipal budgeting, MFMA implementation, infrastructure delivery management, supply chain management, financial systems management and the promotion of good governance in departments, entities and municipalities.

The Department has fourteen (14) client departments and thirty (30) municipalities along with all public entities and external suppliers.

3.1.1 Relevant legislative and policy mandates

3.1.1.1 Constitutional mandate

Chapter 13 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) deals with general financial matters for national, provincial and local spheres of government.

3.1.1.2 Legislative and Policy mandates

The legislative mandate, within which the Provincial Treasury operates consists primarily of the following national and provincial legislation:

Legislative mandate:

1. Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA)
2. Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)
3. Annual Division of Revenue Act
4. Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act 10 of 2009)
5. Government Immoveable Asset Management Act, 2007 (Act 19 of 2007)
6. Intergovernmental Fiscal Relations Act, 1997 (Act 97 of 1997)
7. Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)
8. Public Audit Act, 2004 (Act 25 of 2004) as amended
9. Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000)
10. Provincial Tax Regulation Process Act, 2001 (Act 53 of 2001)
11. Public Service Act, 1994 (Act 103 of 1994) as amended
12. Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)
13. Annual Western Cape Appropriation Act
14. Western Cape Direct Charges Act, 2000 (Act 6 of 2000) as amended
15. Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) as amended

3.1.2 Policy mandates

1. 2030 Agenda for Sustainable Development (Sustainable Development Goals)
2. Africa Agenda 2063 Goals
3. Budget Prioritisation Framework
4. National Evaluation Policy Framework (2011)
5. Policy Framework for the Government-Wide Monitoring and Evaluation System (2005)
6. Revised Framework for Strategic Plans and Annual Performance Plans (2019)
7. Human Resource Development Strategy of South Africa 2010-2030

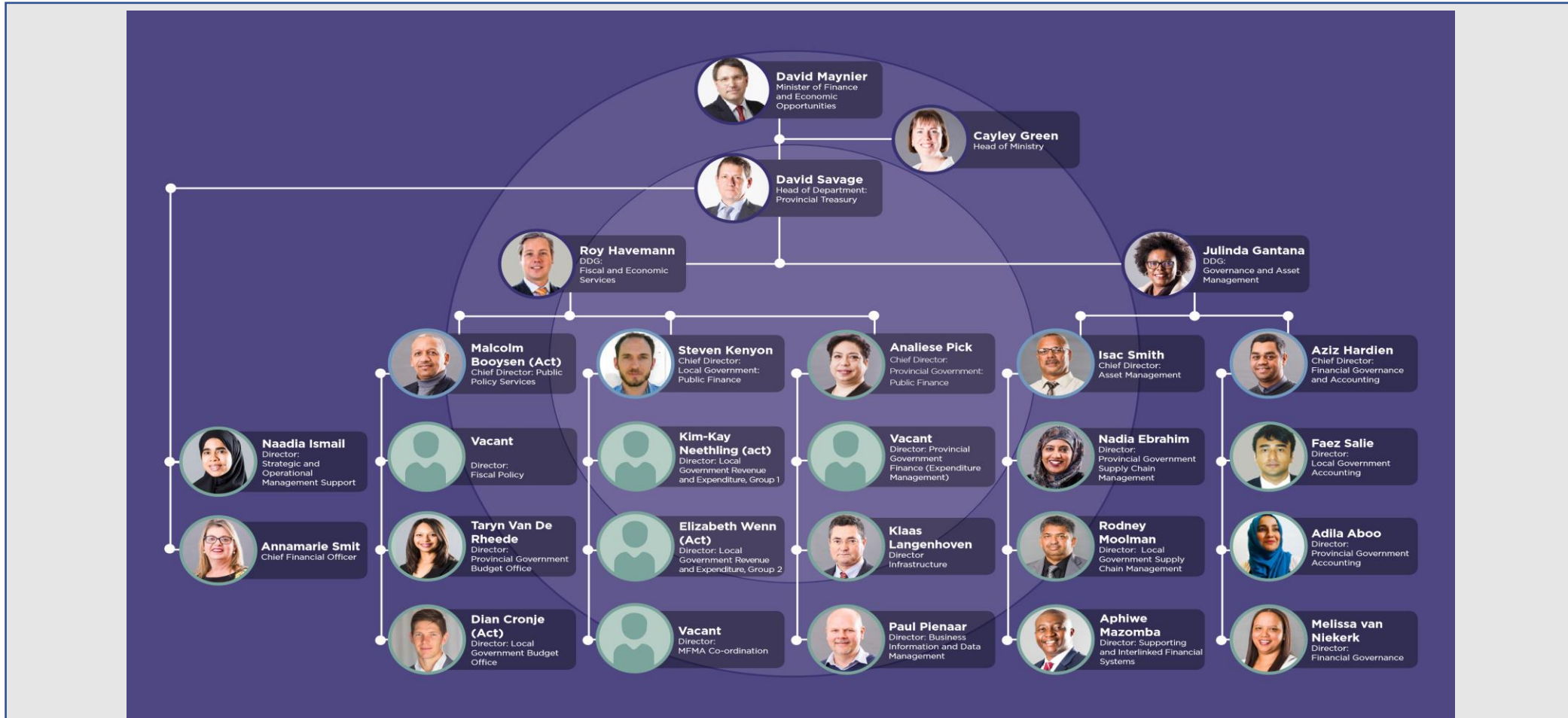
3.1.2.1. Institutional policies and strategies

The following policy mandates are primarily responsible for steering the work of Provincial Treasury:

1. National Development Plan 2030
2. National Development Plan Five-Year Implementation Plan
3. Medium Term Strategic Framework 2019 – 2024
4. Spatial Development Frameworks
5. Provincial Strategic Plan 2020 – 2025 (PSP)
6. OneCape2040

4. STRUCTURE OF THE PROVINCIAL TREASURY AND FUNCTIONS

4.1 Structure



4.2 Functions

The Annual Performance Plan conveys the Provincial Treasury's acceptance of its responsibility to improve allocative efficiency, ensure value for money and maintain fiscal sustainability. This is done by performing its core functions of entrenching good governance and embedding integrated service delivery. A key element includes institutionalising the practice of Integrated Management. This involves greater alignment of provincial and local government policy, planning, budgeting, governance and implementation. The aim is to strengthen coordination and alignment between processes and structures of Government and other key role-players, while improving service delivery, creating maximum socio-economic impact and building public value. Engagements and collaboration with provincial departments and municipalities will be further supported through structured engagements such as the Integrated Development Plan (IDP) Indabas, the Joint Planning Initiative, the Technical Integrated Municipal Engagement (TIME), the Strategic Integrated Municipal Engagement (SIME) and the Local Government Medium Term Expenditure Committee (LG MTEC).

Programme 1: Administration

4.2.1 The programme strategically supports the Minister and the Head of Department by coordinating strategic direction and provision of quality financial and other support services.

4.2.2 The following functions are delivered in terms of this programme:

4.2.2.1 Sub-programme 1.1: **Office of the Minister**: To assist the member of the Provincial Cabinet with those functions as assigned by legislation and/or the Premier.

4.2.2.2 Sub-programme 1.2: **Management Services**: To provide strategic and operational management support services.

The main duties of this sub-programme are the following:

- Facilitate the departmental non-financial performance planning, monitoring, reporting and evaluation processes;
- Ensure the rendering of people management support services in terms of the service level agreement and service schedules of the Corporate Services Centre;
- Ensure that a working environment that is safe and without risk to the health of the employees is provided and maintained;
- Manage youth development initiatives, including amongst others the Premier's Advancement of Youth project, Essay Writing Competition and External Bursary Programme;
- Render support services to the Head Official in terms of correspondence management, secretarial and reception duties, parliamentary liaison and general administrative support services; and
- Internal and external communication services.

4.2.2.3 Sub-programme 1.3: Financial Management: To assist the Accounting Officer to drive financial management in the Department.

The main duties of this sub-programme are the following:

- Management Accounting is responsible for the compilation of the annual and adjusted budgets, monitoring and control of expenditure via the In-year Monitoring (IYM) process on a monthly basis and collation of the departmental annual report;
- Financial Accounting is responsible for maintaining a payments system (BAS, LOGIS and PERSAL), in terms of the Public Finance Management Act (PFMA) delegations, compiling the Interim Financial Statement (IFS) and the Annual Financial Statement (AFS) and providing a cashier, bookkeeping and salary administration function for the Department;
- Supply Chain Management (SCM) is responsible for maintaining an appropriate procurement and provisioning system which is fair, equitable, competitive and cost effective as well as the management, including the safeguarding, and maintenance of departmental assets and rendering of specified auxiliary services. Furthermore, the unit acts as the secretariat to the Departmental Bid Adjudication Committee (DBAC); and
- Internal Control must ensure that internal control measures are in place throughout the Department, particularly in high-risk areas, to prevent any internal and external audit findings and ensure due diligence. Furthermore, the unit acts as the secretariat to the Enterprise Risk Management Committee (ERMCO) and compiles the quarterly Corporate Governance Review and Outlook (CGRO) assessment.

Programme 2: Sustainable Resource Management

4.2.3 The programme ensures the efficient and effective management of provincial and municipal financial resources.

4.2.4 The following functions are delivered in terms of this programme:

4.2.4.1 Sub-programme 2.1: Programme Support: To provide management and administrative support to the programme.

The main duties of this sub-programme are the following:

- Provision of resources for the structured training and development of the staff attached to the programme. This includes the head and support staff of the Branch: Fiscal and Economic Services and the relevant Chief Directors responsible for the Chief Directorates – Public Policy Services, Public Finance: Provincial Government and Public Finance: Local Government.

4.2.4.2 Sub-programme 2.2: Fiscal Policy: To research, analyse and advise on the policy, strategy and management of provincial and municipal fiscal resources.

The main duties of this sub-programme are the following:

- Conduct research and analysis on provincial and local government fiscal policy matters that impact on the fiscal framework of the Province to inform the development of sustainable provincial and local government fiscal frameworks and the provincial fiscal strategy focusing on the national transfer system (equitable share and conditional grants), the local government fiscal system and domestic resource mobilisation initiatives with regards to existing and new own revenue sources. These outputs feed into the fiscal

strategy of the Province through the continuous refinement of the fiscal principles and maintenance of fiscal stability;

- Responsible for the management of the Provincial Revenue Fund and providing for the cash flow requirements of the Province;
- Support of initiatives, advice and guidance to departments and municipalities on revenue related and cash management matters, through the analysis and reporting on in-year cash flow and revenue performance; and
- Oversight of the Western Cape Gambling and Racing Board (WCGRB) and management of the crafting of the legislative amendments affecting the gambling sector.

4.2.4.3 Sub-programme 2.3: Budget Management

Element: Provincial Government Budget Office: To promote effective financial resource allocation, by providing socio-economic and policy research, analysis and advice that informs the preparation of the provincial budget, as well as the monitoring of budget implementation and performance.

The main duties of this element are the following:

- Focus on the alignment of policy, planning and budgeting processes. Research includes the annual Provincial Economic Review and Outlook (PERO) which informs the planning and budgeting processes in the Province. Overall, the research, analysis and assessments are to support provincial departments on budget policy matters and inform the formulation of the provincial budget policy to recommend allocations in line with government's strategic priorities outlined in the Provincial Strategic Plan and other applicable national policies. The Western Cape Medium Term Budget Policy Statement (WC MTBPS) provides the economic, fiscal and policy context within which the next years' provincial budget is formulated. It communicates the intended budget policy framework and budget priorities that support the delivery of the Western Cape Government (WCG) policies, programmes and projects that drive service delivery within the Province.
- Element: Local Government Budget Office: To promote effective financial resource allocation and provide socio-economic policy research, analysis and advice that inform the preparation of municipal budgets and monitor budget implementation.
- The main duties of this element are the following:
 - Provide research, advice and analysis on the regional and local economy, and the provision of economic intelligence for use in municipal planning and budgeting. The research and analysis culminates in the annual publication of the Municipal Economic Review and Outlook (MERO) and release of the Socio-Economic Profiles. The unit assess the annual budgets of municipalities and provide recommendations to improve the responsiveness of the budgets to address socio-economic and policy objectives; and
 - Support the municipal budget process through coordination of the Local Government Medium Term Expenditure Committee engagements and the monitoring of the municipal budgets implementation through the Service Delivery and Budget Implementation Plans of municipalities.

4.2.4.4 Sub-programme 2.4: **Public Finance**

Element: Provincial Government Finance: To compile a credible and sustainable main and adjustments budget, and to guide and monitor the efficient implementation thereof.

The main duties of this element are the following:

- Assessment of provincial budgets to improve the credibility and sustainability of the budget;
- Monitoring the implementation of budgets to enhance accountability, efficiency and data integrity. Fiscal consolidation is part of the Fiscal Strategy and therefore the focus is on expenditure control within budget limits and stringent management of personnel budgets; and
- Focus of areas to improve on the efficiency of expenditure management in departments through an integrated approach with the Provincial Treasury Supply Chain Management unit and the improvement of data integrity, specifically relating to the recording of expenditure.
- **Element: Local Government Finance (Groups 1 and 2):** To drive the implementation of the Municipal Finance Management Act (MFMA) and to assist and guide municipalities to prepare budgets and monitor the implementation thereof towards sustainable local government.
- The main duties of this element are the following:
 - Facilitate and coordinate the implementation of the MFMA in Provincial Treasury and municipalities to ensure that the objectives of the Local Government reform agenda, with specific reference to implementation of the Technical Committee on Finance (TCF) Game Changers, is achieved. Implementation of the MFMA will be driven through Intergovernmental Relations (IGR) coordination between municipalities, provincial departments, national departments and other related stakeholders. Key responsibilities include monitoring, support and intervention in respect of MFMA implementation, revenue, expenditure and cash management;
 - Analyse and report on the in-year revenue and expenditure; and
 - Focus areas in line with the TCF Game Changers will facilitate integrated revenue management and funded budgets including being responsive to support particularly the vulnerable municipalities and to give effect to our main aim of driving the sustainable local government agenda.
- **Element: Infrastructure:** To promote the delivery of new and maintenance of existing physical infrastructure.
- The main duties of this element are the following:
 - The Western Cape Infrastructure Development Management System (IDMS) is the infrastructure strategy for the Western Cape to ensure that the maximum level of efficiency is derived from and value realised through the provincial asset base. Embedded in the IDMS is an integrated approach to planning and budgeting. A key focus of the unit remains the monitoring of the institutionalisation of the Standard for Infrastructure Procurement and Delivery Management (SIPDM) and IDMS in provincial departments. A further aim of the unit is to monitor the institutionalisation of the SIPDM within the municipal sphere. The unit is further responsible for monitoring the

infrastructure spending of designated departments and the support of the Western Cape Ministerial Infrastructure Coordinating Committee (WCMiCoCo), chaired by the Provincial Minister of Finance, in pursuit of the efficient and effective delivery of infrastructure in the Province; and

- The Western Cape Government's capacity to select, plan, appraise and monitor infrastructure delivery will continue to be strengthened over the Medium-Term Expenditure Framework (MTEF).
- **Element: Business Information and Data Management:** To render a client interface, data collating, data and information management and records management service to the Provincial Treasury.
- The main duties of this element are the following:
 - Records Management is responsible for managing the centralised filing system aiming for conformance to the Western Cape Archives and Records Service prescripts. The centralised repository is a system, providing a means for Provincial Treasury employees to enable proper decision-making, safeguard information and facilitate the retention of information. The Records Management section is also responsible for the security management aspects and the coordination of requests for information in terms of the Promotion of Access to Information Act, 2000 (PAIA) for the Provincial Treasury;
 - Data and Information Management is responsible for the management of data sets in support of Provincial Treasury's strategic goals. The spatial integration of the data sets will be enhanced to promote the integration of information between spheres of government. Data and Information Management is also responsible for mainstreaming Information and Communication Technology (ICT) within the Department through the implementation of the Department of Public Service and Administration (DPSA) Corporate Governance of Information and Communication Technology Policy Framework (CGICTPF) and the monitoring of the Strategic ICT Plan initiatives;
 - Client Interface facilitates the coordination of departmental and municipal MTEC processes and the related document flow (hardcopy and electronic information); and
 - Data Collating manages and maintains the Provincial Treasury's database and the technical refinement of departmental publications and working papers.

Programme 3: Asset Management

4.2.5 To provide policy direction and to facilitate and enforce the management of provincial financial systems, supply chain and movable asset management within the provincial and municipal spheres.

4.2.6 The following functions are delivered in terms of this programme:

4.2.6.1 Sub-programme 3.1: Programme Support: To provide management and administrative support to the programme.

The main duties of this sub-programme are the following:

- Provision of resources for the structured training and development of the staff attached to the programme. This includes the head and support staff of the Branch: Governance and Asset Management, the relevant Chief Director responsible for the Chief

Directorate – Asset Management, and the relevant Directors responsible for the Directorates – Provincial Government Supply Chain Management, Local Government Supply Chain Management and Supporting and Interlinked Financial Systems.

4.2.6.2 Sub-programme 3.2: Supply Chain Management

Element: Provincial Government Supply Chain Management: To provide policy direction and facilitating the management of supply chain and asset management practices.

The main duties of this element are the following:

- Driving centre-led SCM and moveable asset management governance and performance requirements in the Province;
- Sustain and enhance a dynamic governance model and the SCM strategy for the Province through monitoring and evaluation functions through consistent impact assessments and testing of gaps and key controls from a practical, efficiency gains and service impact perspective;
- The units focus is on using technology as an enabler to improve SCM performance. The key focus involves the continued implementation of the supplier database, an evidenced based approach through improved efficiencies, governance requirements and enhancements on the e-procurement solution for quotations and further rollout for the bids, contract management and vendor performance modules. The continuous building of the business intelligence competence to support procurement decision making and better supply chain information management;
- Procurement efficiencies and prudent procurement spending is supported by strategic sourcing methodologies in the procurement planning process to leverage efficiency gains and economies of scale through bulk/consolidated buying initiatives and potential transversal contracts; and
- Capacity development of both SCM practitioners and suppliers is a key focus of the unit. SCM skills and knowledge development of practitioners in institutions is facilitated through bespoke training interventions, helpdesk support, assistance and guidance, road shows and the SCM Forum. Further mainstreaming of capacitation and development is led through the focus groups under the SCM Forum, i.e. SCM Policy and Governance, SCM Technology: SCM Capacitation & Development and the Demand Management Focus Groups. Various platforms is also used to engage with suppliers to ensure that they are capacitated and better equipped in understanding the provincial SCM environment and procurement requirements when doing business with the Western Cape Government.

Element: Local Government Supply Chain Management: To provide policy guidance and facilitating the management of supply chain and asset management practices.

The main duties of this element are the following:

- Provide assistance and guidance in respect of good governance and performance in both SCM and asset management to all 30 municipalities in the Province;
- Focus on use of procurement as a tool for economic development within the respective districts. To this end the unit established, the SCM Indaba of which the objectives are to provide socio-economic context for the imperative of the utilisation of procurement as a significant contributor to inclusive economic growth and development. This entails that a holistic approach be followed where SCM managers, Local Economic Development

(LED) managers and IDP managers integrate their planning. Emanating from this initiative will be the establishment of the sub projects with specific municipalities;

- Focus on building data analytics and business intelligence competencies to support the municipalities. Specific interventions will be undertaken to improve data governance and ultimately enhance procurement decision-making;
- Training and capacity development programme for both Supply Chain and Asset Management disciplines will continue in a structured format that includes formal training interventions, informal bespoke interventions, SCM and Asset Management fora and Asset Management colloquiums; and
- Develop an Asset Management Governance Framework for municipalities as a first phase, focusing on Asset Management Policies/Strategies and Business Processes.

4.2.6.3 Sub-programme 3.3: Supporting and Interlinked Financial Systems: To provide for the implementation, management and oversight of provincially operated financial systems and transition to the Integrated Financial Management System (IFMS).

The main duties of this sub-programme are the following:

- To further improve financial system management in the Province through the training of system users in accordance with their system profiles and maintenance of effective user account management to improve security of the systems;
- Ensuring further development of integrated training interventions to promote the correct and optimal use of financial systems, steps to enhance the validity and veracity of data which include the rendering of a service to all departments by providing credible management and detail data, and assistance in analysing data; and
- Focus on readiness and data preparation in the current provincially operated financial systems in preparation for the migration to the IFMS.

Programme 4: Financial Governance

4.2.7 To promote accountability and financial governance within departments, entities and municipalities.

4.2.8 The following functions are delivered in terms of this programme:

4.2.8.1 Sub-programme 4.1: Programme Support: To provide leadership management and administrative support to the programme.

The main duties of this sub-programme are the following:

- Provision of resources for the structured training and development of the staff attached to the programme. This includes the head and support staff of the Branch: Governance and Asset Management, the relevant Chief Director responsible for the Chief Directorate – Financial Governance and Accounting also serving as the Western Cape Provincial Accountant General, and the relevant Directors responsible for the Directorates – Provincial Government Accounting, Local Government Accounting and Financial Governance.

4.2.8.2 Sub-programme 4.2: Accounting Services

Element: Provincial Government Accounting and Compliance: To drive financial governance reforms, implementation of accounting practices and preparation of consolidated financial statements.

The main duties of this element are the following:

- Ensure the complete and accurate recording and reporting of transactions as required in terms of the prescribed accounting frameworks. This contributes toward preventing irregularities and material financial misstatements in both the modified cash basis of accounting applied by departments and accrual basis of accounting applied by entities;
- By coordinating and incrementally driving financial norms and standards, the unit also monitors and reports progress to Cabinet quarterly on issues raised at the departmental governance engagement and CGRO Governance Action Plans (e-GAP) to enable the improvement of financial management; and
- To enable the improvement of both governance and the application of the accounting framework through structured training programmes and the further enhancement of the e-GAP tool.

Element: Local Government Accounting: To improve the application of accounting standards and financial reporting within municipalities.

The main duties of this element are the following:

- Ensure accurate and complete recording of transactions as required by the standards of Generally Recognised Accounting Practices (GRAP) and conformance with applicable financial laws, regulations and the municipal Standard Chart of Accounts (mSCOA). This would contribute to preventing material misstatements, irregularities and the deeper analysis of financial statements that could drive key policy decisions.

4.2.8.3 Sub-programme 4.3: Corporate Governance: To strengthen corporate governance within the Province through the implementation of risk management, internal audit and compliance with financial norms and standards.

The main duties of this sub-programme are the following:

- Coordination and driving of the good financial governance agenda and thereby enhance good governance practice across various disciplines to achieve maturity in governance;
- Building the capabilities of municipal officials has been identified as a key enabler to sustainably improve financial governance practices and concomitantly financial performance. Support initiatives such as the Financial Management Capacity Building Grant and the municipalities in building their skills pipeline. Identification of training needs and support to initiatives are coordinated and implemented to build the capabilities of financial officials in the areas of risk management, internal audit and financial management; and
- Established fora such as the Chief Risk Officer and Chief Audit Executive (CAE) are used to drive norms and standards relating to risk management and internal audit practices towards improved systems of internal control.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE PROVINCIAL TREASURY

Information Officer

Name: Mr D Savage
Tel: 021 483 6267
Email: David.Savage@westerncape.gov.za
Fax number: 021 483 3855

Deputy Information Officer

Name: Mr P Pienaar
Tel: 021 483 5618
Email: Paul.Pienaar@westerncape.gov.za

Head Office

Postal Address: Private Bag X9165, Cape Town, 8000
Physical Address: 7 Wale Street, Cape Town, 8000
Telephone: 021 483 3749
Email: Janine.Hendricks@westerncape.gov.za
Website: www.westerncape.gov.za/provincial-treasury/

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE PROVINCIAL TREASURY

Legislation applicable to the Provincial Treasury 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 in terms of the Promotion of Administrative Justice Act, 2000.

Questions, complaints, or comments regarding any service delivery by the Provincial Treasury may be made as follows:

Tel: 021 483 6204 Monday to Friday (excluding public holidays) from 07:30 to 16:00
Fax: 021 483 3855
E-mail: Janine.Hendricks@westerncape.gov.za

Visit the Legislature Building,

7 Wale Street, Cape Town - Monday to Friday (excluding public holidays) from 07:30 to 16:00

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 7.1 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 7.2 The Guide is available in each of the official languages.
- 7.3 The aforesaid Guide contains the description of:
- 7.3.1 The objects of PAIA and POPIA;
- 7.3.2 The postal and street address, phone and fax number and, if available, electronic mail address of:
- 7.3.2.1 The Information Officer of every public body, and
- 7.3.2.2 Every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 7.3.3 The manner and form of a request for:
- 7.3.3.1 Access to a record of a public body contemplated in section 11³; and
- 7.3.3.2 Access to a record of a private body contemplated in section 50⁴;
- 7.3.4 The assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.3.5 The assistance available from the Regulator in terms of PAIA and POPIA;
- 7.3.6 All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
- 7.3.6.1 An internal appeal;
- 7.3.6.2 A complaint to the Regulator; and
- 7.3.6.3 An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

¹ Section 17(1) of PAIA - *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA - *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if:*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 7.3.7 The provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8 The provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.3.9 The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 7.3.10 The regulations made in terms of section 92¹¹.
- 7.4 Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained:
- 7.4.1 Upon request to the Information Officer;
- 7.4.2 From the website of the Regulator (<https://www.inforegulator.org.za>). The contact details of the Regulator are in the table below.

The Office of the Information Regulator	
Telephone	Not available
Fax	Not available
E-Mail Address	General enquiries: enquiries@inforegulator.org.za Complaints: PAIAComplaints@inforegulator.org.za
Postal Address	P O Box 31533 Braamfontein, Johannesburg, 2017
Street Address	J.D.House 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Website	https://www.inforegulator.org.za

- 7.5 Appendix A to this manual includes information and guidance on how to access records of the Provincial Treasury (that are not automatically available) , its internal appeal procedure, the lodging of complaints to the Information Regulator or applying to a court against

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding:
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

decisions by the Information Officer or Deputy Information Officer or Information Regulator, as the case may be.

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE PROVINCIAL TREASURY

The Provincial Treasury holds records on the following subjects and categories:

CATEGORIES AND SUBJECT MATTER	Programme Requires a request	Programme Automatically available (Open Data)
8.1 Statutory and Regulatory Framework <ul style="list-style-type: none"> • National Constitutional Framework • National Legislation • Western Cape Provincial Legislation 	Provincial Treasury	
8.2 Organisation and Control <ul style="list-style-type: none"> • Reorganisation of functions • Delegation of Powers • Establishment of new sections/offices • Planning • Office Instructions and Codes • Organisational Performance Systems • Reports • Policy and Strategy • Strategic Management Information • Corporate Service Centre • Corporate Assurance 	Programme 1	
8.3 Human Resource Management <ul style="list-style-type: none"> • Organisation Development • Provincial Training Institute • Human Resource Management • Human Capital Management 	Programme 1	
8.4 Supply Chain Management <ul style="list-style-type: none"> • Procurement • Provisioning • Asset Management 	Programme 1	
8.5 Internal Facilities Management <ul style="list-style-type: none"> • Buildings and Grounds • Equipment and Furniture • Postal Services • Telecommunication Services • Occupational Health and Safety (OHASA) 	Programme 1	

CATEGORIES AND SUBJECT MATTER	Programme Requires a request	Programme Automatically available (Open Data)
8.6 Internal Travel and Transport Services <ul style="list-style-type: none"> • Transport 	Programme 1	
8.7 Internal Information Services <ul style="list-style-type: none"> • Internal Records Management • Library Management • Information Management • Knowledge Management • Internal Security Measures • Administer of Promotion of Access to Information (PAIA) • Centre for e-Innovation (Ce-I) 	Programme 2	
<ul style="list-style-type: none"> • Administer of Protection of Administrative Justice Act (PAJA) 	Programme 1	
8.8 Communications <ul style="list-style-type: none"> • Government Products and Publications • Language Services • Media Monitoring • Reports • Speeches and Lectures • Strategic Communications 	Programme 1	
8.9 Attending and hosting meetings and other gatherings <ul style="list-style-type: none"> • Auxiliary functions • Line functions 		

9. CATEGORIES OF RECORDS OF THE PROVINCIAL TREASURY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

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 Provincial Treasury portal at <https://www.westerncape.gov.za/provincial-treasury/resource-library> 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) Provincial Budget (Main and Adjusted Estimates)* (b) Explanatory memorandum to the Provincial Budget (Main and Adjusted Estimates)* (c) Western Cape Medium Term Budget Policy Statement (WC MTBPS)* (d) Provincial Economic Review and Outlook (PERO)* (e) Municipal Economic Review and Outlook (MERO)* (f) Reports per Department resulting from the Public Finance Management Act (PFMA), 1999 (Act 1 of 1999) and the Division of Revenue Act (DORA)* (g) Treasury circulars and other relevant policy documents* (h) Supply Chain Management Delegations* (i) Financial Delegations* (j) Tender documents (advertised tenders)* (k) Service Charter* (l) Strategic Plans* (m) Annual Performance Plans* (n) Annual Reports*	Records referred to in (a) to (n) may be obtained from the Department located on the third floor of the Legislature Building, Cape Town upon payment of the prescribed fee - between 07:30 and 16:00 or can be viewed on the Department's web page free of charge.

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE PROVINCIAL TREASURY AND HOW TO GAIN ACCESS TO THOSE SERVICES

The Department does not render services to members of the public. The Department's Service Delivery Charter is attached as per Appendix B and may be accessed via the following link:

https://www.westerncape.gov.za/provincial-treasury/files/atoms/files/07_05%20Treasury%20Service%20Charter_0.pdf

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY PROVINCIAL TREASURY

None.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of the Processing

12.1.1 Personal Information is processed to comply with the Public Body's constitutional and legislative mandates as set out in its Annual Strategic, Business and Performance Plans available at <https://www.westerncape.gov.za/provincial-treasury/resource-library>

12.1.2 Personal Information is used for:

- Human resources and employment purposes such as (1) recruitment, selection and placement; (2) administration of compensation and benefits; (3) performance management and training; and (4) occupational health and safety, (5) employee health and wellness and (6) government reporting.
- Risk management which includes physical and electronic security and access control;
- Planning;
- Procurement of goods and services; and
- Rendering of services.

12.2 Description of the categories of Data Subjects, information processed and recipients thereof

DATA SUBJECTS	INFORMATION	RECIPIENTS
Prospective employees, current employees, consultants, interns and volunteers	<ul style="list-style-type: none"> - Name, identification number, biographical information; - Contact details; - Educational, employment and criminal history; - Biometric and health information; - Psychometric assessments; and - References, background checks. 	Relevant Provincial and National Government Departments and their agents.
Current employees, consultants, interns	<ul style="list-style-type: none"> - Account information; - Performance reports; and - Skills/training reports. 	Relevant Provincial and National Government Departments and their agents
Prospective and current suppliers, service providers, contractors, sub-contractors and business partners	<ul style="list-style-type: none"> - Name, identification number/company registration number; - Relevant registration number; - Contact details; - Financial history; - References, background checks; - Account information; and - Performance reports. 	Relevant Provincial and National Government: <ul style="list-style-type: none"> - Departments; - Public Entities; - Business Enterprises; and their agents.
Service users (clients/ customers) and visitors.	<ul style="list-style-type: none"> ● Name, identification number, biographical information ● Contact details ● Compliments or complaints 	Relevant Provincial and National Government: <ul style="list-style-type: none"> -Departments -Public Entities; Public Enterprises; and their agents.

12.3 Planned transborder flows of personal information

12.3.1 Provincial Treasury does not have planned transborder flows of personal information outside the Republic of South Africa. However, should it become necessary to transfer personal information to another country for any lawful purposes, the Department will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the third party

agrees to treat that personal information with the same level of protection as the Department is obliged under POPIA.

12.3.2 Any transfer of personal information cross border shall be with data subject's consent, however should it not be reasonably practicable to obtain data subject's consent, the Department shall transfer the personal information if:

- It will be for the data subject's benefit; and
- The data subject would have given consent should it have been reasonably practicable to obtain such consent.

12.4 **General Description of Information Security Measures to be implemented by the Provincial Treasury to ensure the confidentiality, integrity and availability of the information**

12.4.1 The integrity and confidentiality of personal information is protected against anticipated threats and unauthorised access by employing security safeguards that are reasonable and appropriate to the identified risks and the sensitivity of the information.

12.4.2 These safeguards include the following:

12.4.2.1 Organisational measures:

- a) The **Information Officer** takes overall responsibility for the security of all Departmental information.
- b) The **Security Manager** is responsible for:
 - Keeping the Information Officer updated about information assets and personal information protection responsibilities, risks and issues.
 - Reviewing all personal information protection procedures and related policies, in line with an agreed schedule.
 - Arranging personal information protection training and advice for the people covered by this policy.
 - Dealing with requests from data subjects who want to see the personal information the department holds about them (also called 'data subject access requests'). The identity of anyone making a data subject request must be verified before disclosing any personal information.
- c) The **Chief Financial Officer (CFO)** is responsible for:
 - Checking and approving any contracts or agreements with third parties that may collect, handle or store personal information on behalf of Provincial Treasury.
- d) The **Centre for e-Innovation (CE-I)** (ICT service provider) is responsible for:
 - Ensuring all Information and Communications Technology (ICT) assets used for processing personal information meet security standards.
 - Performing regular checks and scans to ensure security hardware and software is functioning properly.
 - Evaluating any third-party services Provincial Treasury is considering using to process personal information. For instance, cloud computing services.

e) The **Information Owner** is responsible for:

- Classifying personal information in line with the Western Cape Government Information Security Classification System.
- Maintaining internal procedures to support the effective handling and security of personal information.
- Reviewing and providing input/comment on personal information protection procedures and policies, in line with an agreed schedule, and make recommendations for consideration by the Security Manger, where applicable.
- Ensuring that all employees, consultants and others that report to the Information owner are made aware of and are instructed to comply with this and all other relevant policies.

f) The Director for **Strategic and Operational Management Support (SOMS)** is responsible for:

- Approving any personal information protection statement attached to communications such as e-mails and letters.
- Addressing any personal information protection queries from journalists or media outlets.
- Where necessary, working with other business units to ensure all communication initiatives abide by the privacy protection principles.

12.4.2.2 Physical measures:

- Access to facilities and equipment is controlled and auditable.
- Access points are limited with provision for physical security controls, such as window bars, grilles, shutters and security doors. Where required access points are enhanced by the use of intruder detection systems, guard services and/or closed-circuit television surveillance.
- Access is controlled and monitored through a combination of manned guarding, electronic access control systems, ID access cards, visitor management systems, biometric activation doors, turnstiles and entry & egress searching.

12.4.2.3 Technical measures:

- The Information Security standards issued for the public service is adhered to.
- Agreements concluded with third parties include the protection of the integrity and confidentiality of information by the third parties.
- Risks are assessed during the development of new applications and systems, when changing existing systems, when changing business processes and when areas of concern are identified.
- Risk to the ICT infrastructure, networks and systems is managed through vulnerability and threat testing and awareness, audit controls, incident management and security awareness training.

- Similar safeguards are required from service providers, suppliers and business partners who receive personal information from or on behalf Provincial Treasury during their relationship with Provincial Treasury.

13. ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL

- 13.1 The manual is available in English, Afrikaans and Xhosa for viewing between 07:30 and 16:00 Mondays to Fridays (excluding public holidays) at the office of the Deputy Information Officer Mr P Pienaar at: The Legislature Building, 7 Wale Street, Cape Town.
- 13.2 The manual and Afrikaans and Xhosa translations thereof, may be accessed online through the World Wide Web by visiting the following web address:

<https://www.westerncape.gov.za/provincial-treasury/about-us/promotion-access-information>

14. UPDATING OF THE MANUAL

The Provincial Treasury will review, update and publish this manual annually.

Issued by

INFORMATION OFFICER

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 2**) 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 2 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 2. The requester must also submit proof of the capacity in which the request is made, to the reasonable satisfaction of the Information Officer/Deputy Information Officer.
 - A requester (data subject) seeking to confirm whether his/her personal information is held by the public body or the identities of third parties who had access or requires access to his/her own personal information must provide proof of their identity and is required to supply a certified copy of their identity document for authentication purposes.

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 R100.00 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 2 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 impractical, 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 R100,00 and the completed Form 2, 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 4** attached) and delivering or sending it to the Information Officer/ Deputy Information Officer.

5. **COMPLAINT TO INFORMATION REGULATOR – sections 77A and 77B**

Only after an internal appeal has been lodged and the requester or third party remains unsatisfied with the outcome of the internal appeal a complaint may be lodged to the Information Regulator.

5.1 Requester

- A requester may complain to the Regulator in respect of:
 - an unsuccessful internal appeal;
 - a disallowed late appeal;
 - a refusal of a request for access to information;
 - a decision about fees;
 - a decision to extend the time to deal with a request; or
 - a decision to provide access in a particular form.

5.2 Third party

- A third party may complain to the Information Regulator in respect of:
 - an unsuccessful internal appeal,
 - any grant of a request for access to information.

5.3 Format

A complaint to the Information Regulator must be made in writing in the prescribed form (**Form 5** attached) within **180 days** of the decision giving rise to the complaint.

6. APPLICATION TO COURT – section 78

6.1 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
- a complaint was lodged with the Information Regulator and the complainant remains unsatisfied with the outcome of the complaint.

6.2 The application to court must be made within **180 days** after being informed of the outcome of the internal appeal or the decision by the Information Regulator, as the case may be.

SERVICE CHARTER

PROVINCIAL TREASURY | SERVICE DELIVERY CHARTER

OUR VISION

A responsive and inclusive Treasury that enables positive change in the lives of citizens



OUR MISSION

- Promotion of cohesion and citizen centricity
- Building capacity in the public sector by being adaptive, innovative and supportive
- Integrated management and partnerships that enable the delivery of quality services in a sustainable manner



OUR COMMITMENT  Ensuring effective governance that delivers a better life for our people. Our aim is to build a skilled and caring organisation that drives our commitment to good governance, accountability and the efficient use of our financial resources to achieve optimum service delivery impact.

OUR SERVICES AND STANDARDS	ADMINISTRATION	SUSTAINABLE RESOURCE MANAGEMENT	ASSET MANAGEMENT	FINANCIAL GOVERNANCE
<p>We offer the following core services against the related service standards at this site. The detailed service standards can be found in the PT service schedule.</p> 	<p>Provide strategic, quality financial and administrative support services to the Head of the department and the Minister to achieve the departments vision and strategy.</p> 	<p>Render research, budget, infrastructure and integrated planning, budgeting and implementation services of provincial and municipal fiscal resources.</p> 	<p>Provide assistance to provincial departments and municipalities in building capacity and instilling SCM practices and oversight.</p> 	<p>Promote accountability and financial governance in departments, entities and municipalities to ensure governance transformation.</p> 

OUR REDRESS MECHANISM

If you have a complaint, please tell us. We will investigate the complaint and respond within 3 weeks of receipt and if any errors are found, we will put things right and apologise. If we cannot deal with your telephonic query immediately, we will forward the query to the official responsible and give you an indication of when we expect him or her to reply.

OUR GENERIC ADMINISTRATIVE SERVICE STANDARDS

- Provide fair and objective assessment of requests based on the information submitted.
- We will give you informed, useful, usable and constructive feedback.
- We will answer telephone calls within five rings.
- We will respond to all our e-mails within 48 hours.
- When you write to us we will acknowledge receipt of your letter within 3 working days.
- We will send a reply within 15 working days. If we cannot give a reply within fifteen working days we will explain why and tell you when you can expect a reply.



YOU ARE INVITED TO SEND ANY SUGGESTIONS, COMPLIMENTS, CONSTRUCTIVE CRITICISM OR RECOMMENDATIONS FOR IMPROVEMENT OF OUR SERVICES OR STANDARDS.

CUSTOMER RIGHTS	YOUR RESPONSIBILITY
<p>You have the right to:</p> <ul style="list-style-type: none"> Courteous treatment at all times; Full information upon request; Prompt and efficient services; Redress and an apology for service lapses; Value for money in all services rendered; Information about the service standards you can expect; Equal access to services; and Be consulted about the level and public services. 	<p>We expect you:</p> <ul style="list-style-type: none"> To be civil, courteous and respect the dignity of officials who render services to you; To be honest in your deliberations with us; To submit full and accurate information, accompanied by recently certified copies of any necessary documentation; and; To adhere to any agreements, you make with us to attend programmes and events 

ALL PROVINCIAL TREASURY BUILDINGS AND FACILITIES

- Be clearly identified with visible signage;
- Clearly indicate office contact information and service hours;
- List the types of services rendered at the facility;
- Clearly and visibly display health and safety signs; and
- Be accessible to people with disabilities.

We will endeavour to render our services, where possible, in all three official languages of the Western Cape.



Provincial Treasury,
Legislature building,
7 Wale street, Cape town
Office hours: 07h30 - 16h00
Tel: 021 483 3749 | Fax: 021 483 3855
www.westerncape.gov.za

We value being accessible
That's why our buildings
are accessible to people
with disabilities.



POSITIVE ABOUT PEOPLE WITH DISABILITIES

<p>EXECUTIVE AUTHORITY DECLARATION: I, David Maynier, commit the Department of Provincial Treasury in terms of the PSR, 2016 (Part 3, Section 36 (f) and Section 37) to adhere to this charter.</p>	 <p>Minister David Maynier Minister of Finance and Economic Opportunities</p>	<p>31 March 2021 Date</p>
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FORM 2
REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

- Request is made in my own name Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made <i>(when made on behalf of another person)</i>				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made <i>(if applicable)</i> :				
Identity Number				
Postal Address				
Street Address				
E-mail Address				

Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PARTICULARS OF RECORD REQUESTED

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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD

(Mark the applicable box with an "X")

Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS

(Mark the applicable box with an "X")

Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS*(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
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Postal services to postal address	
-----------------------------------	--

Postal services to street address	
-----------------------------------	--

Courier service to street address	
-----------------------------------	--

Facsimile of information in written or printed format <i>(including transcriptions)</i>	
---	--

E-mail of information <i>(including soundtracks if possible)</i>	
--	--

Cloud share/file transfer	
---------------------------	--

Preferred language	
--------------------	--

(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)

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
<p>a) A request fee must be paid before the request will be considered.</p> <p>b) You will be notified of the amount of the access fee to be paid.</p> <p>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.</p> <p>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</p>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 2021.

Signature of Requester/person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name and Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

Fees in Respect of Public Bodies

<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc . If provided by requestor . If provided to requester	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from the Service Provider
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc . If provided by requestor If provided to the requester	R40,00 R40,00 R60,00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation to not exceed a total cost of	R100,00 R300,00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any

FORM 4
INTERNAL APPEAL FORM

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?	Yes		No	
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED (If lodged by a third party)				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>				

Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
<p> GROUNDS FOR APPEAL</p> <p><i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i></p>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 2021.

SIGNATURE OF APPELLANT/THIRD PARTY

FOR OFFICIAL USE

OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>					
Date received:					
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:				Yes	
				No	
OUTCOME OF APPEAL					
Refusal of request for access. Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Fees (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Extension (Sec 26(1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Access (Sec 29(3)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				
Request for access granted. Confirmed?	Yes		New decision <i>(if not confirmed)</i>		
	No				

Signed at _____ this _____ day of _____ 2021.

RELEVANT AUTHORITY

FORM 5

COMPLAINT FORM

[Regulation 10]

NOTE:

1. This form is designed to assist the Requester or Third Party (hereinafter referred to as "the Complainant") in requesting a review of a Public or Private Body's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("PAIA"). Please fill out this form and send it to the following email address: PAIAComplaints@justice.gov.za or complete online complaint form available at <https://www.justice.gov.za/infoereg/>.
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint form.
3. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Information Regulator, you are required to complete the prescribed **PAIA Form 2** and submit it to the Body.
4. A copy of this Form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein.
5. The Information Regulator will only accept your complaint once you confirm having complied with the prerequisites below.
6. **Please attach copies of the following documents, if you have them:**
 - a. Copy of the form to the Body requesting access to records;
 - b. The Body's response to your complaint or access request;
 - c. Any other correspondence between you and the Body regarding your request;
 - d. Copy of the appeal form, if your complaint relate to a public body;
 - e. The Body's response to your appeal;
 - f. Any other correspondence between you and the Body regarding your appeal;
 - g. Documentation authorizing you to act on behalf of another person (if applicable);
 - h. Court Order or Court documents relevant to your complaint, if any.
7. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON/PARTY LODGING A COMPLAINT

(Mark with an "X")

Complainant Personally

Representative of Complainant

Third Party

PREREQUISITES				
Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR INFORMATION REGULATOR'S USE ONLY				
Received by: (Full names)				
Position				
Signature				
Complaint accepted	Yes		No	
Reference Number				
Date stamp				

Postal address	Facsimile	Other electronic communication (Please specify)

PART A PERSONAL INFORMATION OF COMPLAINANT				
Full Names				
Identity Number				
Postal Address				
Street Address				
E-Mail Address				
Contact numbers	Tel. (B)		Facsimile	
	Cellular			

PART B
REPRESENTATIVE INFORMATION
(Complete only if you will be represented. A Power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)

Full Names of Representative			
Nature of representation			
Identity Number/Registration Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		

PART C
THIRD PARTY INFORMATION
(Please attach letter of authorisation)

Type of Body	Private		Public	
Name of Public/Private Body				
Registration Number (if any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			

PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED

Type of body	Private		Public	
Name of public/private body				
Registration number (if any)				
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				

E-mail Address				
Contact Numbers	Tel. (B):		Facsimile	
	Cellular			
Reference Number given (if any)				
PART E				
COMPLAINT				
<i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)</i>				
Date on which request for access to records submitted.				
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.				
Have you attempted to resolve the matter with the organisation?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				
PART F				
DETAILED TYPE OF ACCESS TO RECORDS				
<i>(Please select one or more of the following to describe your complaint to the Information Regulator)</i>				
Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>			
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>			
Refusal of a request for access (Section 77A(2)(c)(i) or 77A(2)(d)(i) or 77A(3)(b) of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>			
The body requires me to pay a fee and I feel it is excessive (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed fee.</i>			
	<i>The tender or payment of a deposit.</i>			
Repayment of the deposit (Section 22(4) of PAIA) in respect of a request for access which is refused.	<i>The information officer refused to repay a deposit paid in respect of a request for access which is refused.</i>			
Disagree with time extension (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.</i>			

Form of access denied (Section 29(3) or 60 (a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	
Deemed refusal (Section 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision.</i>	
	<i>Extension period has expired and no response was received.</i>	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record).	<i>Records (that are subject to the grounds for refusal of access) have inappropriately/unreasonable been disclosed.</i>	
No adequate reasons for the refusal of access (Section 56(3) (a) of PAIA)	<i>My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.</i>	
Partial access to record (Section 28(2) or 59(2) of PAIA).	<i>Access to only a part of the requested records was granted and I believe that more of the records should have been disclosed.</i>	
Fee waiver (Section 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and my request to waive the fees was refused.</i>	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	<i>The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	
Failure to disclose records	<i>The Body decided to grant me access to the requested records, but I have not received them.</i>	
No jurisdiction (exercise or protection of any rights) (Section 50(1)(a) of PAIA)	<i>The Body indicated that the requested records are excluded from PAIA and I disagree.</i>	
Frivolous or vexatious request (Section 45 of PAIA)	<i>The Body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	
Other (Please explain)		
PART G		
EXPECTED OUTCOME		
How do you think the Information Regulator can assist you? Describe the result or outcome that you seek.		
PART H		
AGREEMENTS		

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act

No. 4 of 2013). I understand that if I do not agree, the Information Regulator will still process my complaint.

The information in this Complaint Form is true to the best of my knowledge and belief.

I authorize the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.

I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.

If any of my contact information changes during the complaint process, it is my responsibility to inform the Information Regulator; otherwise my complaint could experience a delay or even be closed.

Signed at _____ this _____ day of _____ 2021.

COMPLAINANT/REPRESENTATIVE/AUTHORISED PERSON OF THIRD PARTY