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PAIA MANUAL



PREPARED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, ACT 2 OF 2000

read with
THE PROTECTION OF PERSONAL INFORMATION ACT,
ACT 4 OF 2013

in respect of the

INSURANCE SECTOR EDUCATION AND TRAINING SETA
("INSETA")

Approval:

	
Farzana Safa : Executive Manager - Risk Management	Gugu Mkhize : Chief Executive Officer
Date:	Date:

Related documents

This policy should be read in conjunction with:

1. INSETA POPIA POLICY

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1. INTRODUCTION

This Manual is published by the Insurance Sector Education and Training Authority (“INSETA”).

It is published in terms of Section 14 of the Promotion of Access to Information Act, Act 2 of 2000 (“PAIA”).

The Act gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, 2006 (“the Constitution”), which *inter alia* provides for the right of access to information held by the State (Section 32(1)(a)) and to information held by another person that is required for the exercise and / or protection of any right (Section 32(1)(b)).

This Manual must be read with INSETA’s POPI Policy, issued in terms of the Protection of Personal Information Act, Act 4 of 2013 (“POPIA”).

The provision of any information in addition to that specifically required in terms of Section 14 of the Act does not create any contractual right or entitlement to receive such information, other than in terms of the Act.

2. PURPOSE OF PAIA MANUAL

This Manual, read with INSETA’s POPI Policy, is useful for the public to:-

- 2.1. check the nature of the records which may already be available at INSETA, without the need for submitting a formal PAIA request;
- 2.2. have an understanding of how to make a request for access to a record of INSETA;
- 2.3. access all the relevant contact details of the person(s) who will assist them to gain access to the records that they intend to access;
- 2.4. know all the remedies available from INSETA regarding requests for access to records, before approaching the Regulator or the Courts;
- 2.5. know the description of the services available to members of the public from INSETA and how to gain access to those services;
- 2.6. have 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 INSETA will process personal information, the purpose for processing 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 INSETA 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; and
- 2.9. know whether INSETA has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

OVERVIEW OF THE PUBLIC BODY

3. BACKGROUND TO INSETA

INSETA is defined in PAIA as a public body, which encompass any department of state or administration in the national or provincial sphere of government or any other function or institution thereof which exercises a power or performs a duty in terms of the Constitution or exercises a public power or performs a public function in terms of any legislation.

INSETA has been established as an implementation agent for the National Skills Development Strategy, as indicated in the Skills Development Act, Act 97 of 1998 and as more fully set out below.

INSETA supports the constitutional right of access to information and endorses the key principles of good governance, transparency and accountability. We are committed to adhere to the provisions of both PAIA and POPIA, and to provide any requester access to our records in accordance with the provisions of PAIA and POPIA.

4. STRUCTURE AND FUNCTIONS OF INSETA [Section 14(1)(a)]

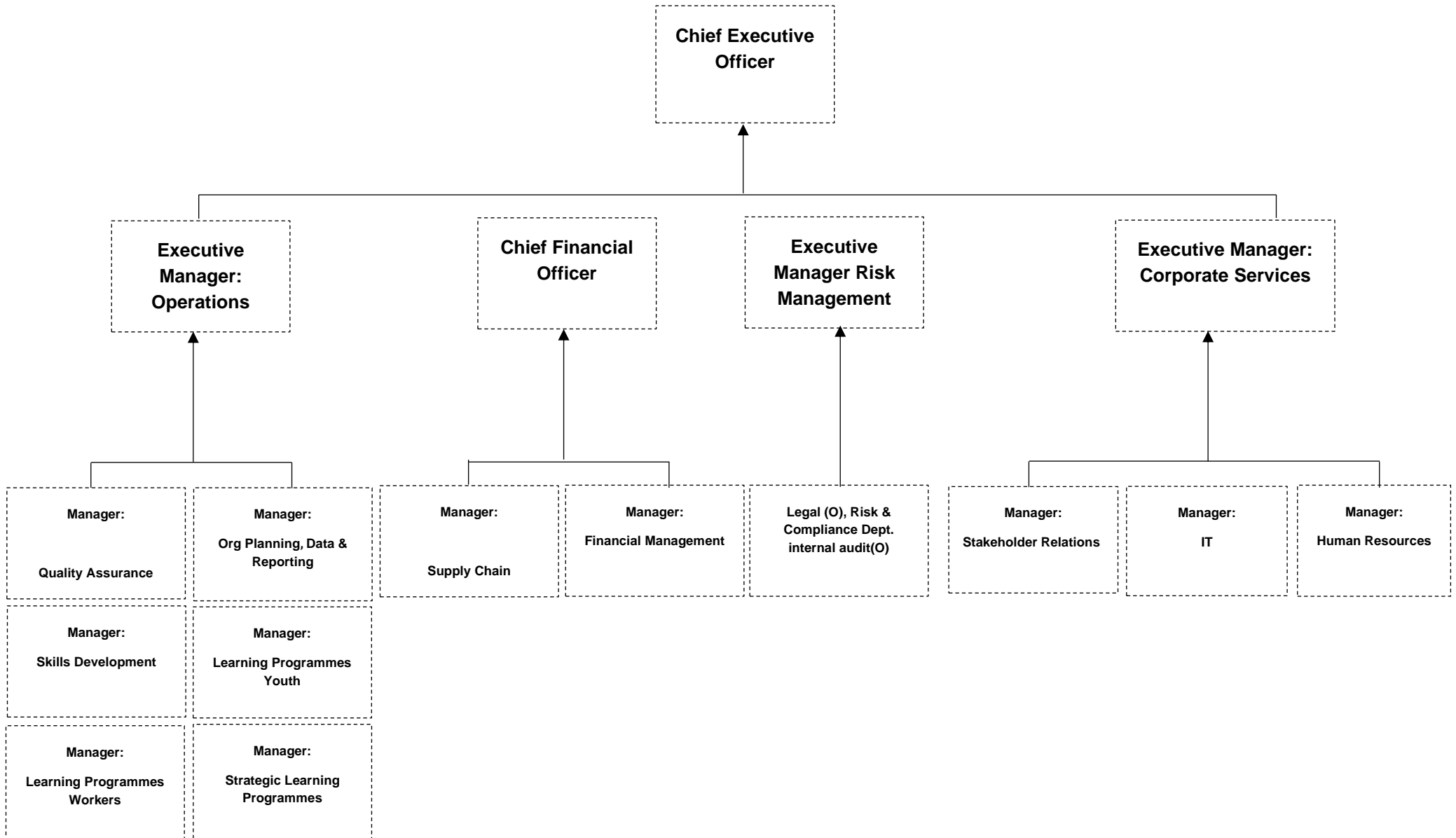
4.1 Functions of INSETA

INSETA is a Sector Education and Training Authority established in terms of section 9 (1) of the Skills Development Act. The functions of INSETA (as defined in the Skills Development Act) are *inter alia* to: -

- 4.1.1 Develop a sector skills plan within the framework of the National Skills Development Strategy;
- 4.1.2 Implement its Sector Skills Plan by establishing learnerships, approving workplace skills plans, allocating grants as well as monitoring education training in the sector;
- 4.1.3 Promote learnerships by identifying workplaces for practical work experience, supporting the development of learning materials, improving the facilitation of learning and assisting in the conclusion of learnership agreements;
- 4.1.4 Register learnership agreements;
- 4.1.5 Obtain accreditation from the South African Qualifications Authority;
- 4.1.6 Collect and disburse the skills development levies in its sector;
- 4.1.7 Liaise with the National Skills Authority on the National Skills Development Policy, the National Skills development Strategy, as well as its Sector Skills Plan;
- 4.1.8 Report to the Director-General of Department of Higher Education and Training (“DHET”) on its income and expenditure as well as the implementation of its sector skills plan;
- 4.1.9 Appoint staff necessary for the performance of its functions; and
- 4.1.10 Perform any other duties imposed by the Skills Development Act and the Skills Development Levies Act, Act 9 of 1999, or consistent with the purposes thereof.

INSETA has all such powers as are necessary to enable it to perform its duties as set out above and any other powers conferred upon it by virtue of the Skills Development Act.

SCHEMATIC DIAGRAM OF INSETA



4.2 Composition of INSETA

The Management Board of INSETA consists of members representing: -

- 4.2.1 Organised labour;
- 4.2.2 Organised employers, including small businesses;
- 4.2.3 Relevant government departments; and
- 4.2.4 Appropriate professional bodies.

5. INSETA's VISION AND MISSION

5.1 Vision

- 5.1.1 Empowered to Influence and Inspire.

5.2 Mission

- 5.2.1 Harness technology and strategic partnership in pursuit of excellence to enable relevant, inclusive, and impactful skills development; and be the bridge between education and the world of work by identifying skills in demand and providing agile and appropriate responses.

5.3 Values

- 5.3.1 Respect – Diversity, Inclusivity, and Trust;
- 5.3.2 Innovative – Agile and Impactful solutions;
- 5.3.3 Collaborative – Unity and Partnership;
- 5.3.4 Accountability – Ethical conduct;
- 5.3.5 Courageous Leadership – Compassionate and Empowering “Empowered People Empower People”;
- 5.3.6 Customer Centricity – Responsive and Professionalism.

6. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC [Section 14(1)(f)]

6.1 Nature of services

INSETA's services include: -

- 6.1.1 Implementing its Sector Skills Plan by establishing learnerships, approving workplace skills plans and allocating grants;
- 6.1.2 Promoting learnerships, facilitating the development of learning materials and improving the facilitation of learning;
- 6.1.3 Registering learnership agreements;
- 6.1.4 Collecting and disbursing the skills development levies in its sector; and
- 6.1.5 Quality assurance in respect of learnerships and training in the sector.

These services are not available to members of the public, but rather to employers and workers falling within INSETA's designated economic sector.

6.2 How to gain access to these services

Provided that a member of the public falls within the definition of an employer or worker in INSETA's designated economic sector (as defined in the Skills Development Act), he / she may gain access to these services by submitting a request to the Information Officer of INSETA at the address provided below.

7. ARRANGEMENT FOR PUBLIC PARTICIPATION IN POLICY FORMULATION [Section 14(1)(g)]

The Skills Development Act and the Constitution of INSETA provide for participation of workers and employers that falls within INSETA's designated economic sector only. Persons falling within this group may attend general meetings of INSETA, may elect the management board of INSETA and stand for election to such board in accordance with INSETA's constitution and the Skills Development Act.

8. CONTACT DETAILS [Section 14(1)(b)]

Name of Public Body	INSETA
Designated Information Officer	Farzana Safla
Email address	informationofficer@inseta.org.za
Postal address	PO Box 32035, Braamfontein, 2017
Street address	18 Fricker Road Illovo, Sandton, 2196
Phone number	+27 11 381 8900
Internet Website	www.inseta.org.za

9. GUIDE ON HOW TO USE PAIA AND HOW TO gain ACCESS Thereto [Section 14(1)(c)]

- 9.1 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.
- 9.2 The Guide is available in each of the official languages.
- 9.3 The aforesaid Guide contains the description of-
- 9.3.1. the objects of PAIA and POPIA;
- 9.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:-
- 9.3.2.1. the Information Officer of every public body, AND EVERY Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 9.3.2.2. the manner and form of a request for-
- 9.3.3. access to a record of a public body contemplated in section 113; and
- 9.3.3.1. access to a record of a private body contemplated in section 50⁴;
- 9.3.3.2. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 9.3.4. the assistance available from the Regulator in terms of PAIA and POPIA;
- 9.3.5. 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-
- 9.3.6. an internal appeal;
- 9.3.6.1. a complaint to the Regulator; and
- 9.3.6.2. 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;
- 9.3.6.3. 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;

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.*

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.*

- 9.3.7. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 9.3.8. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 9.3.9. the regulations made in terms of section 92¹¹.
- 9.4 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-
 - 9.4.1. upon request to the Information Officer;
 - 9.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>);
 - 9.4.3. and at the office of the South African Human Rights Commission at the address set out below.

10. THE PROVISIONS OF THE ACT

10.1 Availability of this Manual [section 14(3)]

A copy of this Manual is available –

- 10.1.1 on our website www.inseta.org.za;
- 10.1.2 by sending a request for a copy to the INSETA Information Officer by email, post or fax;
- 10.1.3 at Inseta's head office for public inspection during normal business hours.

There is no charge for inspecting a copy of this Manual on the website or at our offices. However, we reserve the right to require payment for copies of this Manual in accordance with the same charges that apply to records. These charges are set out in **Schedule 1** annexed to this Manual.

10.2 Updating of this Manual [section 14(2)]

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.”

10.2.1 This Manual will be updated and published, if necessary, at intervals of not more than 1 (one) year, as prescribed in Section 14(2) of the Act.

10.3 How to Access the Guide Described in Section 10 of the Act (and Paragraph 10 above) [section 14(1)(c)]

10.3.1 The guide is available from the South African Human Rights commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: +27 11 484-8300 / +27 11 877 3600

Fax: +27 11 484-0582 / +27 11 403 0684

Website: www.sahrc.org.za

E-MAIL: paia@sahrc.org.za.

10.3.2 Further enquiries regarding the Guide and / or queries relating to POPIA can be addressed to:

The Information Regulator (South Africa)

Physical Address: SALU Building

316 Thabo Sehume Street

Pretoria

Telephone Number: 012 406 4818

Fax Number: 086 500 3351

Website: www.justice.gov.za/inforeg.

11. HOW TO REQUEST ACCESS TO RECORDS HELD BY INSETA [Section 14(1)(d) and Section 18]

11.1 Records that may be requested

The records to be requested by a requester means any recorded information regardless of its form or medium which is in the possession or under the control of INSETA, whether it was created by INSETA or not.

All requests will be evaluated to determine whether the requested records contain Personal Information in terms of POPIA, which can potentially impact whether the request will be granted or not.

INSETA is committed to openness and transparency. However, simply because your request falls within the category of records that may be requested, it does not mean that INSETA is obliged to provide you with the record(s) you have requested. INSETA is obliged to consider its own rights and responsibilities and those of third persons in deciding whether to provide you information you have requested. It may be required to engage with any third party whose rights may be impacted by a request for access to any record.

11.2 Requests generally

A requester shall be given access to a record held by INSETA if the following requirements set out in PAIA are met. These requirements are:

11.2.1 that the requester complies with all the procedural requirements set out in PAIA relating to a request, and

11.2.2 that access to that requested record is not refused in terms of any ground for refusal set out in PAIA. INSETA will not consider the identity of a requestor or why the requestor wants information, in making its decisions to allow the requestor access to information or not. Instead INSETA will make its decision based on whether the requestor has a right to the information.

In particular, the right of a requester to access information in terms of this Act is not affected by any reasons given by that requester for requiring access. In addition, the Information Officer's belief as to what the reasons for the request may be are not considered in deciding the requestor's right to access information in terms of the Act.

11.3 How to Request a Record

Requests for access to records held by INSETA must be made on the prescribed request form in terms of Section 18. This prescribed form is attached to this Manual as **Schedule 2**. The forms may also be obtained from the SAHRC at the contact details indicated above (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za under "regulations").

Requests for access to records must be made to the Information Officer at the address, fax number or electronic mail address provided above.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.

The requester should also indicate which form of access is required, such as a copy or inspection of a written or printed record; a copy or view of an image; a transcription or listening to a sound recording; a print-out or copy of a record stored by way of computer or a copy of any other record.

The requestor must indicate if he or she wishes to be informed of INSETA's decision regarding such request in a particular manner (post, fax electronic mail, etc) and state the necessary particulars to be so informed. If no details are given, INSETA will use its discretion and will usually respond by fax or electronic mail.

The requester must also state whether the record concerned is preferred in a particular language.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

The Information Officer will inform the requester of his decision to grant or refuse the information within thirty (30) days following receipt of the request.

In the event that the request for information involves a third party, the Information Officer may extend the thirty-day period mentioned above, by up to but not exceeding a further thirty (30) days in order to give a third party the chance to make representations.

Should an individual be unable to make a request for access to a record of INSETA because of illiteracy or disability, he or she may make such a request orally. The Information Officer of INSETA must then reduce the oral request to writing in the prescribed form and supply the requester with a copy thereof.

12. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The Information Officer may, and in some circumstances must, refuse a request for Information if that information relates to the following:

- 12.1 protection of the privacy of a third party who is a natural person, even if deceased;
- 12.2 protection of certain records of the South African Revenue Services;
- 12.3 protection of the commercial information of a third party;
- 12.4 protection of the confidential information of third parties, supplied in confidence or protected in terms of an agreement;
- 12.5 protection of the safety of individuals and property;
- 12.6 protection of police dockets in bail proceedings and law enforcement and legal proceedings;
- 12.7 protection of records privileged from production of legal proceedings;
- 12.8 protection of records reasonable expected to cause prejudice to the defence, security and international relations of the Republic of South Africa;
- 12.9 protection of records relating to the economic interest and the financial welfare of the Republic of South Africa and the commercial interests of public bodies and INSETA;
- 12.10 protection of research information of a third party, including a public body and INSETA;
- 12.11 Protection of the operations of public bodies and INSETA; and
- 12.12 Manifestly frivolous or vexatious requests or those that would result in a substantial and unreasonable diversion of resources;
- 12.13 Any other grounds provided for in PAIA, POPI or any other applicable legislation.

If a requested record cannot be found or if it does not exist, the Information officer must, by way of affidavit or affirmation, notify the requester that it is not possible to give access to that record, setting out a full account of all steps taken to find the record. Such a notice shall be regarded as a decision to refuse a request for access to a record. If the record is later found, the requested must be given access to that record, unless access is then refused on a permitted ground for refusal.

13. REMEDIES AVAILABLE FOR REFUSAL / NON-COMPLIANCE [section 25(3)]

A requester may lodge an internal appeal against a decision of the Information Officer on the prescribed form (refer Annexure C), with the Accounting Authority or any committee designated by the Accounting Authority to deal with such appeals an internal appeal:

- 13.1 must be lodged in the prescribed form-
 - (i) within 60 days;
 - (ii) if notice to a third party is required by section 49 (1) (b), within 30 days after notice is given to the appellant of the decision appealed against or, if notice to the appellant is not required, after the decision was taken;
- 13.2 must be delivered or sent to the Information Officer at the address, fax number or e-mail address stated herein;
- 13.3 must identify the subject of the internal appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant;
- 13.4 if, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
- 13.5 must specify a postal address or fax number.

An internal appeal that is lodged after the expiry of the prescribed period referred to in subsection (1) (a), must, upon good cause shown, be allowed. If the relevant authority however disallows the late lodging of the internal appeal, it must give notice of that decision to the appellant.

A requester lodging an internal appeal against the refusal of its request for access must pay the prescribed appeal fee (if any) and if a prescribed appeal fee is payable in respect of the such internal appeal, the decision on the internal appeal may be deferred until the fee is paid.

As soon as reasonably possible, but in any event within 10 working days after receipt of an internal appeal as set out above, the Information Officer must submit to the relevant authority-

- 13.6 the internal appeal together with its reasons for the decision concerned; and
- 13.7 if the internal appeal is against the refusal or granting of a request for access, the name, postal address, phone and fax number and electronic mail address, whichever is available, of any third party that must be notified in terms of section 47 (1) of the request.

In the case where the internal appeal structure upholds the decision of the Information Officer to refuse access to a record, the requester will be entitled to lodge an appeal against the decision taken by the Information Officer, with the Accounting Authority, who is the appeal authority. In the event that the Accounting Authority upholds the decision, the requester may approach a competent court to compel the INSETA to grant access. The Information Officer shall submit a quarterly report of all processed and refused requests to the Accounting Authority or any committee designated by the Accounting Authority.

14. DOCUMENTS THAT ARE AUTOMATICALLY AVAILABLE FOR COPYING AND INSPECTION WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF PAIA:

- 14.1 INSETA's Constitution;
- 14.2 Published Policies And Guidelines;
- 14.3 Job Application Forms and Vacancy Circulars;
- 14.4 Contact Directory;
- 14.5 E-Publications;
- 14.6 Published Booklets and Brochures;
- 14.7 Published Marketing Material, Including Departmental Marketing Brochures;
- 14.8 Published Newsletters, Posters and Pamphlets;
- 14.9 Published Reports
- 14.10 Strategic Plans;
- 14.11 Annual Performance Plans Reports;
- 14.12 Budget Speeches;
- 14.13 Collective Bargaining Agreements.

15. OTHER INFORMATION AS MAY BE PRESCRIBED IN THE ACT [section 14(1)(i)]

There is currently no other information available from the Minister of Justice and Constitutional Development in terms of section 92 to be inserted here.

16. SECTION 15(2) NOTICE [section 14(1)(e)]

INSETA has not yet published a notice in terms of Section 15(2) of the Act. As and when this notice is published, this Manual will be updated to incorporate the notice.

17. PRESCRIBED FEES FOR REQUESTING AND ACCESSING RECORDS [section 22]

The Act sets out two types of fees, namely a **request fee** and an **access fee**, which can be required to be paid prior to INSETA evaluating the request for information and then accessing and retrieving a record(s).

These fees are set out in Schedule 1.

17.1 Request Fees

17.1.1 A personal requester, being a natural person (human being) who requests access to a record containing personal information about him or herself is not required to pay the request fee. Any other requester, who is not a personal requester, will be required to pay such fee.

17.1.2 The requestor (other than a personal requester) can include this request fee with his or her request. If the requestor is not sure of the request fee or chooses not to send it, he or she may still submit the request and the Information Officer must advise the requestor of the prescribed fee. This will be done through the contact address given and may delay the request process. No invoice will be issued.

17.1.3 The request fee (other than for a personal requester) must be paid before INSETA will process the request. INSETA may also ask for a deposit in certain circumstances, which will be refunded if the request is refused.

17.1.4 If you disagree with the Information Officer's decision that you must pay a request fee and / or disagree with the amount of the request fee you are entitled to apply to court to remove the obligation to pay the request fee or vary the amount of the request fee

17.1.5 The Information Officer must notify the requester of his / her decision in the manner and at the address specified by the requester.

17.2 Access Fees

17.2.1 In the event that the Information Officer grants the request, a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to prepare and search for the requested record.

17.2.2 As with the request fee, the requestor may pay the access fee before a decision is made and if your request is refused, the fee will be refunded. If the requestor is not sure of the access fee or chooses not to send it, the Information Officer must advise you of the prescribed access fee. This will be done through the contact address you give and may delay the request process. No invoice will be issued.

17.2.3 The access fee (including for a personal requester) must be paid before INSETA will search for and extract the record requested.

17.2.4 If you disagree with the Information Officer's decision that you must pay an access fee and / or you disagree with the amount of the access fee you are entitled to apply to court to remove the obligation to pay the access fee or vary the amount of the access fee

17.2.5 The Information Officer must notify the requester of his / her decision in the manner and at the address specified by the requester.

17.3 Payment Method

17.3.1 After the application is received, the requester will be provided the INSETA bank details.

18. RECORDS HELD BY INSETA [S14(1)(d)]

INSETA maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

Certain of the records stipulated below are available on the INSETA website and if you have Internet access you are encouraged to consider the Internet website before submitting a request.

18.1 Internal records

The following are records pertaining to INSETA's own affairs and is of limited use to persons outside of INSETA (examples include internal telephone lists, contact lists, address lists, requisitions, directives, contracts and the like) and include:

- 18.1.1 INSETA's Constitution;
- 18.1.2 Financial records;
- 18.1.3 Operational records;
- 18.1.4 Marketing records;
- 18.1.5 Internal correspondence;
- 18.1.6 Statutory records;
- 18.1.7 Internal policies and procedures;
- 18.1.8 Records held by officials of the public body.

18.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of INSETA and receives or is entitled to receive any remuneration and any other person who assist in carrying out or conducting any work or services of INSETA. This includes, without limitation, members of the Management Board and Executive Committee, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- 18.2.1 Any personal records provided to INSETA by its personnel;
- 18.2.2 Any records a third party has provided to INSETA about any of their personnel;
- 18.2.3 Conditions of employment and other personnel-related contractual and quasi-legal records;
- 18.2.4 Internal evaluation records; and
- 18.2.5 Other internal records and correspondence.

18.3 Work-related records

Work-related information includes the following:

- 18.3.1 Any records a third party has provided to INSETA; and
- 18.3.2 Records generated by or within INSETA pertaining to work or services, including transactional records.

18.4 Other Parties

Records are kept in respect of other parties, including without limitation, employers, workers, contractors, suppliers, departments, divisions and service providers. Alternatively, such other parties may possess records which can be said to belong to INSETA. The following records fall under this category:

- 18.4.1 Personnel, work or service-related records which are held by another party as opposed to being held by INSETA; and
- 18.4.2 Records held by INSETA pertaining to other parties, including financial records, correspondence, contractual records, workplace records, Employment Equity plans, other records provided by the other party, and records third parties have provided about their contractors/suppliers.

18.5 Other Records

Further records are held including: -

- 18.5.1 Research information belonging to INSETA or carried out on behalf of a third party.

SCHEDULE 1
FEES IN RESPECT OF PUBLIC BODIES

Item	Description	Amount
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:	
5	Flash drive (to be provided by requestor) Compact disc	R40.00
6	f provided by requestor	R40.00
7	f provided to the requestor	R60.00
8	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
9	Copy of visual images	Service to be outsourced. Will depend on quotation from Service provider.
10	Transcription of an audio record, per A4-size page	R24.00
11	Copy of an audio record on:	

Item	Description	Amount
12	Flash drive (to be provided by requestor) Compact disc	R40.00
13	f provided by requestor	R40.00
14	f provided to the requestor	R60.00
15	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.	R100.00
16	To not exceed a total cost of	R300.00
17	Deposit: If the search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
18	Postage, e-mail or any other electronic transfer	Actual expense, if any.

Exemptions and Determinations for Purposes of Section 22(8)

published under

GN R991 in GG 28107 of 14 October 2005

The following persons are exempted from paying the access fee contemplated in section 22(6) of the PAIA:

- (i) A single person whose annual income, after permissible deductions referred to in the Schedule to the aforesaid notice are made, does not exceed R14 712.00 per annum; and
- (ii) married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R27 192.00 per annum.

Where the cost of collecting any fee contemplated in section 22 of PAIA, exceeds the amount charged, the such fee does not apply.

The access fee contemplated in section 22(6) of PAIA does not apply to the personal record of a requester.

The request fee contemplated in section 22(1) of PAIA and the access fee contemplated in section 22(6) of PAIA does not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act 99 of 1998) or the regulations made under section 44 of that Act.

SCHEDULE 2

**PRESCRIBED FORMS FOR ACCESS TO INFORMATION
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))

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

Name of Public Body	INSETA
Designated Information Officer	Farzana Safla
Designated Deputy Information Officer (if any)	Bonginkosi Mthombeni
Email address of Information Officer/ Deputy Information Officer	informationofficer@inseta.org.za
Postal address	PO Box 32035, Braamfontein, 2017
Street address	18 Fricker Road, Illovo, Sandton, 2196
Phone number	+27 11 381 8900
Website Address	www.inseta.org.za

B. Particulars of person requesting access to the record

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

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:
<p>NOTES:</p> <p>(a) <i>Your indication as to the required form of access depends on the form in which the record is available.</i></p> <p>(b) <i>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.</i></p> <p>(c) <i>The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></p>	

Mark the appropriate box with an "X".

1. If the record is in written or printed form -			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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"/>	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 -			

	printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (magnetic or optical 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
<i>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.</i>				
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”

SCHEDULE 3

LODGING OF AN INTERNAL APPEAL

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 <i>(If lodged by a third party)</i>			
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:		
GROUNDS FOR APPEAL <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>		
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 _____ 20 _____

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 (if not confirmed)	
	No			
Fees (Sec 22). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Extension (Sec 26(1)). Confirmed?	Yes		New decision (if not confirmed)	
	No			

Access (Sec 29(3)). Confirmed?	Yes		New decision (if not confirmed)	
	No			
Request for access granted. Confirmed?	Yes		New decision (if not confirmed)	
	No			

Signed at _____ this _____ day of _____ 20 _____

Relevant authority