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# Manual

## SITA Promotion of Access to Information Manual

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s t a t e · i n f o r m a t i o n · t e c h n o l o g y · a g e n c y

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Telephone: 012 482 2139

## Approval

The signatories hereof, being duly authorised thereto, by their signatures hereto authorise the execution of the work detailed herein, or confirm their acceptance of the contents hereof and authorise the implementation/adoption thereof, as the case may be, for and on behalf of the parties represented by them.

  
\_\_\_\_\_  
CEO: Dr Setumo Mohapi

17/11/2017  
Date

## Foreword

State Information Technology Agency (SITA) is a state owned entity established in terms of the SITA Act, 88 of 1998, and is listed as a Schedule 3A public entity in terms of the Public Finance Management Act, 1 of 1999. Government is the sole shareholder of SITA, and the Minister of Telecommunications and Postal Services exercises the custodian rights attached to the shareholder. SITA's mandate is to improve service delivery to the public through the provision of information technology, information systems and related services in a maintained information system security environment to the departments and public bodies; and promote the efficiency of departments and public bodies through the use of information technology.

This manual is drafted in compliance with s14 of the Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as "the Act"), to which SITA as a state-owned entity is bound.

## Acknowledgements

- a) Beryl Bryce
- b) Shirley Kgope
- c) Vincent Mphaphuli
- d) Cathy Magodi
- e) Tsholofelo Nkgabutle

## References

- a) Constitution of the Republic of South Africa, 1996
- b) South African Human Rights Commission Act, 40 of 2013
- c) Promotion of Access to Information Act, 2 of 2000
- d) Promotion of Access to Information Act, 2000 Regulations Regarding the Promotion of Access to Information (No. R187 of 15 February 2002)
- e) Public Protector Act, 23 of 1994

## Amendment history

Revision	Date	Change request	Change comment
1.0	2017-03-08	New document	First release

## Drafting tools

Document body text: Microsoft Word

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## 1. Introduction

- a) Section 32 of the Constitution of the Republic of South Africa, 1996 (hereinafter referred to as "the Constitution") stipulates that everyone has the right of access to any information held by the State or another person provided the information is required for the exercise or protection of any rights. The Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as "the Act") was enacted to give effect to the Constitutional right to access to information as contained in Section 32 of the Constitution.
- b) SITA is required, in terms of the Act, to compile a manual to serve both as an index of records held by it as well as a guide for requesters.
- c) Section 9 of the Act outlines the objectives of the Act as follows:
  - i) To give effect to access any information held by the State or another person and that is required for the exercise or protection of any rights;
  - ii) To give effect to that right subject to justifiable limitations and in a manner which balances that right with any other right;
  - iii) To give effect to the Constitutional obligations of the State of promoting a human rights culture and social justice;
  - iv) To establish voluntary and mandatory mechanisms or procedures to give effect to that right in a manner which enables persons to obtain access to records of public bodies as swiftly, inexpensively and effortlessly as reasonably possible; and
  - v) Generally to promote transparency, accountability and effective governance of all public bodies including empowering and educating everyone to understand their rights in terms of the Act.
- d) In terms of s14 of the Act, the State Information Technology Agency (hereinafter referred to as "SITA") is required to compile and publish a manual to assist individuals and organisations to obtain access to information held by SITA. Section 14 further prescribes minimum requirements with which the manual has to comply whilst the Promotion of Access to Information Act, 2000 Regulations Regarding the Promotion of Access to Information, No. R187 of 15 February 2002 (hereinafter referred to as "the Regulations") stipulates where the manual must be made available as well as the fees applicable in respect of information requests.

## 2. Purpose of the Manual

The purpose of this manual is to inform a person how to obtain access to the records held by SITA and to foster a culture of transparency and accountability within SITA by giving effect to the right to information that is required for the exercise and protection of an individual or organisations rights.

## 3. Functions of SITA

- a) SITA was established in terms of the State Information Technology Agency Act, 88 of 1998, with the object to establish a company responsible for the provision of information technology services to the public administration and to provide for matters connected therewith.
- b) The objects of SITA as stipulated in s6 of the SITA Act are to:
  - i) Improve service delivery to the public through the provision of information technology, information systems and related services in a maintained information systems security environment to departments and public bodies; and
  - ii) Promote the efficiency of departments and public bodies through the use of information technology.

## 4. Services offered by SITA

According to SITA Act, SITA provides both mandatory and non-mandatory services to the State. These services can be accessed via Client Relationship Managers allocated to different Departments. The following is a list of the services offered by SITA:

## 4.1 Mandatory Services

- b) Transversal Information Systems;
- c) Data Processing for Transversal Information Systems;
- d) Information System Security;
- e) Disaster Recovery Strategy and Business Continuity Plan;
- f) Procurement of Information technology goods or services;
- g) Standards (Interoperability and Security);
- h) Certify against Standards;
- i) Information System Convergence Strategy;
- j) Information System Inventory; and
- k) Research Planning.

## 4.2 Non-Mandatory Services

- a) Training in Information Technology or Information Services;
- b) Application Software Development;
- c) Maintenance Services for Information Technology Software or Infrastructure;
- d) Data-processing or associated services for departmentally specific information technology applications or systems;
- e) Advisory Services;
- f) ICT Management Services;
- g) Sell or Provide Authentication products or services; and
- h) Carry out ICT Research.

## 5. The Vision, Mission, Values and Strategic Imperatives of SITA

### 5.1 Vision

To be the lead Information and Communications Technology (ICT) Agency in public service delivery.

### 5.2 Mission

To render an efficient and value-added ICT service to the public sector in a secure, cost-effective and integrated manner, contributing to service delivery and citizen convenience.

### 5.3 Values

In the quest to achieve its mission and vision, SITA has adopted and seeks to promote the following values:

- a) **Service Excellence.** We shall strive to attain internationally recognised standards of service quality, and maintain continuous improvement in service delivery.
- b) **Transparency.** We shall always ensure transparency in everything we do in order to build trust and confidence with all our stakeholders.
- c) **Integrity.** We shall conduct our business with integrity at all times to include a culture of honesty respect and accountability among all our employees.
- d) **Fairness.** We shall treat all our partners, our suppliers and our employees with fairness at all times.
- e) **Prudence.** We shall exercise prudence and economy in running the business of SITA and in pursuance of its goals and the objectives of government.
- f) **Innovation.** We shall pursue innovation by demonstrating thought leadership and proactive behaviour on the use of Information and Communication Technology to enhance public service delivery.

### 5.4 Strategic Imperatives

- a) Deliver e-Government Services;
- b) Ensure security of government data assets;
- c) Interoperability of government systems;
- d) Reduction of duplication of government systems;



- e) Enable integrated planning by government;
- f) Re-engineering of the business process of government; and
- g) Implement an ICT skills development plan.

## 6. Organisational Structure

SITA comprises of a Board of Directors, the Chief Executive Officer, two Deputy CEO's, the CFO and the Staff. All members of the Board of Directors are appointed by the Minister of Telecommunications and Postal Services, in consultation with Cabinet, in accordance with Section 8 of the SITA Act. The Chief Executive Officer is also designated as a Managing Director ("MD").

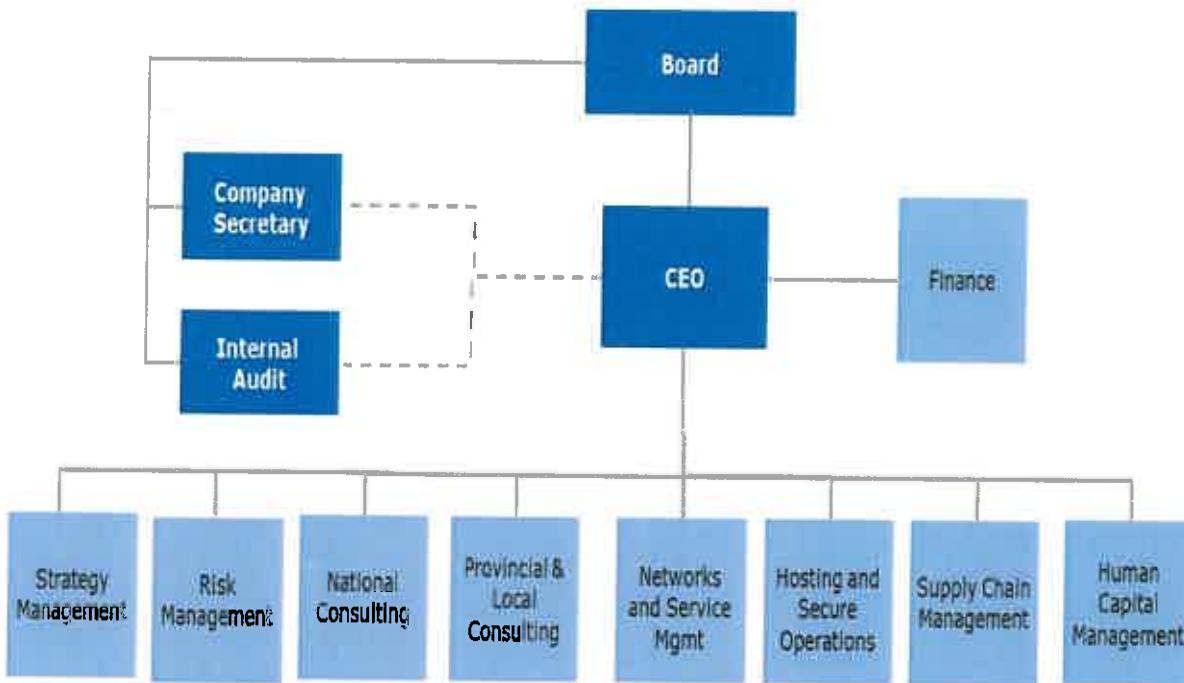


Figure 1: SITA Macro Structure

## 7. Contact Details

### 7.1 General Information

Name of Public Body: State Information Technology Agency SOC Ltd

### 7.2 Information Officer

The Chief Executive Officer: Dr Setumo Mohapi  
**Telephone numbers** : (27)12-482 3321  
**e-mail** : [Setumo.Mohapi@sita.co.za](mailto:Setumo.Mohapi@sita.co.za)

**Postal Address** : P O Box 26100  
 Monument Park  
 0105

**Physical Address** : 459 Tsitsa Street  
 Erasmuskloof  
 Pretoria

The Information Officers role is to provide access to SITA information as requested by the public and to ensure a transparent, accountable, professional and efficient client service according to the requirements of the Act.

### 7.3 Deputy Information Officer

Telephone numbers : (27)12-4822015/2573  
e-mail : [Shirley.Kgope@sita.co.za](mailto:Shirley.Kgope@sita.co.za)

Postal Address : P O Box 26100  
Monument Park  
0105

Physical Address : 459 Tsitsa Street  
Erasmuskloof  
Pretoria

The Deputy Information Officer's role is to co-ordinate all matters relating to the Act and to process requests in terms of the Act.

### 8. Human Rights Commission Guide on how to use the Act

The South African Human Rights Commission has compiled an easy-to-understand guide to assist any person who wishes to exercise any right contemplated in the Act. The guide is available in all the official languages from the South African Human Rights Commission. Any enquiries regarding this guide should be directed to:

#### The South African Human Rights Commission

##### Contact Details

Telephone number : (27) 11-877 3600  
Fax number : (27) 11-403 0625  
Website : [www.sahrc.org.za](http://www.sahrc.org.za)  
Email Address : [info@sahrc.org.za](mailto:info@sahrc.org.za)

Postal Address : PAIA Unit  
The Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

### 9. Categories of and access to records of SITA

#### 9.1 Automatic access and disclosures – s15(1)(a)

All records or information available on our website <http://www.sita.co.za> is automatically available and voluntarily disclosed. This information is available for viewing or downloading or access without a person making a formal request in terms of the Act.

#### 9.2 Records automatically available to Employees ONLY

All records and information on the SITA Intranet is automatically available to all employees. In addition, personal records such as payslips, leave information, IRP5s, performance scores are automatically available to the employee requesting same via the SITA ERP. Where these records are not available via the SITA ERP, they are automatically available via the Human Capital Management department.

#### 9.3 Documents not automatically available – Section 33

According to the Act, these documents should be made available on request from members of the public following certain procedures required by the Act and at certain times disclosure may be refused:



### **9.3.1 Legislation and Legal matters**

- b) Service Level and Business Agreements with other government organs

### **9.3.2 Corporate Governance matters**

- a) Minutes of Board and management meetings;
- b) Strategic and corporate planning documentation;
- c) Delegation of authority; and
- d) Declaration of interests.

### **9.3.3 Human Resources**

- a) Human resources policies manual;
- b) Personnel information including personal information, employment history and health records that the company may hold from time to time;
- c) Training and Development information;
- d) General files containing information on employee benefits and employee recruitment and selection information.

### **9.3.4 Finance**

- a) Financial records;
- b) A list of SITA's creditors and debtors;
- c) Salary information;
- d) Bank account information; and
- e) Fixed assets register.

### **9.3.5 Risk management**

- a) Information on the management of SITA's operational risks;
- b) Insurances; and
- c) Security (physical) information.

### **9.3.6 Project Management**

- a) Building plans; and
- b) Information generally related to projects conducted by the company from time to time.

### **9.3.7 Information Technology**

- a) Usage statistics;
- b) Equipment details; and
- c) Costing of hardware and software.

### **9.3.8 Catering**

- a) Records of function and related costing;
- b) Stock sheets; and
- c) List of suppliers.

### **9.3.9 Company Documents**

Company Secretarial Records.

### **9.3.10 Marketing Department**

- a) SITA's brochures and publications; and
- b) Documents relating to Public Relations events;
- c) SITA's media releases.

### **9.3.11 Support Services**

- a) Delivery and collection sheets; and
- b) List of suppliers.

### 9.3.12 Fees for records of public body as stipulated by the current Regulations to the Act

- a) The schedule of prescribed fees in terms of the Regulations is attached hereto as Annex "B".
- b) Requesters are required to pay a fee of R35.00 for requesting access to records. People who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14,712 per annum (if single) and R27,192 per annum (if married or have a life partner), are also exempt from paying the request fee.
- c) Value-Added Tax ("VAT") is only payable by institutions who have registered as VAT vendors as required under s23 of the VAT Act, 89 of 1991.

**All payments must be made to:**

State Information Technology Agency SOC Ltd

Bank : Standard Bank

Branch Name : Centurion

Account Number : 410 298 158

Branch Code : 012 645

Branch Code

(Electronic Payments) : 051001

Swift address : SBZA ZA JJ

Account Type : Business Current Account

Reference : Name of requestor and date of request

### 10. Procedure for requesting information not automatically available

- a) A request must be made on the prescribed form. A copy of the form is attached hereto as Form "A" ("the prescribed form").
- b) The prescribed form should be submitted to the SITA Information Officer.
- c) The SITA Information Officer, shall, as soon as reasonably possible and within thirty (30) days after the request has been received, decide whether to grant the request. The requester will be notified of the decision of the SITA Information Officer accordingly.
- d) SITA will advise the requester in the manner stipulated in the prescribed form of –
  - i) The access fee to be paid for information;
  - ii) The format in which access will be given; and
  - iii) The fact that the requester may lodge an appeal with the High Court against the access fee charged or the format in which access is to be granted.
- e) After access is granted, actual access to the record requested will be given as soon as possible.
- f) If the request for access is refused, the SITA Information Officer shall give the requester written notice of such refusal. The notice of refusal shall state:
  - i) Adequate reasons for the refusal;
  - ii) That the requester may lodge an internal appeal with the SITA Information Officer; and
  - iii) That the requester may lodge an appeal with the High Court against the refusal of the request (including the period) for lodging such an appeal
- g) Upon the refusal by the SITA Information Officer, the deposit paid (if any) by the requester will be refunded;
- h) If the SITA Information Officer fails to respond within thirty (30) days ("original period") after a request has been received, it is deemed, in terms of section 27 of the Act, that the request has been refused;
- i) The SITA Information Officer may decide to extend the period of thirty (30) days ("original period") for another period of not more than thirty (30) days, If:
  - i) The request is for a large number of records;
  - ii) The search for the records is to be conducted at premises not situated in the same town or city as the head office of SITA;
  - iii) The requester consents to such an extension in writing; and
  - iv) The parties agree in any other acceptable manner to such an extension.
- j) Should SITA require an extension of time, the requester shall be informed in the manner stipulated in the prescribed form of the reasons for the extension.

- k) The requester may lodge an appeal with the High Court against any extension or any procedure set out in this section.

## **11. Grounds for refusal of access to records**

The grounds on which SITA can refuse access to records are as follows:

- a) Mandatory protection of privacy of third party who is natural person;
- b) Mandatory protection of certain records of South African Revenue Services;
- c) Mandatory protection of commercial information of third party;
- d) Mandatory protection of certain confidential information, and protection of certain other confidential, of third party;
- e) Mandatory protection of safety of individuals, and protection of property;
- f) Mandatory protection of police dockets in bail proceedings, and protection of law enforcement and legal proceedings; and
- g) Mandatory protection of records privileged from production in legal proceedings.

## **12. Remedies available to a requester upon refusal of access**

### **12.1 Internal Remedies**

SITA has no internal appeal process available.

### **12.2 External Remedies**

- a) A requester dissatisfied with an Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a competent court for relief;
- b) A person may lodge a complaint with the Public Protector concerning the suspected unlawful or improper official act or omission (the Constitution, 1996 and the Public Protector Act, 23 of 1994);
- c) A person may lodge a complaint with the South African Human Rights Commission concerning an official act or omission that is suspected to constitute a violation of or threat to any fundamental right

## **13. Updating and availability of the information manual**

- a) This information manual will be updated annually or at such intervals as may be necessary.
- b) According to the Regulations, the manual of a Public Body must be made available in the following manner:
  - i) A copy is made available to the South African Human Rights Commission;
  - ii) The manual is to be published and made available on the SITA website: <http://www.sita.co.za>; and
  - iii) At all SITA Offices.

# Annex A : Abbreviations and definitions

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## A.1 Abbreviations

**SITA** State Information Technology Agency

## A.2 Definitions

<b>Term</b>	<b>Definition</b>
<b>Act</b>	means the Promotion of Access to Information Act, 2 of 2000
<b>Access Fee</b>	means a fee prescribed for the purposes of section 22(6)
<b>Deputy Information Officer</b>	means the Company Secretary of SITA
<b>Information Officer</b>	means the Chief Executive Officer or Managing Director of SITA
<b>Minister</b>	means the Minister of Telecommunications and Postal Services
<b>Personal requester</b>	means a requester who is seeking to access records containing personal information about the requester
<b>Record</b>	means any recorded information a) regardless of form or medium; b) in the possession or under the control of SITA; and c) whether or not it was created by SITA
<b>Regulation/s</b>	means Regulations Regarding the Promotion of Access to Information (No. R187 of 15 February 2002)
<b>Requester</b>	Means – a) any person (other than a Public body as defined in this Manual)making a request for access to a record of that public body; or b) a person acting on behalf of the person referred to in sub-paragraph (a)

## Annex B : Prescribed Fees in Respect of Public Bodies

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The fee for a copy of the manual as contemplated in Regulation 5(c) is R0.60 for every photocopy of an A4-size page or part thereof.

- a) The fees for reproduction referred to in Regulation 7(1) are as follows:
  - i) for every photocopy of an A4-size page or part thereof **0.60**
  - ii) for every printed copy of an A4-size page or part thereof held on computer **0.40** or in electronic or machine-readable form for a copy in a computer –readable form on CD/DVD **40.00**
  - iii) for a transcription of visual images, for an A4-size page or part thereof **22.00**
  - iv) for a copy of visual images **60.00**
  - v) for a transcription of an audio record, for an A4-size page or part thereof **12.00** for a copy of an audio record **17.00**
- b) The request fee payable by every requester, other than a personal requester, referred to in Regulation 7(2) is:
- c) The access fee payable by requester referred to in Regulation 7(3) is as follows:
  - i) for every photocopy of an A4-size page or part thereof **0.60**
  - ii) for every printed copy of an A4-size page or part thereof held on
  - iii) computer or in electronic or machine-readable form **0.40**
  - iv) for a copy in a computer-readable form on CD/DVD **40.00**
  - v) for a transcription of visual images, for an A-size page or part thereof **22.00**
  - vi) for a copy of visual images **60.00**
  - vii) for a transcript of an audio record
  - viii) for an A4-size page or part thereof **12.00**
  - ix) for a copy of an audio record **17.00**
  - x) To search for and prepare the record for disclosure for each
  - xi) hour or part of an hour, excluding the first hour, reasonably
  - xii) required for such research and preparation **15.00**
- d) For purposes of Section 22(2) of the Act, the following applies:
  - i) Six hours as the hours to be exceeded before a deposit is payable.
  - ii) One third of the access fee is payable as a deposit by the requester.
  - iii) The actual postage is payable when a copy of a record must be posted to a requester.
  - iv) The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his/her request for access as contemplated in Section 75(3)(a) of the act **50.00**



# Annex C : (FORM A) REQUEST FOR ACCESS TO A RECORD OF SITA

## A. PARTICULARS OF PERSON REQUESTING

- a. *The particulars of the person who requests access to the record must be given below.*
- b. *The address and/ or fax number in South Africa to which the information is to be sent, must be given.*
- c. *Proof of the capacity in which is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person.  
\_\_\_\_\_

## B. PARTICULARS OF PERSON ON WHOSE BEHALF A 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: \_\_\_\_\_

## C. 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.*
- c. *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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- a. A request for access to a record, other than record containing personal information about yourself, will be processed only after a request fee has been paid.
- b. You will be notified of the required amount to be paid as the request fee.
- c. The fees 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 for exemption.

Reason for exemption for payment fee: \_\_\_\_\_

**E. 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 below, state your disability and indicate in which form the record is required.**

Mark the appropriate box with an X

Disability		Form in which record is	
------------	--	-------------------------	--

**NOTES:**

- a) Compliance with your request for access in the specific form may depend on the form in which the record is available
- b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
Copy of record		Inspection of record	
2. If a record consists of visual images (including photographs, slides, video recordings, computer-generated images, sketches, etc.)			
View the images		Copy of the images	
3. If record is held on computer or in an electronic or machine-readable form:			
Listen to the soundtrack/ or audio cassette		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 of computer readable form			
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.			
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			
			YES
			NO
5. In which language would you prefer the record?			



informed 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/ or person on whose behalf the request is made.**



## Approval

I, the undersigned, certify that the above document conforms to SITA quality directives.

\_\_\_\_\_  
Author: N Green

\_\_\_\_\_  
Date

\_\_\_\_\_  
Language Editor: M Henning

\_\_\_\_\_  
Date

\_\_\_\_\_  
Documents and Records Management Office:  
SP Ramahanelo

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