

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

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**“ANNEXURE ONE”**

**GUIDANCE NOTES**

**Completion of the first page: INFORMATION SHEET**

**Completion of this page is compulsory – please ensure that accurate information is provided to enable easy contact and verification of report information if necessary.**

*Transforming society. Securing rights. Restoring dignity.*

**Chairperson:** ML Mushwana; **Deputy Chairperson:** P Govender; **Commissioners:** L Mokate, B Malatji, S Baai, J Love, D Titus  
**Chief Executive Officer:** K Ahmed

**Name of Public Body:**

- *State the name of the particular public body or public entity on whose behalf the report is being submitted.*
- *If the public body has satellite facilities and branches the report must include requests received by those structures as well. E.G: A provincial department of health will submit all of the requests received by provincial hospitals in its jurisdiction together with requests submitted to the provincial department itself.*

**Location of Public Body:**

- *State where the public body or entity is based, or where its head office is based.*
- *The postal address of the public body must be provided*

**Municipality Type and Location:**

- *State whether the municipality is a district municipality or local, and the province within which it is located*

**Contact details of DIO:****Email:**

- *email addresses of all DIO's and DIO responsible for the report*

**Fax:**

- *direct or departmental fax numbers*

**Tel:**

- *direct extensions for the DIO/s*

**Mobile:**

- *Optional but recommended for instances where the reports or other matters need addressing*

**Department in which DIO is based:**

- *State the department or program within the public body responsible for the implementation of PAIA*

**Alternative Contact Details for PAIA functionary:**

- *Provide alternative contact information for personnel dealing with PAIA if no DIO is in place.*

**Contact Details for PA of Information Officer:**

- *State the contact details for the PA or managers in the Office of the Information Officer for contact in PAIA related matters*

**Reporting Period:**

- *Please ensure that the report is for the specified reporting period and is amended each year unless otherwise advised by the Commission*

**SIGNATORIES: Compulsory**

- *Sign off by the person completing the data entry fields and the Information Officer of the organization is compulsory.*

<b>Signature IO</b>	<b>Signature DIO</b>	<b>Date</b>

APRIL 2012 – MARCH 2013

Report in terms of section 32 of PAIA: Guidance Notes

**Reporting period: 01 April 2012 to 31 March 2013**

- *State the year for which the report is being provided and must be reported within the period 01<sup>st</sup> April to 31<sup>st</sup> March of the next year*
- *The reporting cycle may not coincide with the reporting cycle employed by respect levels of public bodies but must be adhered to regardless of this*

**(a) number of PAIA requests received**

- *The total number of all requests received during the period stated above must be provided*
- *Numbers are not limited to requests which have been completed*
- *Total number of requests received is independent of the outcome of the request*
- *Includes requests received up to and including the 31<sup>st</sup> of March*
- *Requests which are pending should be included in the number of total requests received and should be described separately in the comments column to enable a carry over into the next section 32 report for the next year*
- *Requests received are specifically those received in terms of PAIA and not those received in terms of other legislation or requests for automatically available information*
- *Requests which have, through the guidance of a DIO, been converted to a PAIA request are to be included*
- *Requests received but withdrawn during the course of processing of the request are to be included. Such requests must also be included in the total received and accounted for in the comments column*

**(b) number of requests granted in full**

- *Refers to requests where all of the information requested has been provided*
- *Includes requests where information was provided in the public interest and on appeal*
- *It will not include requests where the request was transferred and granted in full by another public body*
- *It will not include requests where parts of the record were redacted/severed*

**(c) number of requests granted despite there being a ground of refusal, but granted in the public interest**

- *Refers to access to the record or part of the record being granted because the public interest in the disclosure of the record clearly outweighs the harm which the grounds for non disclosure seeks to avoid in Chapter 4. The record in these instances are those that revealed a substantial contravention of, or failure to comply with the law, OR an imminent and serious public safety or environmental risk and*

**(d) number of requests: (Note 3 parts to this provision, each to be responded to)****(i) refused in full or**

- *Where any access has been denied/refused*
- *Does not include partial granting*

**(ii) refused partially**

- *Where parts of the record requested have been severed/redacted and the record has thereafter been released*

**(iii) number of times a provision of PAIA was relied on to refuse a request in full / partially**

- *Refer to tracking and monitoring system and provide a total of all requests refused in part or completely refused on the basis of the provisions of PAIA*

**(e) number of instances where the 30 day period to deal with a request was extended**

- *Extensions beyond the 30 days provided in PAIA within which to respond to a request can be extended for a further period of 30 days. These extensions are usually due to the voluminous nature of the records, accessibility of the record or duty to inform third parties*
- *If timeframes are extended for reasons not included in the legislation, they must be described and accounted for in the comments column*

**(f) number of internal appeals: (Note: 2 Parts to this provision, each to be completed)**

**(i) lodged with the relevant authority**

- *Refers to instances where the initial request to the information holder has been refused. It will include instances where information is inaccurate or not in the form requested, fees are of concern, third parties object or if the request was not responded to*

**(ii) number of cases where requests were granted as a result of an internal appeal**

- *Give the total number of requests which were granted after it has been on an appeal internally*
- *This provision is not applicable to type B public bodies like*

***Chapter 9 institutions and parastatals***

**(g) number of internal appeals lodged on account of a deemed refusal**

- *Refers to those requests which were not responded to by the public body in any way and which resulted in the requester lodging an internal appeal to appeal authority in the organization*
- *This provision is not applicable to type B public bodies like Chapter 9 institutions and parastatals*

**(h) number of applications to court on the grounds that an internal appeal was dismissed by the relevant authority failing to give notice of its decision during the timeframes stated in section 77 (3)**

- *Refers to those applications made to a court on the basis that the requester was not notified of the decision of the organization on an internal appeal within the 30 days provided for in PAIA.*

**Comments including those relating to implementation, application, requests, or areas of the Act for which reforms are recommended**