



human settlements

Department:
Human Settlements
REPUBLIC OF SOUTH AFRICA

PAIA MANUAL

Prepared in terms of section 14 of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

2024–2025

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FOREWORD

Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right of access to any information held by the state or by another person and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), in realisation of these constitutional rights, specifically:

- charges all public bodies with the responsibility to facilitate public access to information/record(s) in their custody.
- provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively, and effortlessly as reasonably possible.
- stipulates mechanisms that government bodies must put in place, to facilitate access to such information by members of the public; and
- outlines conditions under which restricted access applies, including those relating to personal, commercial, financial, technical or scientific information about a third party; information that may affect court or police proceedings, e.g. police dockets in bail proceedings and certain categories of information about the South African Revenue Service.

There are undoubtedly limitations to public realisation of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA, respectively.

In compliance with the statutory requirements of the PAIA and to contribute to the promotion of departmental transparency, accountability and effective governance, the Department of Human Settlements has produced a manual as a mechanism to facilitate public access to information/record(s) in its custody.

In terms of South African law, the right to privacy is protected in terms of common law and section 14 of the Constitution. In realising this right, the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPIA) was enacted in 2013. The Act provides for the protection of processing of personal information by public and private bodies from misuse, loss, unauthorised access, modification or disclosure.

It is hoped that this manual will serve as an effective platform/tool for providing the public with the relevant information to enable them to exercise their right of access to information in the Department's custody and the protection of personal information that the Department processes



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1. DEFINITION OF TERMS

	Term	Definition/Description
1.	Access fee	Fee payable by a requester for search, preparation and reproduction of requested records, as prescribed in PAIA section 22(6).
2.	Act	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000). Also referred to as the PAIA or "the Act".
3.	Department	The Department of Human Settlements. Also referred to as the DHS.
4.	Deputy Information Officer (DIO)	A person designated by the Director-General to render the public body as accessible as reasonably possible for requesters of its records as prescribed in PAIA section 17(1).
5.	Guide	Document or book produced by the South African Human Rights Commission for the purposes of assisting any person who wishes to exercise any right in terms of the PAIA as prescribed in section 10.
6.	Information Officer (IO)	The Director-General of the Department of Human Settlements as defined in PAIA section 1.
7.	Internal appeal	An appeal against a decision to refuse access to information, as stipulated in PAIA section 74.
8.	Personal information	Information about an identifiable individual, including, but not limited to, information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the individual as defined in PAIA section 1.
9.	Personal requester	A person seeking access to information/records containing personal information about himself/herself as defined in PAIA

	Term	Definition/Description
		section 1.
10.	Public body	Any department of state or administration in the national or provincial sphere of government, any municipality in the local sphere of government or any institution performing a public function in terms of any legislation as defined in PAIA section 1. Also referred to as government body or department.
11.	Record	Any recorded information, in any form or medium in the custody of the DHS as defined in PAIA section 1.
12.	Records automatically available	Records that can be accessed without a person having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.
13.	Records available on request	Records that can be accessed by following PAIA processes as stipulated in PAIA sections 11 and 18; access to these records may be refused on the basis of sections 33 to 45 of the Act.
14.	Relevant authority	Minister of Human Settlements or the person designated in writing by the Minister to deal with internal appeals as defined in PAIA section 1.
15.	Request fee	A non-refundable fee payable by a requester when submitting a request for access as per the provisions of PAIA section 22(1). (Personal requester excluded from paying request fee).
16.	Request for access	A request for access to a record or records held by the Department made in accordance with PAIA sections 8 and 11.
17.	Requester	Any person making a request for access to information or records of the DHS or a person acting on behalf of the person requesting information as defined in PAIA section 1.
18.	Third party	Any person, including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation other than the requester concerned and a public body as defined in PAIA section 1.
19.	Working days	Any days other than Saturdays, Sundays or public holidays as defined in PAIA section 1.

2. LIST OF ACRONYMS AND ABBREVIATIONS

No.	Acronym or abbreviation	Explanation
1.	BNG	Breaking New Ground
2..	BASA	Business and Arts South Africa
3.	CBO	Community Based Organisations
4.	CCTV	Close-Circuit Television
5.	CEO	Chief Executive Officer
6.	CGE	Commission for Gender Equality
7.	CSOS	Community Schemes Ombud Service
7.	DHS	Department of Human Settlements ("the Department")
8.	DIO	Deputy Information Officer (designated as per section 17 of PAIA)
9.	EPHP	Enhanced People's Housing Process
10	FFC	Financial and Fiscal Commission
11.	FHF	First Home Finance
12.	HDA	Housing Development Agency
13.	HS	Human Settlements
14.	HSS	Housing Subsidy System
15.	IO	Information Officer (Director-General of the Department)
16.	IR	Information Regulator
17.	IT	Information Technology
18.	IGR	Inter-Governmental Relations
19.	NGO	Non- Governmental Organisation
20.	MTEF	Medium-Term Expenditure Framework
21.	NHBRC	National Home Builders' Registration Council
22.	NHFC	National Housing Finance Corporation
23.	PAIA	Promotion of Access to Information Act
24.	PDHS	Provincial Department of Human Settlements
25.	POPIA	Protection of Personal Information Act, 2013

26.	PPRA	Property Practitioners Regulatory Authority
27.	SHRA	Social Housing Regulatory Authority
28.	SLA	Service Level Agreement

3. INTRODUCTION

This manual is compiled as a statutory requirement in compliance with the provisions of section 14 of PAIA, which mandates all government bodies to compile and publish a manual indicating information/records in its custody that are readily available to the public, as well as those that need to be requested through provisions of the Act. This manual represents only the Department of Human Settlements (DHS) and does not include information/records of the various provincial departments.

4. PURPOSE OF PAIA MANUAL

This PAIA Manual is intended for the public to—

- know the nature of the records that may already be available at the DHS without the need for submitting a formal PAIA request;
- have an understanding of how to make a request for access to a record of the DHS.
- have access to all relevant contact details of the persons who will assist the public with the records they intend to access;
- know all the remedies available from the DHS regarding requests for access to the records before approaching the Regulator or the Courts.
- know the description of services available to members of the public from the DHS and how to gain access to those services.
- give a description of the guide on how to use PAIA as updated by the Regulator and how to obtain access to it.
- know if the DHS plans to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom personal information may be supplied; and
- know whether the DHS has appropriate security measures to ensure the confidentiality, integrity and availability of personal information which is to be processed.

5. ESTABLISHMENT OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

The DHS is mandated in terms of section 26 of the Constitution and section 3 of the Housing Act, 1997 (Act No. 107 of 1997), to establish and facilitate a sustainable national housing development process in collaboration with provinces and municipalities.

The DHS has a mandate that is integral to the effort of the government to change the lives of South Africans for the better. This includes transforming the apartheid spatial geography and land and development patterns of social and racial exclusion. During the previous administrative term, we stayed true to our mandate by continuing to build and augment the work already done in creating sustainable human settlements and improving the quality of life for all households.

In fulfilling its mandate, the Department's focus over the medium term will be on creating integrated and transformed human settlements, upgrading informal settlements and providing affordable housing.

The Department was established to facilitate the pursuit of these focus areas and ensure its human settlements programmes are sustainable; therefore, the DHS will seek to fast-track its policy and programme review of the 1994 White Paper on Housing, the national housing code and the Housing Act, 1997.

6. LEGISLATIVE MANDATE

The Housing Act, 1997, provides the roles and responsibilities of the three spheres of government. The national government, acting through the Minister, determines national policy, including norms and standards in respect of housing development. The national government should (among its other functions) set broad national housing delivery goals and facilitate the setting of provincial, and where appropriate, local government housing delivery goals.

General Proclamation Notice No. 1570 of 2009, signed by the President of the Republic of South Africa (RSA), created the DHS as a successor to the Department of Housing. This notice, together with the Comprehensive Plan for the Creation of Sustainable Human Settlements, which was adopted by Cabinet in 2004, provided for a shift in the mandate,

i.e. from providing housing to providing sustainable and integrated human settlements. Chapter Eight of the National Development Plan (NDP) of 2011 further controlled housing to work towards transforming human settlements to eliminate the apartheid spatial geography and to create settlements where people can work, pray, play and have access to social and economic amenities.

The table below provides a list of policies, legislation and strategies that shape the development of human settlement reforms:

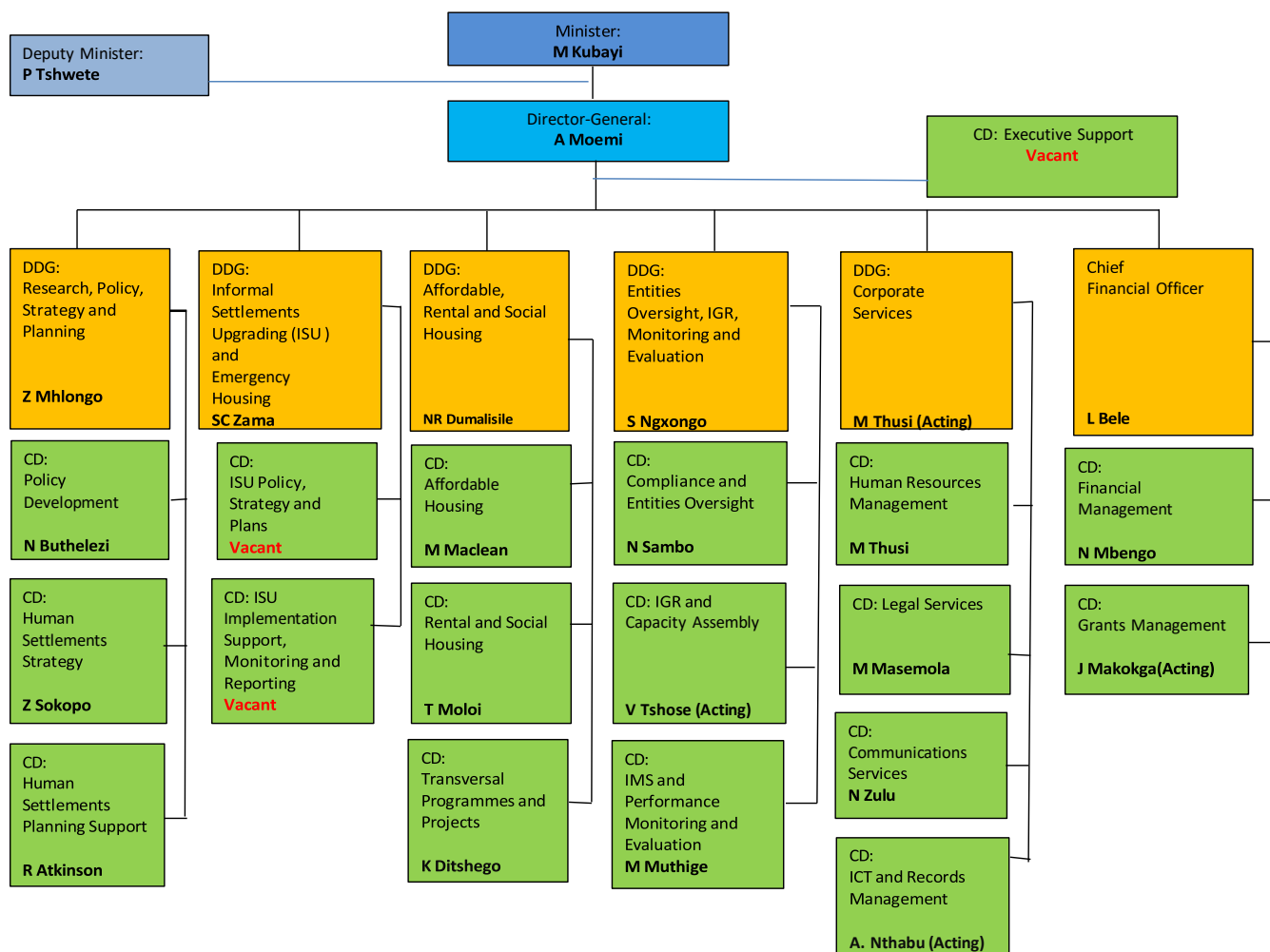
Name of policy or legislation	Purpose
White Paper on Housing, 1994	To provide a macro policy that creates an enabling environment for housing delivery
Restitution of Land Rights Act, 1994	To provide for the restitution of rights to land to persons or communities that were dispossessed of their rights to land and establish a Commission on Restitution of Land Rights
Housing Act, 1997	To recognise the constitutional right to housing and further define the roles and responsibilities of national, provincial and local government in relation to housing
Rental Housing Act, 1999	To regulate the relationship between landlords and tenants, and provide for dispute resolution
Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000)	To promote fair lending practices, which requires disclosure by financial institutions of information regarding home loans
National Housing Code, 2009	To provide prescripts to enable the delivery of housing
Comprehensive Plan for the Creation of Sustainable Human Settlements, 2004	To outline a plan for the development of sustainable human settlements over five years
Social Housing Policy, 2005	To promote an enabling environment for social housing to flourish
Social Housing Act, 2008 (Act No. 16 of 2008), and Social Housing Regulations, 2011	<p>To provide for the establishment of the Social Regulatory Authority, in order to regulate all Social Housing Institutions (SHIs)</p> <p>The regulations are used for the accreditation of SHIs, clear qualification criteria, compliance monitoring, and the investment criteria that will be</p>

Name of policy or legislation	Purpose
	applicable in the social housing sector
<p>Housing Development Agency Act, 2008 (Act No. 23 of 2008)</p> <p>Housing Development Agency Regulations, 2014</p>	<p>To provide for the establishment of an agency that will facilitate land and landed property.</p> <p>These regulate processes for the declaration of a priority housing development area (PHDA), steps in creating a priority housing development plan, funding considerations, implementation of the protocol, and the implementation of the housing development and cooperation between the different State Departments</p>
NDP, 2012	The plan aims to provide a long-term perspective, defines the desired destination, and identifies the role of different sectors in eliminating poverty and reducing inequality by 2030
Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)	It provides a framework for spatial planning and land use management within the RSA
Rental Housing Amendment Act, 2014 (Act No. 35 of 2014)	It amends the Rental Housing Act, of 1999, provides norms and standards related to rental housing, introduces various changes that impact the relationship between tenant and landlord, requires all municipalities to have a rental office, expands the powers of the Rental Tribunal, etc.
Youth Policy 2015–2020	It provides a framework for strengthening the capacity of key youth development institutions, consolidation and integration of youth development into the mainstream of government, etc.
White Paper on the Rights of Persons with Disabilities, 2016	It provides a framework for mainstreaming the trajectory for realising the rights of persons with disabilities through the development of targeted interventions that remove barriers, and application of the universal design integrates the obligations in the United Nations Covenant on Rights of Persons with Disabilities and other related matters
Integrated Urban Development	It provides a framework to enable spatial

Name of policy or legislation	Purpose
Framework, 2016	transformation by steering urban growth towards a sustainable growth model of compact, connected and coordinated cities and towns
Sustainable Development Goals	They provide a framework for a universal call to action to end poverty, protect the planet and to ensure that all people enjoy peace and prosperity by 2030. Through the call "Leave No One Behind", countries committed to fast-tracking progress for those furthest behind first
Sendai Framework	It provides a road map to make communities safer and more resilient to disasters. It provides member states with concrete actions on how to protect development gains from the risk of disaster. It advocates the substantial reduction of disaster risk and loss of lives, livelihood and health, and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries
Agenda 2063	It is a strategic framework that provides a blueprint and master plan for transforming the African continent into a global powerhouse that delivers on its goal of inclusive and sustainable development
New Urban Agenda, 2016	It provides a shared vision for a better and more sustainable future – one in which all people have equal rights and access to benefits and opportunities that cities offer, and in which the international community reconsiders the urban systems and physical form of urban spaces to achieve this
Property Practitioners Act, 2019 (Act No. 22 of 2019)	It provides for the regulation of property practitioners, regulates the continuation of the Estate Agency Affairs Board (EAAB) in the new form of the Property Practitioners Regulatory Authority, and further provides for transformation of the property practitioners sector through, inter-alia, the establishment of a transformation fund and a research centre on transformation
Gender-Responsive Planning,	To assist South Africa to achieve its constitutional

Name of policy or legislation	Purpose
Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework	vision of a non-sexist society and gender equality, and ensure allocation of adequate resources for women's empowerment and gender equality
Housing Consumers Protection Measures Act, 1998 (Act No. 95 of 1998)	It provides for the protection of housing consumers, the continuance of the National Home Builders' Registration Council as the National Home Building Regulatory Council, the registration of home builders, and the registration/enrolment of homes to be covered by the home warranty fund
Housing Consumers Protection Measures Amendment Act, 2007 (Act No. 17 of 2007)	To make provision for late enrolment and non-declared late enrolment, to enable owner builders to apply for exemption, to extend claims to include roof leaks, to make further provision for the use of money in the funds contemplated in the said Act, to extend the offenses created under the said Act, to amend provisions pertaining to the granting of exemptions and the lodging of appeals, and to provide for matters connected therewith.
Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011)	This legislation provides for: the division of buildings into sections and common property, the acquisition of separate ownership in sections coupled with joint ownership in a common property, the establishment of body corporates to control common property and for that purpose to apply rules, the establishment of a sectional titles regulation board, etc.
Community Schemes Ombud Service Act, 2011 (Act No. 9 of 2011)	This legislation provides for the establishment of the Community Schemes Ombud Service (CSOS), articulates the mandate and functions of the CSOS, provides a dispute resolution mechanism for community schemes, etc.

5. STRUCTURE OF THE DEPARTMENT



5. FUNCTIONS OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

The DHS–

- determines national policy, including national norms and standards in respect of housing development.
- NATIONAL sets broad national housing delivery goals and facilitate the setting of provincial, and where appropriate, local government housing delivery goals in support thereof.
- monitors the performance of national government and in co-operation with every MEC, the performance of provincial and local governments against housing delivery goals and budgetary goals.
- determines a procurement policy that is consistent with section 217 of the Constitution in relation to housing development.
- assists provinces to develop the administrative capacity required for the effective exercise of their powers and performance of their duties in respect of housing development.
- supports and strengthens the capacity of municipalities to manage their own affairs, to exercise their powers and perform their duties in respect of housing development.
- promotes consultation on matters regarding housing development between national government and representatives of civil society, sectors and sub sectors supplying or financing housing goods and services, provincial and local government, and other stakeholders in housing development.

6. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE DEPARTMENT OF HUMAN SETTLEMENTS

In addition to the role that provinces and municipalities play with regard to human settlements, the following national institutions were established to facilitate the human settlements related needs of the sector:

The Department primarily:

- establishes and maintains a policy and legislative framework required for facilitation of a sustainable and integrated human settlements' objective in line with government's objective and departmental mandate, and

- facilitates apportionment of annual allocation to provinces and municipalities for human settlements, infrastructure development and land acquisition.

Provinces and metropolitan municipalities are accredited to coordinate the building of housing within their jurisdiction, using grants received from the Department. This makes them high-priority stakeholders as the Department relies on them to deliver housing opportunities. The Department provides the necessary support through the development of legislative and policy frameworks, approval of business plans, monitoring and evaluation of services rendered.

Human settlements entities assist the Department in terms of delivering on its mandate. They are also of high priority and expect the Department to provide funding for implementation of human settlements projects and strategic direction. In terms of achievements, the Department, in partnership with the entities, implemented human settlements projects that include Finance-Linked Individual Subsidy Programme (FLISP), People's Housing Process (PHP), Informal Settlements Upgrading Programme, Rural Housing Loan Fund, catalytic projects and individual subsidies.

Entities	Services	Clients	Gain access to the services at
Property Practitioners Regulatory Authority (PPRA)	<ul style="list-style-type: none"> • Regulate the conduct of property practitioners in dealing with consumers; • Regulate the conduct of property practitioners in so far as marketing, managing, financing, letting, renting, hiring, sale and purchase of property are concerned. • Regulate and ensure that there is compliance with the provisions of the Act. • Ensure that consumers are protected from undesirable 	Housing consumers, property practitioners and business enterprises	DHS, PPRA offices

Entities	Services	Clients	Gain access to the services at
	<p>and sanctionable practices as set out in section 62 and section 63 of the Act.</p> <ul style="list-style-type: none"> • Regulate any other conduct which falls within the ambit of the Act in as far as property practitioners and consumers in this market are concerned. • Provide for the education, training and development of property practitioners and candidate property practitioners. • Educate and inform consumers about their rights as set out in section 69 of the Act; and • Implement measures to ensure that the property sector is transformed as set out in Chapter 4 of the Act 		
Community Schemes Ombud Service (CSOS)	<ul style="list-style-type: none"> • Ensure registration and compliance of community schemes. • Provide a dispute resolution mechanism for community schemes. • Regulate, monitor and control the quality of 	Community scheme body corporate, community scheme unit, Community Scheme Stakeholders i.e. owners and tenants	DHS, CSOS offices

Entities	Services	Clients	Gain access to the services at
	<p>schemes' governance documentation.</p> <ul style="list-style-type: none"> • Take custody of, preserve and provide public access, electronically or by other means, to schemes' governance documentation; and • Training sessions conducted for adjudicators, conciliators and stakeholders 		
Housing Development Agency (HDA)	<ul style="list-style-type: none"> • Develop a development plan to be approved by the Minister in consultation with the relevant authorities in the provinces and municipalities. • Develop strategic plans with regard to the identification and acquisition of state, privately and communal owned land which is suitable for residential and community development. • Prepare necessary documentation for consideration and approval by the relevant authorities as may be required in terms 	Housing consumers, developers, and organs of state (National Department, Provinces, Municipalities and Metros)	DHS, Provincial department of human settlements (PDHS), municipalities, HDA offices

Entities	Services	Clients	Gain access to the services at
	<p>of any other applicable law.</p> <ul style="list-style-type: none"> • Monitor progress of the development of land and landed property acquired for the purposes of creating sustainable human settlements. • Enhance the capacity of organs of state including skills transfer to enable them to meet the demand for housing delivery. • Ensure that there is collaboration and intergovernmental and integrated alignment for housing development services. • Identify, acquire, hold, develop and release state, privately and communal owned land for residential and community development. • Undertake such project management services as may be necessary, including assistance relating to approvals required for housing development. 		

Entities	Services	Clients	Gain access to the services at
	<ul style="list-style-type: none"> • Contract with any organ of state for the purpose of acquiring available land for residential housing and community development for the creation of sustainable human settlements. • Assist organs of state in dealing with housing developments that have not been completed within the anticipated project period. • Assist organs of state with the upgrading of informal settlements; and • Assist organs of state in respect of emergency housing solutions. 		
National Home Builders' Registration Council (NHBRC)	<ul style="list-style-type: none"> • Regulate the home building environment through home enrolment and home builder registration processes. • Protect the housing consumer against structural defects through building inspections and administration of the warranty reserve. • Promote innovative home 	Housing consumers and home builders	DHS, PDHS, municipalities, NHBRC offices

Entities	Services	Clients	Gain access to the services at
	<p>building technologies; and</p> <ul style="list-style-type: none"> • Set home building standards and improve the capabilities of home builders through training 		
National Housing Finance Corporation (NHFC)	<ul style="list-style-type: none"> • Provide innovative and affordable housing finance solutions for the low- to middle-income housing market in terms of the following services: <ul style="list-style-type: none"> ▪ Private rental term loans; ▪ Social housing rental facilities; ▪ Bridging finance to developers. ▪ Wholesale incremental housing facilities; ▪ Wholesale homeownership facilities; and • Administration of the First Home Finance (FHF) • Empower low-income households in rural areas to access housing credit; • Operate as a wholesale 	Low-income earners, established housing institutions, social housing institutions, developers, contractors, non-banking retail intermediaries and banks lending to poor households.	DHS, PDHS, municipalities, NHFC offices (RHLF plus NURCHA merged with NHFC effective from 1 October 2018)

Entities	Services	Clients	Gain access to the services at
	<p>lender and thus attain its mandate by providing loans through retail intermediaries to its target market to be used for incremental housing purposes.</p> <ul style="list-style-type: none"> • Provide bridging finance to small, medium, and established contractors building low- and moderate-income housing, and related community facilities and infrastructure; and • Provide programme and fund management services 		
Social Housing Regulatory Authority (SHRA)	<ul style="list-style-type: none"> • Regulate the social housing sector in South Africa. • Deliver affordable rental housing for the low- to middle income groups. • Achieve spatial, economic and social integration of the urban environments in South Africa; and • Approve, administer, and disburse both institutional investment and capital grants (namely the Consolidated Capital Grant (CCG)) 	Social housing institutions, private developers	DHS, PDHS, municipalities, SHRA offices

7. ROGRAMMES OF THE DEPARTMENT

• Programmes

Programme 1: Administration	<p>Purpose: to provide strategic leadership, management, and support services to the Department</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Functional, efficient and integrated government • Adequate housing and improved quality living environment
Programme 2: Integrated Human Settlements Planning and Development Programme	<p>Purpose: manage the development of policy, planning and research in the creation of sustainable and integrated human settlements, oversee the delivery of the integrated residential development programme, provide public entity oversight and coordinate intergovernmental partnerships with stakeholders</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • spatial transformation through multi-programme integration in priority development areas (PDAs) • Adequate housing in improved quality living environments • Spatial transformation through multi-programme in priority development areas
Programme 3: Informal Settlements Programme	<p>Purpose: provide policy, planning and capacity support for upgrading informal settlements, and oversee implementation of the Informal Settlements Upgrading Programme in terms of Volume 4, Part 3 of the 2009 Housing Code</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • adequate housing in improved quality living environments
Programme 4: Rental and Social Housing Programme	<p>Purpose: promote the provision of affordable rental housing and develop capabilities in the rental housing sector through intergovernmental collaboration and evidence-based research!</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • adequate housing and improved quality of living environment
Programme 5: Affordable Housing Programme	<p>Purpose: facilitate the provision of affordable housing finance, monitor market trends, and develop research and policies that respond to demand. Oversee housing finance entities that report to the Minister</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Security Tenure • adequate housing and improved quality living environment

8. CONTACT INFORMATION

- **Information Officer**

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9. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF THE ACT OR FAILURE TO ACT BY THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS

12.1 Internal appeal

A requester aggrieved by a decision of the IO or DIO to refuse a request for access to information may lodge an internal appeal with the Minister (Executive Authority) of Human Settlements against the said decision.

12.2 Lodging internal appeal

An internal appeal:

- must be lodged within 60 days after the requester is informed of the decision taken on the request,
- must be completed on the prescribed internal appeal Form 4 attached as Annexure B to this PAIA Manual and which is also available on the DHS website [www.dhs.gov.za] or from the Information Regulator's website or office upon request,
- must be completed in full on the prescribed internal appeal form indicating the decision against which the internal appeal is lodged,
- must be signed in the space provided on the internal appeal form,
- must be submitted to the DIO through the contact details or address provided in this manual.

12.3 Referral of internal appeal to relevant authority

- The DIO must, within 10 working days of receipt of an internal appeal, refer the internal appeal, together with reasons for his or her decision regarding the request, to the relevant authority.
- The relevant authority must consider and decide on the internal appeal within 30 days after the notice of internal appeal is received.
- The decision of the relevant authority must confirm or set aside the decision of the DIO or, where applicable, substitute a new decision for it.

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

- 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.
- The Guide is available in each of the official languages.
- The aforesaid Guide contains a description of–
 - the objects of PAIA and POPIA,
 - the postal and street address, phone, and fax number and, if available, electronic mail address of–
 - 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 PAIA and section 56 of POPIA,
 - the manner and form of a request for–
 - access to a record of a public body contemplated in section 11,
 - access to a record of a private body contemplated in section 50,
 - the assistance available from the Information Officer of a public body in terms of PAIA and POPIA,
 - the assistance available from the Regulator in terms of PAIA and POPIA,
 - 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–
 - an internal appeal,
 - a complaint to the Regulator, and
 - an application with a court against a decision by the information officer of a public body, a decision on an internal appeal or a decision by the Regulator or a decision of the head of a private body,
 - the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual,
 - the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively,
 - the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access, and

- the regulations made in terms of section 92.

Members of the public can inspect or make copies of the Guide from the offices of public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained on request from the Deputy Information Officer or from the website of the Regulator (www.inforegulator.org.za).

A copy of the Guide is also available in two South African languages at our office for public inspection during our office hours. Please use the form in Annexure C to this PAIA Manual to request a copy of the Guide from the DHS. There is no fee payable when requesting a copy of the Guide.

11. DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE DEPARTMENT

Subjects on which the body holds records	Categories of records held on each subject
STATUTORY AND REGULATORY FRAMEWORK	<ul style="list-style-type: none"> - DHS legislation (Bills, Acts, regulations, Green Papers, White Papers, Codes of Practice)
ORGANISATION AND CONTROL	<ul style="list-style-type: none"> - Departmental mandate (Functions) - Delegation of powers/authority - Establishment matters - Organisational performance planning and monitoring - Risk management! - Anti-fraud and corruption - Security management - Internal audits - Organisational transformation - Organisational health and safety - Disaster management - Compliance implementation and monitoring - Standard operating procedure
HUMAN RESOURCES	<ul style="list-style-type: none"> - Post control, establishment and planning - Determination of Condition of Service

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Vacancies, appointments and placements - Human Resource Development - Planning, Utilisation, Control and Monitoring - Performance Management and Development - Labour and Employee Relations - Staff Transformation Matters - EHW & OHS services
FINANCIAL MANAGEMENT	<ul style="list-style-type: none"> - Budget (estimates of national expenditure for human settlements) - Basic accounting system (BAS) - Financial compliance (Treasury, Auditor-General, disclosures and declarations) - Financial audits - Expenditure - Income - Claims and Refunds - Debtors system - Conditional grants and funds management - Bank matters - Financial Irregularities. - Reconciliation of accounts - Financial assistance (donations and sponsorships) - Reports and Statistics - Financial statements - Loss control files - Payment documents - General journals - S&T claims - Financial statements on South African Housing Fund - Payment batches and journals - Fruitless and wasteful expenditures

Subjects on which the body holds records	Categories of records held on each subject
SUPPLY CHAIN MANAGEMENT	<ul style="list-style-type: none"> - Bids and contracts (proposals, specifications, advertisements, awards, committees and ITC approvals) - Demand and acquisition (quotations, requisitions and acquisitions) - Asset management - Acquisition and procurement plans (Individual Files) - Registers (includes bids, suppliers' database records (transversal), invoice/payment records, stocktaking control sheets, commitments, accruals and payables, dispute invoice register) - Orders and payments (systems, invoices, SLAs, stock take on inventory (plans), acquisitions) - Payment of invoices within 30 days - Fixed asset register, disposals, verification count sheets, assets and inventory lists, monthly reconciliations, asset movements, asset handover, asset loss report) - Acquisition/disposal of departmental vehicles
TRAVEL AND TRANSPORT SERVICES	<ul style="list-style-type: none"> - Travel - Transport (government-owned vehicles, log sheets and hired transport)
FACILITIES MANAGEMENT	<ul style="list-style-type: none"> - Buildings, Grounds and Property (needs identification and analysis, planning and design, acquisition and leases of offices and official residences, allocations, maintenance and alienation) - Equipment and other Facilities (installation, repairs and maintenance) - Energy efficiency and Maintenance (plan, management, inspections and reports) - Maintenance, Monitoring and Inspections (electrical, plumbing, pest control, hygiene and cleaning services) - Reports

Subjects on which the body holds records	Categories of records held on each subject
INFORMATION MANAGEMENT SERVICES	<ul style="list-style-type: none"> - Cabinet Memorandum (including Tittle Deeds Restoration) - Parliamentary Questions - Parliamentary Structure - Promotion of Access to Information Act (PAIA) - Records management - Sector information management. - Knowledge management - Library - Information Technology and Systems - Protection of Personal Information (POPI)
COMMUNICATIONS	<ul style="list-style-type: none"> - Communication policy - Publications - Corporate image, branding and publicity - Communication Medium - Events, campaigns, launches and publicity programmes (includes speeches of the Minister and Deputy Minister and photographs) - Reports
LEGAL SERVICES	<ul style="list-style-type: none"> - Legal opinions - Appointment of legal experts - Claims, litigations and appeals - Prosecutions - Court decision - Drafting and Review of Legal Documents - Memorandum of understanding/agreement - International Agreement - Service level Agreements - Amendments - Contract Management Policy
ATTENDING AND HOSTING OF GATHERINGS AND MEETINGS	<ul style="list-style-type: none"> - Parliamentary meetings - Management meetings - Corporate committees

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Provincial and Sector Committees and Panels - Sector Cluster Meetings - Sub-committees, Task teams and Working Groups - Forum Meetings - Seminars, Conferences, Symposia and Summits - Sector Councils and References Groups - Commissions and Boards - Entity Meetings
MONITORING, EVALUATION AND IMPACT ASSESSMENTS	<ul style="list-style-type: none"> - Annual Practice Notes - Monitoring, Evaluation, and Impact Assessment (MEIA) System Matters - Evaluations, Assessments and Monitoring - Reports (Monthly, Quarterly, Annual and Medium-Term Strategic Framework)
POLICY DEVELOPMENT, ASSISTANCE AND RESEARCH	<ul style="list-style-type: none"> - Policy Development - Policy Assistance - Policy Research - Sector Interventions and Assistance - Reports (Research and Conception)
HUMAN SETTLEMENTS PLANNING	<ul style="list-style-type: none"> - National Planning Approved Human Settlements Development Plan (National Business Plan), - Provincial Planning Approved Municipal Urban Settlements Development Grant Plan. (National Business Plan) - Municipal Planning Approved Provincial and Municipal Informal Settlements Upgrading Partnership Grant Plans. (National Business Plan) - The Neighbourhood Planning and Design Guide
PROGRAMME IMPLEMENTATION SUPPORT AND MONITORING	<ul style="list-style-type: none"> - Upgrading informal human settlements (includes plans, implementation, coordination and support) - Other Sector Programmes and Projects - Disaster management

Subjects on which the body holds records	Categories of records held on each subject
EQUITY AND PRIORITY PROGRAMMES	<ul style="list-style-type: none"> - Human Settlements Equity - Facilitation of Priority Projects
RENTAL HOUSING AND PEOPLE HUMAN SETTLEMENTS PROCESSES	<ul style="list-style-type: none"> - Rental Human Settlements Programmes (Includes tribunals, tenant support) - Entity Support, Monitoring and Oversight - People Human Settlement Process (PHSP) - Private Rental Housing Programme - Public Rental Housing Programme - Rental Housing Tribunals - Private Rental Development Oversight - Public Rental Development - Community Residential Units (CRU)
STAKEHOLDER RELATIONS AND MOBILISATION	<ul style="list-style-type: none"> - Engagements, Allowance and Liaison - Sector Stakeholder, Agreements and Partnership - Community Sector Outreach and Support Programmes - IGR and Strategic Partnership - Reports
HUMAN SETTLEMENTS CAPACITY DEVELOPMENT	<ul style="list-style-type: none"> - Policy Orientation Programmes - Beneficiary and community empowerment (includes implementation and collaborations, assessments monitoring and evaluation) - Professionalization of the Sector - Institutional capacity Development - Govan Mbeki Awards (Framework and Implementation plan) - Capacity Assembly - Establishment and operationalization of Human Settlement Center of Excellence Research Capacity - Reports
TRANSVERSAL PROGRAMMES AND PROJECTS	<ul style="list-style-type: none"> - Catalytic projects - Mining Towns

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Titles Deeds Restoration Project - Municipal Accreditation

12. CATEGORIES OF RECORDS OF THE NATIONAL DEPARTMENT OF HUMAN SETTLEMENTS THAT ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Document Type	Available on Website	Available upon request
Tender document	<ul style="list-style-type: none"> - Advertised tender - Name of successful bidder - Awarded bids - Central supplier database - Closed tenders - Current bids 	X	
Legislation/ Regulations	<ul style="list-style-type: none"> - Department of Human Settlements Legislation: <u>Acts: (list not exhaustive)</u> - Training manual for municipal officials on Rental Housing Amended Act - SLA: municipal officials training on Amended Rental Housing Act - Housing Act - Social Housing Act - Housing Consumers Protection Measures Amendment Act, 2007 - Sectional Titles Schemes Management Act, 2011 - Private Rental Housing Programme - Public Rental Housing Programme - Rental Housing Tribunal - Private Rental development Oversight - Public Rental Development - Community Residential Unit 	X	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Community Scheme Ombud Service Act, 2011 - Home Loan and Mortgage Disclosure Act, 2000 - Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998) - <u>Bills:</u> - Community Scheme Ombud Service Bill - Draft Bill for Public Comment - Human Settlements White Paper Cabinet - Nov 2023 - Towards Policy Foundation for Human Settlements Legislation (White Paper) - Housing White Paper - Housing Amendment Bill - Housing Consumers Protection Measures Amendment Bill - PIE Amendment Act - Rental Housing Bill - Sectional Titles Schemes Management Bill - Social Housing Bill - <u>Regulations:</u> - Compliance Manual, 2010 - CSOS Regulations: Levies and Fees - CSOS Sectional Titles Schemes Management Regulations - HDA Priority Development Areas PSHDA (as Gazetted and maps) - HLAMDA Regulations (as Gazetted) - Regulations on Community Schemes Ombud Services - <u>International Commitments:</u> - Habitat III Thematic Meeting on Informal Settlements - Istanbul Declaration on Cities 		

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> and other Human Settlements, 1996 - Johannesburg Declaration on Sustainable Development, 2002 - Millennium Declaration, 2000 - Millennium Goals and Targets - Vancouver Declaration on Human Settlements, 1976 		
STRATEGIC DOCUMENTS (plans, policies and reports)	<ul style="list-style-type: none"> - PHP Policy Framework - Revised Strategic Plan (2020–2025) - Policy development - Policy assistance - Policy research - Policy orientation programme - Reports (research and conception) - National Housing Code, 2009 - First Home Finance - Upgrading of informal settlements - Monitoring, Evaluation and Impact Assessment (MEI) System Matters - Evaluations, Assessments and Monitoring - Municipal Accreditation (Housing Code) - Revised medium-term strategic framework, 2019–2024 - Rapid Appraisal of Outcome 8: Delivery Agreements: Sustainable Human Settlements and Improved Quality of Household Life, Output 1: Accelerated delivery of Housing Opportunities - Framework for Women and Youth (policy framework) 	X	

Category	Document Type	Available on Website	Available upon request
	<ul style="list-style-type: none"> - Environmental implementation plan: DHS 2020–2025 - Annual performance Plan (2023-24) - The Neighbourhood Planning and Design Guide - DHS Annual Report (2022-23) - Reports on human settlements environmental scanning and analysis (economic trends analysis and markets) - Reports (Grants Management) - The Office of Disclosure Annual Report 2021 (the performance of financial institutions) - A baseline assessment for future impact evaluation of informal settlements targeted for upgrading. - Design and Implementation Evaluation of the Integrated Residential Development Programme - Impact and Implementation Evaluation of the Social Housing Programme - Catalytic projects - Municipal accreditation 		
FINANCES	<ul style="list-style-type: none"> - Application form: Municipal Emergency Housing Grant - Application form: Provincial Emergency Housing Grant - Municipality survey form: Emergency Housing Grant - Budget (estimates of national expenditure for human settlements) 	X	
COMMUNICATIONS	<ul style="list-style-type: none"> - Publications 	X	

Category	Document Type	Available on Website	Available upon request
	- Events, campaigns, launches and publicity programmes (includes speeches of the Minister and Deputy Minister, and photographs)		
PAIA RECORDS	- Promotion of Access to Information Act (PAIA) - Section 32 report - PAIA manuals - PAIA & POPIA forms - Section 15 list	X	
IMPLEMENTATION SUPPORT, MONITORING AND REPORTING	- Provincial Emergency Housing Grant and Municipal Emergency Housing Grant - Guidelines for Human Settlements Planning and Design - A social contract for the development of sustainable human settlements	X	

13. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

The PAIA Unit receives requests for access to information on behalf of the DIO and assists any person wishing to lodge a request.

Any inquiries regarding the lodging of request(s) for access to information of the Department should be made by visiting the PAIA Unit at 260 Justice Mahomed Street, calling the PAIA Unit at 012 444 9045/57 or sending an email to paia@dhs.gov.za.

16.1 Who can request information?

Any person can request information.

- Personal requester requesting information about themselves.
- Requester requesting information on behalf of another person.
- A requester that is acting on behalf of someone else must produce a letter of authority.

16.2 Manner of accessing information

16.2.1 Automatically available records

Certain categories of records are automatically available without a person having to request them through PAIA processes as per the provisions of section 15(1)(a) of the Act. Information/records that are automatically available will be made available on the departmental website, at departmental offices and at the Information Regulator's offices in the manner or form requested, should this be reasonable and possible. A requester may also request a copy of such records from the Information Officer and will be provided with a copy upon payment of a prescribed fee (Annexure A in this PAIA Manual).

16.2.2 Telephonic requests

The DHS also accepts telephonic requests. Attention will be given to any such request made to the DIO or the PAIA Unit at the numbers provided in this manual. Officials at the PAIA Unit will complete the prescribed Form 2 (Annexure A to this PAIA Manual) on behalf of the requester and furnish them with a copy thereof.

16.2.3 Oral requests

If an individual is unable to complete the prescribed form because of illiteracy or a disability, such person may make the request orally to the DIO.

The DIO at the DHS must reduce the oral request to writing in the prescribed form (Annexure A to this PAIA Manual) and provide a copy thereof to the requester.

16.2.4 Formal requests as per PAIA requirements

STEP 1: Completing the prescribed access request form

- Obtain the prescribed request, Form 2, contained in Annexure A of this PAIA manual, which is available on the DHS website or at any office of the DHS upon request.
- Complete the prescribed form in full, clearly indicating the record(s) requested, and sign the request form in the space provided.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the request is made to the reasonable

satisfaction of the DIO.

STEP 2: Payment

The requester must pay the prescribed request fee if due and when requested to do so by making a deposit into the account number provided below. Persons listed in paragraph 9.4.4 of this manual are exempted from paying the request fees.

PAYMENT METHOD

Account name	Department of Human Settlements
Bank	Standard Bank
Account number	010160310
Branch name	Pretoria, Van der Walt Street
Branch code	010145
Reference	Promotion of Access to Information Act

STEP 3: Submission of request

The requester must submit the application form to the DIO through the PAIA Unit at the address or email address provided in this manual. The request form should be accompanied by proof of payment for the request fee (R100). No proof of payment shall be attached by people qualifying for exemption, but the reasons for exemption should be clearly stated on the form.

A person (data subject) having provided adequate proof of identity has the right to request the Department to confirm, free of charge, whether or not the responsible party holds personal information about the data subject, and request from the Department a record or a description of the personal information about the data subject held by the responsible party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information within a reasonable time at a prescribed fee, if any, in a reasonable manner and format, and in a form that is generally understandable.

16.3 Turnaround times for attending to requests.

In terms of section 25 of the Act, the DHS must decide whether to grant or refuse a request and give notice with reasons to that effect within 30 days of receipt of the request.

The 30 days within which the DHS has to decide whether to grant or refuse the request may be extended once for a period of not more than 30 days if the request is for large amounts of information or if the request requires a search for information held at another office of the DHS and the information cannot be reasonably obtained within the original period of 30 days. The DHS must notify the requester in writing if an extension is required.

16.4 Fees

16.4.1 Non-refundable request fee

A requester, other than a personal requester, requesting access to information held by the Department will be required to pay the prescribed request fee of R100 as specified on Form 2 (Annexure A to this PAIA Manual) before the request will be processed. Persons listed under paragraph 8.5.4 of this manual are exempted from paying request fees.

The DIO will withhold a record(s) until the requester concerned has paid the applicable fees (if any).

16.4.2 Access fee

An access fee is payable in all instances where a request for access to information is granted for reproduction costs and, if applicable, the postal fee and the time reasonably required to search for and prepare the record for disclosure as prescribed in Annexure B to the PAIA Regulations (Annexure G to this PAIA Manual).

The DIO may withhold a record until the requester has paid the applicable fees, if any. Persons listed under paragraph 8.5.4 of this manual are exempted from paying an access fee.

16.4.3 Deposits

If the search for a record in respect of which a request for access has been made, and the preparation of the record for disclosure, including any arrangements contemplated in section 29(2)(a) and (b)(i) and (ii)(a) of the Act, would, in the opinion of the information officer, require more than six hours for these purposes, the information officer must, on a form that corresponds substantially to Form 3 of Annexure A to the Regulations (Annexure F in this PAIA Manual), inform the requester to pay as a deposit a portion of the access fee, provided that the amount payable as a deposit must not exceed one-third of the amount payable, if the request is granted.

16.4.4 Exemptions

The following persons are exempted from paying the access fee contemplated in section 22(8) of the Act:

- A single person whose annual income after permissible deductions does not exceed R14 712,00 per annum.
- Married persons or life partners whose combined annual income after permissible deductions does not exceed R27 192,00 per annum.

Further:

- where the cost of collecting any fee in respect of the search and preparation of a record for disclosure exceeds the amount charged, such fee does not apply.
- The search and preparation cost does not apply to the personal records of a requester.
- The request and access fees do not apply to records 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 No. 99 of 1998), or the Regulations made under section 44 of that Act.
- The Regulator may, by notice in the Gazette, grant an exemption to a responsible party to process personal information, even if that processing is in breach of a condition for the processing of such information, or any

measure that gives effect to such condition, if the Regulator is satisfied that, in the circumstances of the case—

- the public interest in the processing outweighs, to a substantial degree, any interference with the privacy of the data subject that could result from such processing, or
- the processing involves a clear benefit to the data subject or a third party that outweighs, to a substantial degree, any interference with the privacy of the data subject or third party that could result from such processing.
- The public interest referred to in subsection (1) includes—
 - the interests of national security,
 - the prevention, detection and prosecution of offences,
 - important economic and financial interests of a public body,
 - fostering compliance with legal provisions established in the interests referred to under paragraphs (b) and (c),
 - historical, statistical or research activity, or
 - the special importance of the interest in freedom of expression.
- The Regulator may impose reasonable conditions in respect of any exemption granted under subsection (1) of section 37.

17. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

17.1 Grounds for refusal

The DHS may refuse a request for access to its information if the requested information relates to:

- mandatory protection of privacy of a third party who is a natural person, including a deceased individual,
- mandatory protection of certain records of the South African Revenue Service,
- mandatory protection of commercial information of a third party,
- mandatory protection of certain confidential information and protection of certain other confidential information of a third party,
- mandatory protection of the safety of individuals and protection of property,

- mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings,
- mandatory protection of records privileged from production in legal proceedings,
- defence, security and international relations of the Republic,
- economic interests and financial welfare of the Republic and commercial activities of the Department,
- mandatory protection of research information of a third party and protection of research information of the Department,
- operations of the Department,
- manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources of the Department.

17.2 Mandatory disclosure in the public interest

A request for access to a record that could otherwise be refused on the grounds for refusal in terms of PAIA may be granted, however, in circumstances where the disclosure of the record is in the public interest, and if such public interest clearly outweighs the harm contemplated in the grounds for refusal.

17.3 Deemed refusal of a request

If the DIO fails to give a decision on a request for access to the requester within the prescribed 30-day period, the DIO will be deemed to have refused such a request. The requester may then lodge an internal appeal against such refusal.

18. PROCESS FOR COMPLAINTS

Requesters or third parties referred to in section 74 of the PAIA are obliged to follow the procedure set out in the newly inserted section 77A of the PAIA, as amended by section 110 of the POPIA, for purposes of lodging complaints to the Information Regulator.

Section 77A (1) provides that, "A requester or third party referred to in section 74 may only submit a complaint to the Information Regulator in terms of this section after that requester or third party has exhausted the internal appeal procedure against a decision of the information officer of a public body provided for in section 74".

Regulation 10 of the Regulations relating to the PAIA prescribes the process that should be followed when lodging complaints to the Information Regulator and provides as follows: "A complaint contemplated in section 77A of the Act must be lodged in writing on a form that corresponds substantially with Form 5 of Annexure A to the Regulations [Annexure H to this PAIA Manual], to the Information Regulator".

18.1 Process for approaching the court with jurisdiction for appropriate relief

The procedure relating to applications to courts of law for appropriate relief against decisions of information officers or relevant authorities of public bodies or heads of private bodies or the Information Regulator is now regulated under section 110 of the POPIA. It states that relief can only be sought from a court of law under the following circumstances:

- (a) after that requester or third party has exhausted the internal appeal procedure referred to in section 74 of PAIA; or
- (b) after that requester or third party has exhausted the complaints procedure referred to in section 77A of POPIA; and also
- (c) requesters or third parties that are aggrieved by any decision of the Information Regulator may by way of an application within 180 days apply to a court for appropriate relief in terms of section 82.

19. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY DEPARTMENT

The functions of the national government are stipulated in section 3 of the Housing Act. These include determining policy such as norms and standards, setting delivery goals, monitoring performance, capacitating municipalities, providing administrative capacity to provinces, etc.

The Department has a national policy task team comprised of representatives from provinces, metros and Chapter 9 institutions such as FFC, Information Regulator, CGE and the Public Protector. The DHS policy unit writes to all provinces to confirm names of representatives. The nominated members must be at a senior management level. The Director-General then issues letters in this regard.

The public is consulted through special consultation sessions, which are hosted with key stakeholders such as NGOs, BASA, CBOs, private sector companies, professional bodies, sector departments, contractors, developers, etc. There is a list of stakeholders, which is updated from time to time through the support of the Intergovernmental Relations Unit.

The Department also publishes gazette notices on the policy principles in the Government Gazette as stipulated in terms of section 2 of the Housing Act and Social Housing Act, e.g. one of the changes was the change in income bands. This is done through the Policy Unit.

The Department also places some of the policies on departmental websites. IT has been requested to assist us to update the website, create a my-policy email address and even create a blog for us.

Regarding legislation and regulations, the Department always host public consultations in the form of roadshows to all provinces supported by the Provincial Council.

20. PROCESSING OF PERSONAL INFORMATION

PAIA requires the DHS to provide data subjects with certain information relating to how personal information is, amongst others, processed, used, disclosed and destroyed. The required information is outlined below.

20.1 Information on how to request your personal information.

Requests for personal information must be made in accordance with the provisions of PAIA. Data subjects have the right to request the correction, deletion or destruction of personal information in the prescribed form attached as Annexure D to this PAIA Manual. Data subjects may also object to the processing of their personal information in the prescribed form attached to this PAIA Manual as Annexure E.

The DHS will provide data subjects with a written estimate of the fee for providing personal information before providing the services. A deposit may be required for all or part of the fee prior to providing the requested personal information.

20.2 Purpose of processing

PAIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe on the data subject's privacy.

The type of personal information that the Department processes is dependent on the purpose for which it is collected. The purpose as to why the personal information is being collected will be disclosed to data subjects, and it will be processed for that specific purpose only.

The DHS processes personal information for various administrative purposes, including, but not limited to, the appointment of employees and contractors. It further collects and processes personal information for purposes of rendering its services to the citizens as mandated.

20.3 Personal Information that is collected by the DHS.

Categories of data subjects	Personal information that may be processed
Beneficiaries/housing subsidy applicants – natural persons	Name and surname, contact details (contact number(s), email address), gender, residential address, identity number
Service providers – juristic persons	Names of contact persons, name of legal entity, physical and postal address, contact details (contact number(s), fax number, email address), registration number, financial, commercial, scientific or technical information and trade secrets
Employees/employees' family members	Gender, pregnancy, marital status, race, age, language, educational information (qualifications), financial information, employment history, identity number, physical and postal address, contact details (contact number(s), fax number, email address), criminal behaviour, relatives (family members), medical history, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person
Students for scholarship programme	Names, identity documents and acceptance letters from institutions of higher learning
Website visitors	Cookies
Visitors	Organisation's name, address, contact telephone

	number, identity number, passport number, driver's licence details, vehicle registration number, CCTV footage and laptop serial number
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20.4 Recipients or categories of recipients to whom the personal information may be supplied.

The DHS may disseminate personal information to certain potential recipients. Below is an example of the category of personal information to be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or categories of recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verification	South African Qualifications Authority
Credit and payment history, for credit information	Credit bureaus
Names, contact details and identity numbers of housing subsidy applicants	National Treasury

The Department may supply personal information to these potential recipients:

- management
- employees
- temporary staff
- contracted operators, and
- other recipients in international organisations.

The DHS endeavours to enter into written agreements to ensure that other parties comply with confidentiality and privacy requirements. Personal information may also be disclosed where there is a legal duty or a legal right to do so.

20.5 Planned trans-border flows of personal information.

Personal Information may be disclosed to third-party service providers whose services or products the Department elect to use, including cloud services hosted in international jurisdictions.

20.6 General description of information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.

The DHS employs appropriate, reasonable, technical and organisational measures to prevent loss of damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:

- information security policies
- segregation of user access rights
- logical and physical access control
- secure setup of hardware and software making up the DHS's information technology structure.

21. AVAILABILITY OF THE MANUAL

- This manual will be made available in English and all official languages, depending on the availability of the translators at the Department of Sport, Arts and Culture.
- A copy of this Manual, or the updated version thereof, is also available as follows—
 - on the Department's website at www.dhs.gov.za,
 - at the head office of the Department for public inspection during normal business hours,
 - to any person on request and on the payment of a reasonable prescribed fee, and
 - to the Information Regulator on request.
- A fee for a copy of the Manual, as contemplated in Annexure B of the Regulations, will be payable per each A4-sized photocopy made.

22. UPDATING OF THE MANUAL

The Department will, if necessary, update and publish this Manual annually.

ANNEXURE A
REQUEST FOR ACCESS TO A 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
National Department of Human Settlements
240 Justice Mahomed Street
Sunnyside
Pretoria
0002

Email 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 (when made on behalf of another person)	
Postal address	
Street address	

Email 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			
Email address			
Contact numbers	Tel. (B):		Facsimile:
	Cellular:		
PARTICULARS OF RECORD REQUESTED <i>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.)</i>			
Description of record or relevant part of the record			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
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	
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FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
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 <i>(Mark the applicable box with an "X")</i>	
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>	
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>	
Email of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
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) <i>A request fee must be paid before the request will be considered.</i></p> <p>(b) <i>You will be notified of the amount of the access fee to be paid.</i></p> <p>(c) <i>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.</i></p> <p>(d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption.</i></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 _____ 20 _____

Signature of requester/person on whose behalf request is made.

FOR OFFICIAL USE

<i>Reference number:</i>	
<i>Request received by: (state rank, name and surname of information officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of information officer

ANNEXURE B
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:			
Email 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:			
Email 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 align="center">GROUNDS FOR APPEAL</p> <p align="center"><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 _____ 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 <i>(if not confirmed)</i>	
	No			
Fees (section 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Extension (section 26(1)). Confirmed?	Yes		New decision <i>(if not confirmed)</i>	
	No			
Access (section 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 _____ 20 _____

Relevant authority

ANNEXURE C
REQUEST FOR A COPY OF THE GUIDE

[Regulations 2 and 3]

To: The Information Regulator
 PO Box 31533
 Braamfontein
 2017
 Email address: infoereg@justice.gov.za
 Tel number: +27 (0) 10 023 5200

OR

To: *The Information Officer
 [insert email]

I,

Full names:				
In my capacity as (mark with "x"):	Information officer		Other	
Name of *public/private body (<i>if applicable</i>):				
Postal address:				
Street address:				
Email address:				
Facsimile:				
Contact numbers:	Tel.(B):		Cellular:	

hereby request the following copy(ies) of the guide:

Language (<i>mark with "x"</i>)	No. of copies	Language (<i>mark with "x"</i>)	No. of copies
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> Siswati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> IsiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> IsiZulu			

Manner of collection (*mark with "x"*):

Personal collection	Postal address	Facsimile	Electronic communication (please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester

**Delete whichever is not applicable*

ANNEXURE D

POPIA REQUEST FORM FOR CORRECTION/DELETION

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS
OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,
2018**

[Regulation 3]

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the request may be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
- 3. Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

☐

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

☐

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ identity number:	
Residential, postal or business address	
	Code ()
Contact number(s):	
Fax number/email address:	

B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/email address:	
C	INFORMATION TO BE CORRECTED/DELETED/DESTRUCTED/DESTROYED
D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY;</p> <p>and/or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of 20.....

.....
Signature of data subject/designated person

ANNEXURE E
POPIA FORM FOR OBJECTION

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF
SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION,
2018**
[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique identifier/ identity number:	
Residential, postal or business address	
	Code ()
Contact number(s):	
Fax number/email address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/email address:	

C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of 20.....

.....
Signature of data subject/designated person

ANNEXURE F

OUTCOME OF REQUEST AND OF FEES PAYABLE

Note:

1. *If your request is granted the—*
 - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
 - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: (Requester name)

Your request dated _____ refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, all information held on computer or in an electronic or machine-readable form</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure 3.	
--	--

OR

2. You requested:

Printed copies of the information (<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 information on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of information on compact disc drive (<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier services to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
Email 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)	

Kindly note that your request has been:

☐ Approved

☐ Denied for the following reasons:

4. Fees payable with regard to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy	R1,50 per page or part thereof		
Printed copy	R1,50 per page or part thereof		
For a copy in a computer readable form on:			
i. Flash drive	R40,00		
• To be provided by requester			
ii. Compact disc	R40,00		
• If provided by requester			
• If provided to the requester	R60,00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24,00		
Copy of an audio record			
i. Flash drive	R40,00		
• To be provided by requester			
ii. Compact disc	R40,00		
• If provided by requester			
• If provided to the requester	R60,00		
Postage, email or any other electronic transfer:	Actual costs		

TOTAL:			
---------------	--	--	--

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search		Amount of deposit (<i>calculated on one third of total amount per request</i>)	
-----------------	--	---	--

The amount must be paid into the following bank account:

Account name	Department of Human Settlements
Bank	Standard Bank
Account number	010160310
Branch name	Pretoria, Van der Walt Street
Branch code	010145
Reference	Promotion of Access to Information Act

Signed at _____ this _____ day of _____ 20 _____

Information Officer

ANNEXURE G

FEES

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: <ul style="list-style-type: none"> i. Flash drive (to be provided by requester) R40,00 ii. Compact disc <ul style="list-style-type: none"> • If provided by requester R40,00 • If provided to requester R60,00 	
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from 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: <ul style="list-style-type: none"> i. Flash drive (to be provided by requester) R40,00 ii. Compact disc <ul style="list-style-type: none"> • If provided by requester R40,00 • If provided to requester 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.	R100,00
	To not exceed a total cost of:	R300,00
10.	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of item 2 to 8.
11.	Postage, email or any other electronic transfer	Actual expense, if any.

ANNEXURE H

LODGING OF COMPLAINT

Note:

1. This form is designed to assist the Requester (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 Information Regulator or complete the online complaint form available at [https:// www.justice.gov.za/inforeg/](https://www.justice.gov.za/inforeg/).
2. PAIA gives a member of the public a right to file a complaint with the Information Regulator about any nature of complaints detailed in part E 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 (hereinafter 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 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:
 - copy of the form to the Body requesting access to records;
 - the Body's response to your complaint or access request;
 - any other correspondence between you and the Body regarding your request;
 - copy of the appeal form, if your complaint relates to a public body;
 - the Body's response to your appeal;
 - any other correspondence between you and the Body regarding your appeal;
 - documentation authorising you to act on behalf of another person (if applicable);
 - 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.

To: The Information Regulator
 PO Box 31533
 Braamfontein
 2017
 Email address: infoereg@justice.gov.za
 Tel. number: +27 (0) 10 023 5200

Capacity of a person/party lodging a complaint	
(Mark with an "X")	
<input type="checkbox"/>	Complainant personally
<input type="checkbox"/>	Representative of complainant
<input type="checkbox"/>	Third party

Prerequisites				
Did you submit a request (PAIA form) for access to records of a public/private body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Did you exhaust all internal appeal procedure against a decision of the Information Officer of a public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Have you applied to court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

For Information Regulator's Use only				
Received by: (Full name)				
Position:				
Signature:				
Complaint accepted:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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:			
Email address:			
Contact numbers:	Tel. (B):		Facsimile:
	Cellular:		
PART B REPRESENTATIVE INFORMATION <i>(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)</i>			
Full names of representative:			
Nature of representation:			
Identity number/ registration number:			
Postal address:			
Street address:			
Email 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,			

Date on which 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		No	
If yes, when did you receive it? (Please attach letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to court for appropriate relief regarding this matter?	Yes		No	
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) and section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal was unsuccessful.</i>			
Unsuccessful application for condonation: (section 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 too excessive: (section 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:	<i>The information officer refused to repay a deposit paid in respect of</i>			

(section 22(4) of PAIA)	<i>a request for access which is refused.</i>	
Disagree with time extension: (section 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 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/unreasonably been disclosed.</i>	
No adequate reasons for the refusal of access: (section 56(3)(a) of PAIA)	<i>My request for access was refused, and no valid or adequate reasons for the refusal were given, including the provisions of this Act, which were relied upon for 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</i>	

	<i>vexatious and I disagree.</i>	
Other: (Please explain):		
PART G EXPECTED OUTCOME (How do you think the Information Regulator can assist you?)		
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 authorise 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 my 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 _____ 20 _____

Complainant/representative/authorised person of third party