



The Centre for Environmental Rights' Quick Guide to Using PAIA to Access Information on Environmental Governance: Lessons Learnt

Last updated: 13 July 2011

In 2011, with the support of the Open Society Foundation of South Africa, the Centre for Environmental Rights is implementing a project entitled Transparency and Accountability in Environmental Governance. This project aims at promoting transparency and accountability in environmental governance, and comprises a series of activities aimed at testing and assessing the extent to which civil society can access environmental information held by regulators and private entities.

During the first six month of this project, the CER has submitted over 50 requests for information in terms of the Promotion of Access to Information Act, 2000. We have submitted these requests to the Department of Mineral Resources (DMR), the Department of Environmental Affairs (DEA), the Department of Water Affairs (DWA), the Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET), Eskom and a number of private companies.

In the process we have gathered practical information regarding the best approach to getting requests for information processed and onto the information officer's desk. We strongly emphasise however that all requests for information must be submitted in accordance with the provisions of PAIA and the PAIA Manual of the recipient. The information and contacts below may be used in addition to submitting the requests to the designated information officer.

Contact information changes from time to time and we will endeavour to keep this quick guide as up to date as possible. We always recommend you double check these details by calling the relevant official first.

In our experience, information officers in both the public and private sectors rarely acknowledge receipt of requests and we recommend that where possible you send requests both by email and by fax and follow up to make sure the request has been received.

8A Sussex Road, Observatory, Cape Town 7925
Tel 021 447 1647 Fax 086 730 9098
Email info@cer.org.za Web www.cer.org.za

Submitting requests to DMR

Requests for information made to the national office of the DMR can be sent to the following officials (by email and fax):

Name	Email	Phone	Fax
Makhosazane Khozi	makhosazane.khozi@dmr.gov.za	012 444 3908	086 710 1429
Lydia Maila	lydia.maila@dmr.gov.za	012 444 3909	
Cecelia Moshikaro	cecelia.moshikaro@dmr.gov.za		

The DMR does not process requests until the R35 application fee has been paid. To avoid unnecessary delays we suggest making payment before submitting the request and sending proof of payment along with the request for information. While this is not the procedure set out in PAIA, it greatly speeds up the processing of requests by the DMR.

DMR Banking details for payment of the R35 application fee:

ABSA

Branch: 632005

Acc number: 4061769154

You will require a reference number and we suggest contacting one of the officials listed above, explain to them that you want to submit a PAIA request and ask them for a reference number for payment purposes.

The DMR PAIA manual states that requests for information to the DMR must be submitted to the Information Officer, Director General Advocate S. Nogxina. Advocate Nogxina has recently left the Department and there is currently an Acting Director General, Mr Edson Ragimana. The secretary of the Director General's office is Nwabisa Qwanyashe. We suggest that all requests should be copied to the office of the Director General - nwabisa.qwanyashe@dmr.gov.za, to ensure that the requester is in compliance with his/her obligations under PAIA.

Requests for information housed in a particular province can also be sent to one of the nine regional offices of the DMR. Our experiences show that these regional offices forward the requests to the national office in any event. We therefore suggest that you rather request the information from the national office (details above).

Decision letters from the DMR generally state that the Regional Manager of the province in which the information is housed will contact you. In our experience, you actually need to forward the decision letter (along with your original application form and proof of payment) to that regional manager and request that they let you know when the documents will be ready for collection (you can also request that they post the documents to you). Here is a list of the contact details for the Regional Managers in each of the provinces:

Province	Regional Manager	You can also forward the decision letters to these officials
Eastern Cape	Thandiwe Biyela Email: thandiwe.biyela@dmr.gov.za Phone: 041 396 3913	Mxolisi Sonkwala Email: mxolisi.sonkwala@dmr.gov.za Phone: 041 396 3943
Mpumalanga	Sunday Mabaso Email: sunday.mabaso@dmr.gov.za Phone: 013 656 1448	Deon Du Plessis Email: deon.duplessis@dmr.gov.za Phone: 082 465 6154
Free State	Aubrey Tshivandekan Email: aubrey.tshivandekan@dmr.gov.za Phone: 057 391 1382	Annie Albertyn Email: annie.albertyn@dmr.gov.za Phone: 057 391 1300

Limpopo	Azwihaagwisi Mulaudzi Email: azwihaagwisi.mulaudzi@dmr.gov.za Phone: 015 287 4700/ 4703	Robert Munyadziwa Email: robert.munyadziwa@dmr.gov.za Phone: 015 287 4738
Gauteng	Suzanne Malebe Email: mmadikeledi.malebe@dmr.gov.za Phone: 011 358 9758	Fhedzisani Muthindivhane fhedzisani.muthindivhane@dmr.gov.za Phone: 011 358 9744
Northern Cape	Pieter Swart Email: pieter.swart@dmr.gov.za Phone: 053 807 1728/1726	Tiro Monchonyane Email: tiro.monchonyane@dmr.gov.za
North West	Aaron Kharivhe Email: aaron.kharivhe@dmr.gov.za Phone: 018 487 9847	Tshireletso Matsoaboli tshireletso.matsoaboli@dmr.gov.za
KwaZulu-Natal	Nqobile Khanyile Email: nqobile.khanyile@dmr.gov.za Phone: 031 335 9600	
Western Cape	Sivuyile Mpakane Email: sivuyile.mpakane@dmr.gov.za Phone: 021 427 1000	Pumla Mntuyedwa Email: pumla.mntuyedwa@dmr.gov.za

To appeal a refusal (or deemed refusal) of your request, you can submit the internal appeal forms to:

Name	Email	Phone	Fax
Diphoko Modiselle	Diphoko.Modiselle@dmr.gov.za	012 444 3284	
Also fax the forms to P. Alberts, Director of Legal Services			012 444 3133
Also copy the appeal to Nwabisa Qwanyashe (Attention: The Director General)	nwabisa.qwanyashe@dmr.gov.za		

Submitting requests to DEA

Request to the Department of Environmental Affairs can be submitted to:

Name	Email	Phone
Betta Coetzee	bcoetzee@environment.gov.za	012 310 3550
Livia Modiba	livia@environment.gov.za	012 310 3047

We suggest that you submit your PAIA requests to both of these officials. Ask them to provide you with the banking details so that you can make payment of the application fee. In supplying you with the bank details, they will give you a reference number. Keep this reference number handy when making follow up enquiries on your request.

Submitting requests to DWA

We have been submitting our requests to:

Name	Email	Phone
Reah Supeng	supengr@dwa.gov.za	012 336 6917
Bashan Govender	govenderb@dwa.gov.za	012 392 1415/ 082 895 0327

We suggest that you submit your request to both of these officials and ask them to provide you with banking details and a reference number so that you can make payment of the application fee.

Submitting requests to the Mpumalanga Department of Economic Development, Environment and Tourism

We have submitted our request to:

Name	Email	Phone
Bonny-Lee Lightbody	lightbodyb@mpg.gov.za	013 766 4598/082 412 1993
Danzel Januarie	DJanuarie@mpg.gov.za	013 766 4366

We suggest that you submit your requests to both of these officials and ask them to provide you with banking details and a reference number so that you can make payment of the application fee.

Submitting requests to private companies

Requests should be sent to the CEO of the Company in question. We suggest contacting the CEO's office to determine who will be processing the request on the CEO's behalf and request banking details and a reference number to make payment of the R50 request fee.