



# agriculture, forestry & fisheries

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Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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

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## **FOREWORD**

As we boldly emerge from the manacles of a segregationist government that conducted its business in sinister secrecy, our beloved country became a shining example of democracy, openness and fairness. The social victory achieved in 1994, was entrenched in the Bill of Rights—section 8 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

Central to ensuring that our people will not be subjected to future secrecy and unfairness, the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA) was assented to in February 2000. We proudly stand behind the PAIA as one of the most liberal freedoms of information legislations in the world.

Accordingly, the implementation of PAIA is overseen by the South African Human Rights Commission (SAHRC), a body that protects, promotes and monitors the observance of human rights in South Africa. The SAHRC stands for and ensures the upholding of human rights, dignity and equality. The commission's role in ensuring the implementation of PAIA is to monitor compliance, provide training and assist deputy information officers as well as members of the public to exercise their right to information.

The Department of Agriculture, Forestry and Fisheries is committed to the implementation of PAIA and has ensured that our new organisational structure has made provision for a dedicated office to implement PAIA. Our approach emphasizes the importance of participative democracy, constant flow of empowering information, while also ensuring that our communities, particularly those at grassroots, understand their role in upholding our democracy.

Section 32 of the Constitution of the Republic of South Africa stipulates that everyone has the right of access to any information held by the state and

provides for the horizontal application of the right of access by another person to everyone when that information is required for the exercise or protection of any rights.

To ensure access to information, the department has compiled this manual to assist our clients and stakeholders to access our services, records and information and by doing so we strive to uphold the principles of Batho Pele. This manual is a roadmap that encourages participative democracy.

We urge our clients, stakeholders and all people of the Republic of South Africa to utilize the procedures set out in this manual to access our records and ensure that we continuously deepen our democracy.

Democracy is a right, a responsibility and a duty! Working together, we must uphold this democracy and everything it stands for!

**(Mr) S Zokwana, MP**  
**Minister of Agriculture, Forestry and Fisheries**

## ACRONYMS

CD	:	Chief Director
DAFF	:	Department of Agriculture, Forestry and Fisheries
DDG	:	Deputy Director General
DG	:	Director-General
DIO	:	Deputy Information Officer
GADI	:	Grootfontein Agricultural Development Institution
GPR	:	General Published Reasons
HR	:	Human Resources
IO	:	Information Officer
MOA	:	Memorandum of Agreement
MOU	:	Memorandum of Understanding
MCS	:	Monitoring, Control and Surveillance
MLRA	:	Marine Living Resources Act, 1998 (Act 18 of 1998)
MLRF	:	Marine Living Resources Fund
PAIA	:	Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
SAHRC	:	South African Human Rights Commission
SARS	:	South African Revenue Services
SG	:	Strategic goal
SO	:	Strategic objective
SOP	:	Standard Operating Procedures
TAC	:	Total allowance catch
TAE	:	Total allowance effort
WCMAPP	:	Western Cape Marine Anti-Poaching Project

## DEFINITIONS

- The department : Refers to the Department of Agriculture, Forestry and Fisheries
- Public body : Refers to a national, provincial and local government department
- Batho Pele Principles : Refers to principles such as consultation, service standards, access, courtesy, information, openness and transparency, redress, value for money
- Requester : A person requesting information or access to a record of the department, or a person requesting information or records on behalf of someone else
- Personal requester : A person requesting a record containing information about her/him.
- Fees : Amounts payable:
- Request fee : Fee payable for processing the request (where applicable)
- Access fee : Fee payable for the information or record prepared as requested
- Appeal fee : Fee payable for the processing of the appeal
- Record : Can be a document, data or information held by the department.
- Third party : A person or legal entity other than a personal requester or the department that holds the record.

- Appellant : A person or legal entity appealing against the decision of the DIO.
- Court : Means the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution of the Republic of South Africa, 1996 or a High Court or another court of similar status, or a Magistrate's Court.
- Guide : Means the document or book produced by the South African Human Rights Commission for the purposes of reasonably assisting a person who wishes to exercise any right in terms of PAIA.
- Working days : Means any other days other than Saturdays, Sundays or public holidays.

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## **1. FUNCTION OF MANUAL**

The purpose of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), hence referred to as PAIA, entails the following:

- Protect our constitutional right to access information,
- Promote transparency, accountability and effectiveness of government,
- Prescribe procedures and regulate access to information.

In terms of section 14 of PAIA, a public body must provide details of records held by such a body in order to facilitate requests for access to information.

The purpose of this manual is to outline the procedures to be followed in accessing information held by the Department of Agriculture, Forestry and Fisheries (DAFF), which is a public body as mentioned above, in accordance with the requirements of the PAIA.

The Manual also contains information on the addresses of the Accounting Officer (also referred to as the Information Officer) as well as the designated Deputy Information Officer, the branches of the DAFF as well as records kept by each branch.

## 2. GUIDE OF SAHRC ON THE MANUAL

The South African Human Rights Commission (SAHRC) has, in terms of section 10 of the PAIA, compiled a guide on the use of the PAIA. This guide is available in all official languages at various public information centers.

The guide is also available at the Offices of the Human Rights Commission at the following address:

The South African Human Rights Commission  
PAIA Unit  
The Research and Documentation Department

Physical address: 33 Hoofd Street  
Braampark Forum 3  
BRAAMFONTEIN, GAUTENG  
2198

Postal address: Private Bag X2700  
HOUGHTON  
2041

Telephone number : +27 11 877 3600  
Fax number : +27 11 403 0625  
Website : <http://www.sahrc.org.za>  
E-mail address : [PAIA@sahrc.org](mailto:PAIA@sahrc.org)

### **3. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER OF DAFF (SECTION 14(1) (b) OF THE ACT)**

Contact details of the Information Officer and Deputy Information Officer of the DAFF:

#### **Information Officer**

Mr Mortimer Mannya  
Acting Director-General  
Department of Agriculture, Forestry and Fisheries  
Private Bag X250  
Pretoria 0001

Telephone : (012) 319 7219  
Fax : (012) 325 7362  
E-mail : [DG@daff.gov.za](mailto:DG@daff.gov.za)

#### **Deputy Information Officer**

Ms P.T Sehoole  
Chief Information Officer  
Department of Agriculture, Forestry and Fisheries  
Private Bag X250  
Pretoria 0001

Telephone : (012) 319 6527  
Fax : (012) 319 6161  
E-mail : [SehoolePT@daff.gov.za](mailto:SehoolePT@daff.gov.za)

## **PAIA Implementers**

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Senior Administrative Officer

Telephone : 012 319 6907

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Email : [MarionVR@daff.gov.za](mailto:MarionVR@daff.gov.za)

Mr Msimelelo Mdledle

Acting Deputy Director: Administration

Telephone : 021 402 3422

Fax : 021 421 5051

Email : [MsimeleloM@daff.gov.za](mailto:MsimeleloM@daff.gov.za)

The functions of the Deputy Information Officer of the department are to ensure transparent, accountable, professional and efficient client services in managing requests for access to information as prescribed in the PAIA and to provide guidance relating to the accessibility of records kept by the DAFF in terms of the PAIA.

## **Manual and its availability:**

This manual is available in nine official languages in the following formats:

- 1) Website

The languages are as follows:

- Afrikaans
- English
- IsiSwati
- IsiXhosa
- Sepedi
- Sesotho
- Setswana
- TshiVenda
- XiTsonga

Hardcopies of the booklets can be printed for the public at all DAFF offices as follows:

National Office : Agriculture Place  
20 Steve Biko Street  
Pretoria

Fisheries Office : Foretrust House  
Martin Hammerschlag Way  
Foreshore  
Cape Town

The website of the Department of Agriculture, Forestry and Fisheries is [www.daff.gov.za](http://www.daff.gov.za)

In addition, a hardcopy can be printed and dispatched free of charge by request by a member of the public.

#### 4. FUNCTIONS AND STRUCTURE OF DAFF (SECTION 14(1) (a) OF THE ACT)

LEGAL MANDATE	VISION	MISSION	VALUES
<p>The DAFF's legal mandate covers the agriculture, forestry and fisheries value chains: from inputs, production and value adding to retailing.</p>	<p>United and transformed agriculture, forestry and fisheries sector that ensures food security for all and economic prosperity</p>	<p>Advancing food security, job creation, economic growth and transformation of the sector through innovative, inclusive and sustainable policies, legislation and programmes</p>	<p><b>Drive:</b> Driven to deliver excellent service through</p> <p><b>Attitude:</b> Being an ambitious, passionate, reliable and dedicated workforce</p> <p><b>Fairness:</b> Acting with objectivity, empathy, integrity and transparency</p> <p><b>Focus:</b> Focusing on people, food security, job creation, growth and transformation</p>

## ALIGNMENT OF GOVERNMENT KEY OUTCOMES TO DEPARTMENTAL GOALS

Outcome	Strategic goal	Programme
<b>12:</b> An efficient, effective and development oriented public service and an empowered, fair and inclusive citizenship	<b>SG1:</b> Effective and efficient strategic leadership, governance and administration	1
<b>4:</b> Decent employment through inclusive economic growth	<b>SG2:</b> Enhance production, employment and economic growth in the sector	2,4, 5 and 6
<b>7:</b> Vibrant, equitable, sustainable rural communities contributing towards food security for all	<b>SG3:</b> Enabling environment for food security and sector transformation	3,5 and 6
<b>10:</b> Protect and enhance our environmental assets and natural resources	<b>SG4:</b> Sustainable use of natural resources in the sector	2,5 and6

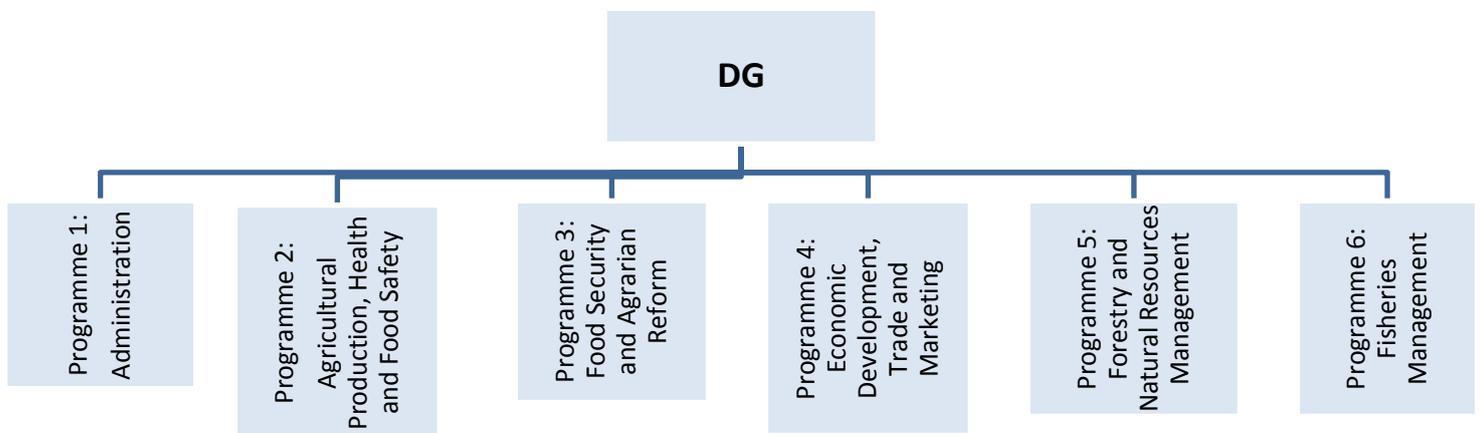
## STRATEGIC GOALS AND OBJECTIVES—OUTCOME ORIENTED GOALS OF THE INSTITUTION

The DAFF's strategic goals and objectives are as follows:

Strategic goals	Strategic objectives
<p><b>Strategic goal 1:</b> Effective and efficient strategic leadership, governance and administration</p> <p><b>Goal statement 1:</b> Provide leadership and administrative support to achieve sector and organisational goals in accordance with prescribed frameworks</p>	<p><b>Strategic objective 1.1</b> Ensure compliance with statutory requirements and good governance practices</p>
	<p><b>Strategic objective 1.2</b> Strengthen the support, guidance and interrelation with stakeholders</p>
	<p><b>Strategic objective 1.3</b> Strengthen institutional mechanisms for integrated policy, planning, monitoring and evaluation in the sector</p>
<p><b>Strategic goal 2:</b> Enhanced production, employment and economic growth in the sector</p> <p><b>Goal statement 2:</b> Ensure profitable and safe production that contributes to increased market access</p>	<p><b>Strategic objective 2.1</b> Ensure increased production and productivity in prioritised areas as well as value chains</p>
	<p><b>Strategic objective 2.2</b> Effective management of biosecurity and related sector risks</p>
	<p><b>Strategic objective 2.3</b> Ensure support for market access and processing of agriculture, forestry and fisheries products</p>
<p><b>Strategic goal 3:</b> Enabling environment for food security and sector transformation</p>	<p><b>Strategic objective 3.1</b> Lead and coordinate government food security initiatives</p>
	<p><b>Strategic objective 3.2</b></p>

<p><b>Goal statement 3:</b> Lead and create an enabling environment for the transformation of the sector and the effective implementation of government's initiatives directed at food security, job creation and growth</p>	<p>Enhance capacity for efficient delivery in the sector</p>
<p><b>Strategic goal 4:</b> Sustainable use of natural resources in the sector</p>	<p><b>Strategic objective 3.3</b> Strengthen planning, implementation and monitoring of comprehensive support programmes</p>
<p><b>Goal statement 4:</b> Ensure sustainable use of natural resources.</p>	<p><b>Strategic objective 4.1</b> Ensure the conservation, protection, rehabilitation and recovery of depleted and degraded natural resources</p>
	<p><b>Strategic objective 4.2</b> Ensure adaption and mitigation to climate change through effective implementation of effective prescribed frameworks</p>

## The structure of the Department of Agriculture, Forestry and Fisheries



<b>Branch/Programme</b>	<b>Aim</b>
1. Administration	To provide strategic leadership, management and support services to the department. The programme comprises the Ministry; Office of the Director-General; Financial Administration; Internal Audit; Risk Management; Corporate Services; Stakeholder Relations, Communication and Legal Services; and Policy Planning, Monitoring and Evaluation
2. Agricultural Production, Health and Food Safety	Ensure value chain integration, facilitate market access for sector products in support of economic growth, job creation and development
3. Food Security and Agrarian Reform	Facilitate and promote food security and agrarian reform programmes and initiatives
4. Economic Development, Trade and Marketing	Manage the risks associated with animal diseases, plant pests, genetically modified organisms and the registration of products used in food production to promote food safety and create an enabling environment for increased and sustainable production
5. Forestry and Natural Resources Management	Develop and facilitate the implementation of policies and targeted programmes to ensure management of forests, sustainable use and protection of land as well as managing food production risks and disasters
6. Fisheries Management	Provide overall management and leadership to marine management, including research, monitoring control and surveillance and ensure the development and implementation of sustainable marine resources

## **5. DESCRIPTION OF SUBJECTS ON WHICH THE DAFF HOLDS RECORDS (SECTION 14(1) (d) OF THE ACT)**

The records listed below are automatically available without having to request access in terms of the PAIA. The Deputy Information Officer and the DAFF Branches can be contacted to gain access to these records. In addition, in certain instances, these documents are available on the departmental website.

### ***Document subjects:***

- Animal production
- Annual reports: Department of Agriculture, Forestry and Fisheries
- Chemical agents
- Crops
- Economics
- Farming
- Grazing and pasture management
- Horticulture
- Meat hygiene
- Soil conservation
- Crops
- Entomology and nematology
- Miscellaneous
- Soils
- Veld and pastures
- Marine permit application forms and requirements
- Aquaculture guidelines
- Annual performance review booklet
- Records of decision (Fishing rights allocation processes)
- Summaries or general published reasons (GPR)
- Registers

- Permit application forms and requirements
- Permit conditions
- Summaries of TAC and TAE per sector
- Economic data
- Scientific working group documents and reports that do not relate to the current year's TAC/TAE recommendation
- Published scientific papers and reports

### **Periodicals**

- The Departmental bi-monthly electronic newsletter, Daff@Home in which reports on interdepartmental activities and achievements are published
- Trends in the agricultural sector
- Statistics on fresh produce markets
- AgriNews - a monthly newsletter for external stakeholders
- Marine Journal

### **Other**

- Strategic plans
- Recreational fishing brochure
- State of South Africa's marine resources
- Annual report of MLRF
- Financial statements of the MLRF
- Human resource data
- MLRA and regulations

## **5.1. Description of categories of records available on request in accordance with the PAIA**

The records listed below are available on request in terms of the PAIA. Requests for records should be forwarded to the Deputy Information Officers. Refer to annexure for applicable form and fees.

A description of the subjects on which the DAFF holds records and the categories of records held on each subject.

Hereunder follows a list of the main series of files held by the Department of Agriculture. The files are divided into two main categories, namely support services and line functions.

### **Support functions**

- Organisation and control
- Human resources
- Finance
- Administration and governance
- Security services
- Health and safety
- Information and communication technology
- Education and training
- Legal services
- Composition functions and meetings of bodies
- Reports returns and information
- Corporate planning

### **Line function branches**

- Agricultural information services

- Production and resource economics
- Farmer settlement
- Agricultural finance and co-operative development
- International relations
- Land use and soil management
- Food security and quality assurance
- Plant health
- Marketing
- Genetic resources
- Animal health
- Engineering services
- Agricultural statistics
- Director-General
- International trade
- Plant production systems
- Business and entrepreneurial development
- Agricultural risk and disaster management
- Animal and aqua production systems
- Programme planning
- Research and technology development
- Food security and rural development
- Water use and irrigation development
- Agricultural product inspection services (APIS)
- Grootfontein (documents available at [www.GADI.agric.za](http://www.GADI.agric.za))
- Biosafety
- Permit conditions
- Aquaculture bench-marking survey
- Impact of rising feed ingredient prices on aqua feeds and aquaculture production
- Cat fish feed handbook
- Registers
- Company files

- Handbook on the artificial reproduction and pond rearing of the African catfish 'Clarimas Gariepinus' in Sub-Saharan Africa
- China-SA report
- Framework for aquaculture research management
- Minutes of task team meetings
- Monthly/bi-annual stats
- WCMAPP
- MCS SOPs
- Fishing rights application forms
- Annexure to application forms
- Appeal documents
- Commercial permits, licenses and exemptions
- Vessel change applications
- Minutes of working group meetings
- Economic studies
- Fishery performance reviews
- International engagements
- Information on recreational fishing
- Small-scale and Interim relief data
- Catch statistics
- Research data and permits
- Research reports

**Other documents held by DAFF**

- Specific staff information
- Job descriptions and performance agreements
- Other additional Records held by DAFF
- Legislation
- Minutes of meetings
- Contracts
- MOUs and MOAs

- Policies and procedures
- HR records
- Files
- General correspondence
- Information brochures
- Reports
- Strategic Plans
- Training manuals

## **6. REQUEST PROCEDURES SECTION 14(1) (d) OF THE ACT**

Everyone has the right to request access to information held by DAFF. However, the request should be made on the prescribed form and after the prescribed fees have been paid. The request will be processed subject to the grounds of exclusion found in Chapter 4 of PAIA. The request may be made by anyone who acts in his/her own interests or acts on behalf of someone who cannot himself/herself do so.

### **6.1. A requester must be given access to a record of a public body if the requester complies with the following:**

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record;
- Access to the record is not refused on any ground of refusal mentioned in the Act.

### **6.2. Nature of the request**

- A requester must use the form that has been printed in the Government Gazette (Govt Notice R187—15 February 2002). (Form A)
- The requester must also indicate if he/she prefers a copy of the record or if he/she wants to come in and inspect the record at the offices of the DAFF. Alternatively, if the record is not a document, it can then be viewed in the requested form, where possible. This is in line with section 29(2).
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If, for practical reasons, access

cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it, in line with section 29(3) and (4).

- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, such as telephone, this must be indicated in line with section 18(2) (e).
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated in section 18(2) (f).
- If a requester is unable to read or write, or has a disability, then the request for the record can be made orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy in line with section 18(3).

Please include the prescribed fees and request forms as an annexure to the manual.

In addition;

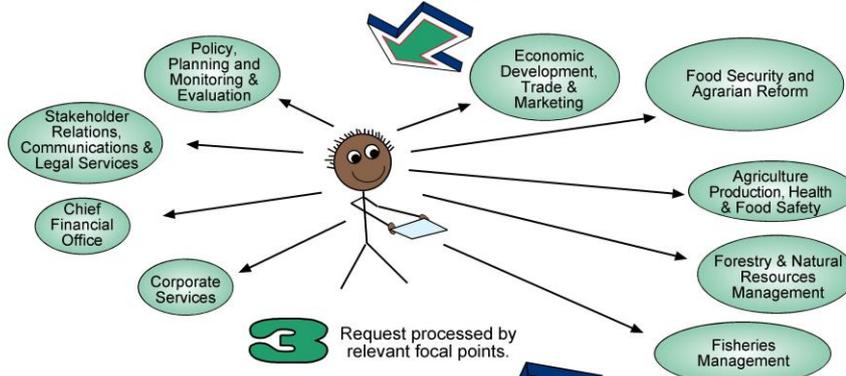
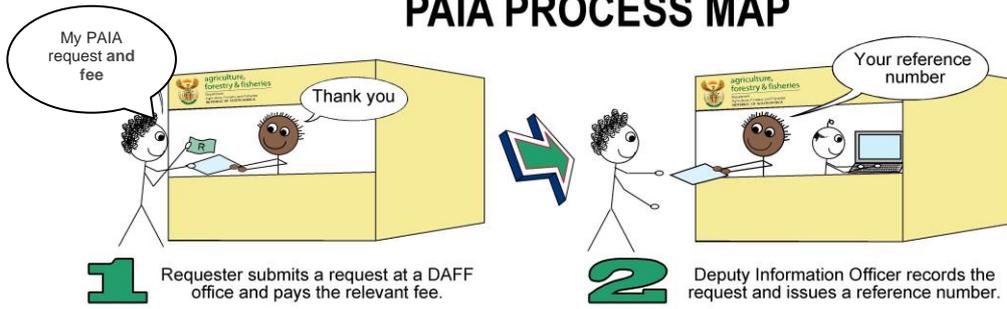
- Prescribed fees are attached as Annexure C.

6.3. There are two types of fees required to be paid in terms of the Act, namely the request fee and the access fee, also see section 22.

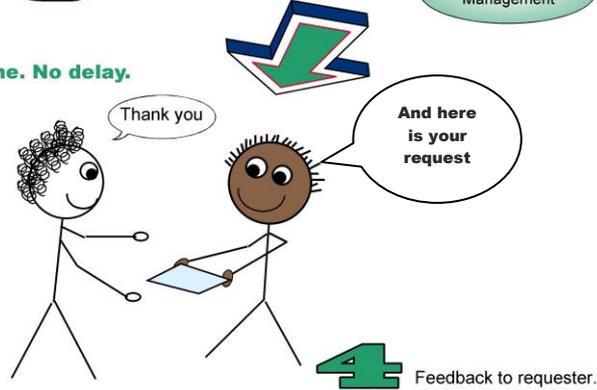
- A requester who seeks access to a record containing personal information on that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.
- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

- The request fee payable to public bodies is R35. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request, the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the request is granted, then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

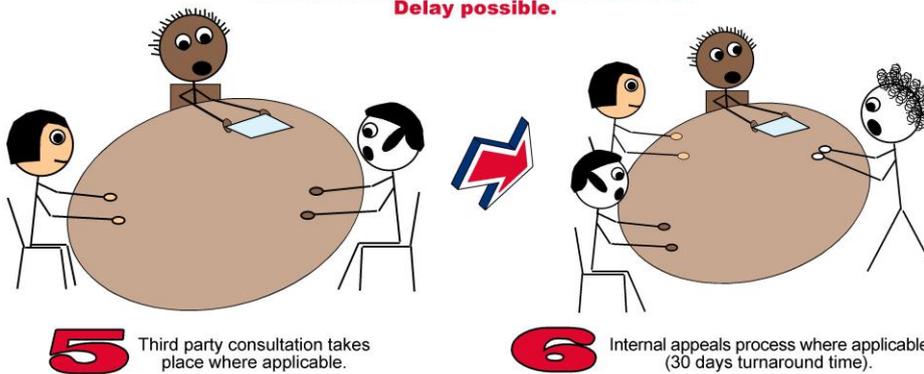
# PAIA PROCESS MAP



Positive outcome. No delay.



In the event of a third-party consultation. Delay possible.



30 DAYS TURNAROUND TIME

Graphic by Tony van Dalsen  
DAFF Communication Services

## **7. A DESCRIPTION OF THE SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE DAFF AND HOW TO GAIN ACCESS TO THESE SERVICES**

The services available at the Department of Agriculture, Forestry and Fisheries are depicted in its functions, strategic goals and objectives as well as the branches and their aims listed in this manual.

A list of other services available from the Department and how to access them will be attached to this manual as an annexure. We will update this annexure on a regular basis and will publish it as and when necessary on our departmental website at [www.daff.gov.sa](http://www.daff.gov.sa).

In the 2015/16 – 2019/20 Strategic Plan, the DAFF highlights the following:

- Expanding irrigated agriculture—the 1,5 million ha under irrigation could be expanded by at least another 500 000 ha to 2 million ha
- Cultivating underutilised land in communal areas and land-reform projects for commercial production
- Supporting commercial agricultural industries and regions with the highest growth and employment potential
- Supporting upstream and downstream job creation
- Finding creative opportunities for collaboration between commercial farmers and complementary industries
- Developing strategies that give new entrants access to value chain and support.

## **8. A DESCRIPTION OF ARRANGEMENTS FOR PUBLIC PARTICIPATION FOR THE FORMULATION OF POLICY OR TO THE EXERCISE OR PERFORMANCE OF DUTIES BY THE DAFF**

At the DAFF such arrangements would include:

- At strategic policy level the department engages all sector stakeholders in the development of a shared industry perspective.
- At intergovernmental level the department engages with the relevant local and provincial government departments.

Legislative level

- Boards, councils, and other stakeholder forums: DAFF legislation on specific commodities provides for boards, councils and other stakeholder forums in terms of which industry representatives serve.
- A consultative process is followed when drafting legislation by holding countrywide workshops with stakeholders. After drafting legislation, Bills are published for comments by the public prior to promulgation thereof.

The Annual Report of the DAFF is submitted to Parliament and is available to the public for information purposes.

General enquiries:

Any member of the public may write to the Director-General and/or Minister to make an enquiry.

## **9. A DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE DAFF (SECTION 14(1) (h) OF THE ACT)**

Decisions taken by Registrars in terms of Acts such as Act No. 36 of 1946 and Act No. 15 of 1997 can be appealed against.

Any other decisions taken by the DAFF that adversely affect the rights of the public can be questioned in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

An internal appeal form should be completed and submitted to the DAFF. The processing of the form takes 30 days in accordance with PAIA.

A requester may lodge an internal appeal against a decision of the Deputy Information Officer to refuse a request, or against the request and access fees, or an extended period to deal with the request.

### **9.1 Form**

9.1.1 The appeal must be lodged on the prescribed form (Form B) issued in terms of the PAIA, or a form that substantially corresponds with this form. A copy of this form is attached to this document as an annexure. Copies of this form are also available from the DAFF offices or the departmental website.

9.1.2 The appeal must be lodged within **60** days or if notice to a third party is required by section 49(1)(b) within **30 days** after notice has been given to the appellant of the decision appealed against or, if notice to the appellant is not required, after the decision was taken. The appeal must be made to the address, fax number or electronic mail address of the Deputy Information Officer.

- 9.1.3 An appellant must provide sufficient details on the appeal form in terms of the reasons for the internal appeal, how he/she wishes to be informed of the decision about the appeal, and pay the prescribed appeal fee (if any).
- 9.1.4 The relevant authority will allow late lodging of an appeal only if the appellant's motivation is credible. An appellant will be informed if his/her late appeal was disallowed.

## 9.2 **Appeal fee**

- 9.2.1 No appeal fee is required.
- 9.2.2 After receiving an appeal, the Deputy Information Officer must within **10 working days** submit to the Information Officer the internal appeal, his reasons for his decision, and details of a third party involved, if any.

## 9.3 **Third party**

- 9.3.1 If the DAFF is considering an internal appeal against refusal of a request for access to a record of a third party that relates to his/her privacy; commercial interests and other confidential information; and records of SARS, the department must inform the third party about the appeal within **30 days** after receipt of the appeal, and by the fastest means reasonably possible. The DAFF will furnish the third party with a description of the contents of the appeal, details of the appellant, and state whether the department is of the opinion that the information should be revealed in the interest of the public. The third party then has **21 days** to make a written representation why the request for information should not be granted, or give written consent for the disclosure of the record to the requester.

9.3.2 The DAFF may also consider lodging an internal appeal against granting access to information. The department will then have to notify the requester of such an appeal within **30 days** after receipt of the internal appeal. The third party has **21 days** to make a written representation why the access to the record should be granted.

#### 9.4 **Notice of decision**

9.4.1 The DAFF may confirm the original decision, or make another decision. This will be done within **30 days** after receipt of the internal appeal, or within **five working days** after receiving written representation regarding the appeal. Notice will be given to the appellant, every third party involved and the requester, stating the reason/s for the decision.

#### 9.5 **Application to court**

9.5.1 The appellant, third party or requester will also be informed that he/she may lodge an application to court against the decision on an internal appeal within **180 days** even if notice has to be given to a third party. Prescribed time frames will apply if the DAFF decides to grant access to a record where a third party still has the right to make a representation against this decision before access will be given to the record.

9.5.2 If the DAFF fails to comply with the above procedures and time frames on an internal appeal, the DAFF will be regarded as having dismissed the internal appeal.

9.5.3 A requester or third party may **ONLY** apply to a High Court (or court of similar status) for appropriate relief after the requester or third party has exhausted the internal appeal procedure, within **180 days** after a decision on an internal appeal. No record may be withheld

from the court. The court proceedings are civil, and the court may confirm, amend or set aside the decision on internal appeal, or grant an interdict.

**10. OTHER INFORMATION AS MAY BE PRESCRIBED BY THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

There is currently no additional information available from the Minister of Justice and Constitutional Development in terms of section 92 of the Act.

## 11. FURTHER INFORMATION

Further information on the department can be obtained from the DAFF website at [www.daff.gov.sa](http://www.daff.gov.sa) or contact:

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## **12. ANNEXURES**

The following documents are attached to this manual:

Annexure A: Form A: Request Form

Annexure B: Form B: Internal Appeal Form

Annexure C: Fees Schedule

Annexure D: Other services available at DAFF