



NAMC
Promoting market access for South African agriculture

PROMOTION OF ACCESS TO INFORMATION MANUAL

The NAMC Manual is compiled in terms of section 14 of the Promotion of Access to Information Act, 2000

(PAIA)

NATIONAL AGRICULTURAL MARKETING COUNCIL

Business Office
Block A | 4th floor | Meintjiesplein Building | 536 Francis Baard Street | Arcadia |
Pretoria | 0002.

Private Bag X935 | Pretoria | 0001
Tel: 012 341 1115 | Fax: 012 341 1811

www.namc.co.za

PROMOTION OF ACCESS TO INFORMATION MANUAL

Manual No:	PAIA 06
-------------------	----------------

Effective date:	Immediately upon approval by Council
Applicability	To all staff members and stakeholders
Managed by:	Chief Executive Officer

CONTROL MEASURES OF THE MANUAL

Recommended by: Chief Executive Officer	Date:	Chief Executive Officer's Signature:
Recommended by: Risk Management Committee	Date:	Chairperson's Signature:
Recommended by: Human Resources and Remuneration Committee	Date:	Chairperson's Signature:
Recommended by: Audit and Risk Committee	Date:	Chairperson's Signature:
Approved by: Council	Date:	Chairperson's Signature:
Next review date	Date:	The manual will be reviewed as and when it is applicable.

REVISION RECORD

Date	Revision Description
New document	

TABLE CONTENTS

1. DEFINITIONS.....	5
2. INTRODUCTION.....	7
3. MANDATE AND CORE VALUES.....	9
4. STRUCTURE OF THE NAMC.....	14
5. ADMINISTRATION OF THE ACT.....	15
6 CONTACT DETAILS.....	15
7. REQUEST FOR INFORMATION.....	16
8. REQUEST BY PEOPLE WITH DISABILITIES.....	18
9. FEES PAYABLE.....	18
10. METHOD OF PAYMENT.....	19
11. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS.....	20
12. APPEALS.....	21
13. CATEGORIES OR RECORDS HELD BY THE NAMC	22
14. HOW TO GAIN ACCESS TO NAMC SERVICES.....	23
15. REMEDIES AVAILABLE IN RESPECT OF FAILURE TO COMPLY WITH PROVISIONS OF THIS ACT.....	23
16. SECTION 10 GUIDE ON HOW TO USE THE ACT (SECTION 14 (1) (C)	23
17. (A) Annexure 1 FORM A – REQUEST FOR ACCESS TO RECORD OF THE NAMC...25	
(B) Annexure 2 FEES IN RESPECT OF PUBLIC BODIES.....	29
(C) Annexure 3 FORM B - NOTICE OF INTERNAL APPEAL.....	31
(D) Annexure 4 – OFFICIAL RECORD OF INTERNAL APPEAL.....	34

ACROYNMS AND ABBREVIATIONS

DALRRD	Department of Agriculture, Land Reform and Rural Development
NAMC	National Agricultural Marketing Council
A&RC	Audit and Risk Committee
RMC	Risk Management Committee
CEO	Chief Executive Officer
CFO	Chief Financial Officer
PFMA	Public Finance Management Act 1 of 1999
PDA	Protected Disclosures Act 26 of 2000
PRECCA	Prevention and Combating of Corrupt Activities Act 12 of 2004
CPA	Criminal Procedure Act 51 of 1977
PAIA	Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
POPI	Protection of Personal Information Act, 2013 (Act No 4 of 2013)

DEFINITIONS

The Council	Council members
MAP Act	Marketing of Agricultural Products Act 47 of 1996
Executive Authority	The Minister of Agriculture, Land Reform and Rural Development
Fraud Prevention Policy	Facilitates the development of controls which will aid in the detection and prevention of fraud against the NAMC
Committees	Council Sub-Committees
Protected Disclosure Act 26 of 2000	Makes provisions for the procedures in terms of which employees may disclose information regarding to unlawful or irregular conduct by their employers or other employees in the employ of their employers without fear of victimization
Access fee	means a fee prescribed for the purposes of reproduction, for search and preparation, and for time reasonably required more than the hours prescribed to search for and to prepare the record for disclosure
Court	(a) the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution of the Republic of South Africa, 1996; or (b) (i) a High Court or another court of similar status; or (ii) a Magistrate's Court, either generally or in respect of a specified class of decisions in terms of PAIA, designated by the Minister; by notice in the Gazette and presided over by a magistrate or an additional magistrate designated in terms of section 91A of PAIA, within whose area of jurisdiction
Information Officer	in relation to the NAMC, means the Chief Executive Officer
Deputy Information Officer	means the official duly authorised by the Information Officer to ensure that the requirements of PAIA are administered in a fair, objective, and unbiased manner
Official	(a) any person in the employ (permanently or temporary and full time or part-time) of the public or private body including the head of the body, in his or her capacity as such; or (b) a member of the public or private body, in his or her capacity as such;

DEFINITIONS

Personal requestor	means a requestor seeking access to a record containing personal information about the requestor
Requestor	means – (l) any person (other than a public body contemplated in paragraph (a) or (b) (l) of the definition of “public body”, or an official thereof) making a request for access to a record of that public body; or (ii) a person acting on behalf of the person referred to in subparagraph (l). “Third party” means 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: (l) the requestor concerned; and (ii) a public body.
Personal Information	Means information about an identifiable individual, including but not limited to – (a) Information relating to race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health wellbeing, disability, religion, conscience, belief, culture, language, and birth of the individual. (b) information relating to the education or the medical, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved (c) the address, fingerprints, or blood type of the individual (d) the views or opinions of another individual about the individual
Public body	means – (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or (b) any other functionary or institution when – (l) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or (ii) exercising a public power or performing a public function in terms of any other legislation;

DEFINITIONS

Record	means any recorded information – (a) regardless of the form or medium. (b) in the possession or under the control of that public or private body respectively; and (c) whether or not it was created by that public or private body, respectively;
Regulation	in terms of the Promotion of Access to Information Act” means regulations regarding the promotion of access to information published in the Government Notice no. 187 of 15 February 2002 (Government Gazette No. 23119),
Internal appeal	means an internal appeal to the relevant authority in terms of section 74 of the Act

2. INTRODUCTION

2.1. The Promotion of Access to Information Act (No.2 of 2000), hereinafter referred to as PAIA, was enacted to give effect to the right of access to information contained in section 32 of the Constitution of the Republic of South Africa, 1996 (Act no 108 of 1996). It was promulgated to foster a culture of transparency and accountability in both Public and Private bodies.

2.2. The proclamation of the Act states that the data and information record the National Agricultural Marketing Council (NAMC) published in the form of maps, documents, and databases, is to be made available to stakeholders. This manual informs a requestor on how to obtain access to records held by the Council of the NAMC.

2.3. Section 14 of PAIA requires both public and private bodies to compile manuals that provide information on both the types and categories of records held by such public and private bodies. The NAMC is a public body under paragraph (b) (ii) of the definition of “public body” in section 1 of the Act.

2.4. This document serves as the PAIA manual for NAMC regarding processes through which information or records can be accessed. It provides reference to the

records held and processes that should be followed if the request is made to access such records as stipulated in section 14 of PAIA.

2.5. This manual does not replace the Act but must be read in conjunction with the legislation Sections 34 to 46 of the PAIA stipulates the grounds for refusing access to information in considering whether to provide access to information. The NAMC must consider grounds for refusing access to information set out in the PAIA.

Section 9 of PAIA also recognizes that such right to access to information is subject to certain justifiable limitations including, but not limited to:

- The reasonable protection of privacy
- Commercial confidentiality
- Effective, efficient, and good governance

It should further be noted that this manual provides guidance on how requests for personal information should be addressed.

This manual also prescribes the following:

- The grounds upon which such requests could be refused; and
- The remedies available to the requestor upon the refusal/failure to obtain the requested information.

2.6. Should you have any difficulty in using this manual, please contact the deputy information officer described in paragraph 6.2.

Applicable legislation:

- Constitution of the Republic of South Africa, Act 108 of 1996
- Basic Conditions of Employment Act 75 of 1997
- MAP Act
- Employment Equity Act 55 of 1998
- Labour Relations Act 66 of 1995
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013
- Public Finance Management Act 1 of 1999
- Promotion of Administrative Justice Act 3 of 2000)

3. MANDATE AND CORE VALUES OF THE NAMC

3.1. Constitutional mandate

The constitutional basis of the work done by the NAMC rests in the mandate of the Department of Agriculture, Land Reform and Rural Development (DALRRD) which in turn is derived directly from the Constitution of the Republic of South Africa (Act No.108 of 1996). The specific sections of the Constitution (Act 108 of 1996) that applies to the DALRRD and thereby the NAMC are Sections 24, 25 and 27 of Chapter 2, of the Bill of Rights. Section 24 deals with environmental rights, including “secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development. Land reform which aims to bring about equitable access to all South Africa’s natural resources is addressed in Section 25(4)(a). The right to access food and water is reflected in Section 27(1)(b). The provision for food security covers the agriculture value chain from inputs, production, value add (Agro-processing), and marketing to retailing.

The NAMC as a statutory organization of the DALRRD derives its mandate directly from the MAP Act. The NAMC was established by the Department and in terms of Marketing of Agricultural Products (MAP) Act No. 47 of 1996, as amended by Act No. 59 of 1997 and Act No. 52 of 2001. The MAP Act essentially provides for the authorization, establishment, and enforcement of regulatory measures to intervene in the marketing of agricultural products including the introduction of statutory measures on agricultural products. The NAMC plays an active role in the coordination of the work relating to the four statutory measures mentioned in the Act, coordinates the work of industry trusts, undertakes thorough research aimed at advising the Minister and DAGs on marketing and economic matters and works directly with farmers to address their marketing matters.

3.2. Legislative and policy mandates

The Marketing of Agricultural Products (MAP) Act and its subsequent amendments

The mandate of the NAMC is enshrined in the MAP Act, which authorizes the establishment and enforcement of regulatory measures to intervene in the marketing of agricultural products e.g., the introduction of statutory measures. The NAMC is established by Section 3 of the MAP Act and the functions of the NAMC particularly feature in section 9 of the Act, this section stipulates that -

“Functions of Council

9. (1) Subject to the provisions of section 2, the Council-

- a) shall, when requested by the Minister, or of its own accord, investigate, in terms of section 11(2), the establishment, continuation, amendment or revocation of statutory measures affecting the marketing of agricultural products, evaluating the desirability, necessity or efficiency and if necessary, proposing alternatives to the establishment, continuation, amendment or repeal of a statutory measure and report to and advise the Minister accordingly.
 - b) shall prepare and submit to the Minister for consideration Statutory measures and changes to statutory measures which the Minister directs it to prepare.
 - c) shall, whenever requested by the Minister and at least once annually, report on the activities of the Council.
 - d) may direct any institution or body of persons designated for the purpose of the implementation or administration of a statutory measure in terms of section 14, to furnish the Council with such information pertaining to a statutory measure as the Council, the Minister or the parliamentary committees may require.
 - e) may undertake investigations and advise the Minister regarding-
 - f) agricultural marketing policy and the application thereof.
- the coordination of agricultural marketing policy in relation to national economic, social and development policies and international trends and developments; and
 - the possibilities for promoting the objectives mentioned in section 2(2); and

- the effect that the marketing of products has on the objectives mentioned in section 2(2)
- shall monitor the application of statutory measures and report thereon to the Minister and shall evaluate and review such measures at least every two years.

Copies of all reports which are submitted to the Minister in terms of subsection (1) shall simultaneously be dispatched to the parliamentary committees for their information.

The NAMC performs the above-mentioned mandate in support of the four (4) objectives of the MAP Act, i.e.:

- Increasing market access to all market participants,
- Promotion of efficiency in the marketing of agricultural products,
- Optimize export earnings from agricultural products, and
- Enhancement of the viability of the agricultural sector.

3.3. NAMC STRATEGIC FOCUS

Vision

The Vision of the NAMC is captured as the “strategic positioning of agriculture in a dynamic global market”.

This Vision is aligned with the DALRRD’s Mission which includes “...improve agricultural production to stimulate economic development and food security through, amongst others, innovative sustainable agriculture, and promotion of access to opportunities for youth, women, and other vulnerable groups.

It also speaks to the sustainable agricultural productivity element of the DALRRD’s Impact Statement. As stated in the DALRRD’s Strategic Plan for 2023/24-2027/28 (dated 24th October 2019), “Sustainable Agricultural Productivity refers to a functioning system which ensures that food is produced optimally using available resources including adequate access to fertile land, water, agricultural inputs, funding, markets, production capability (i.e., research, biosecurity, skills, etc.) within the short and long term”.

Specifically, the NAMC Vision indirectly responds to:

Priority 2: Economic Transformation and Job Creation

Outcome: Investing in accelerated inclusive growth & Re-industrialization of the economy and emergence of globally competitive sectors:

- Create jobs through Job Summit Commitments and other public sector employment programmed; and
- Create a conducive environment that enables national priority sectors to support industrialization and localization, leading to increased exports, employment, and youth- and women-owned SMME participation.

Priority 3: Education, Skills, and Health

- Expand access to Post-Secondary Education and Training (PSET)
- Extension policy reviewed to support the implementation of the agriculture and Agro-processing master plan and provide advisory services to commodity groups.

Priority 5: Spatial Integration, Human Settlements and Local Government

Outcome: Integrated service delivery, settlement transformation & inclusive growth in rural and urban places

- Develop and implement district/metro Joined-Up Plans
- Develop Regional Spatial Development Frameworks
- Support addressing of development objectives and local needs through piloting, refinement, and implementation of the District Development Coordination Model
- Identify and use derelict government land and buildings in urban and rural areas as a catalyst for spatial transformation in support of the NSDF and IUDF objectives, including land and agrarian reform. (9 993 Ha identified – custodianship of national DPWI identified for human settlements purposes)
- National Spatial Development Framework (NDSF)
- Sustainable land Reform

3.4. Mission

The Mission of the NAMC is to “Provide marketing advisory and regulatory services to key stakeholders in support of a vibrant agricultural marketing system in South Africa”. The Mission is aligned with the Vision of the NAMC and expresses the core functions that the NAMC performs as stipulated in Section 9 of the MAP Act No 47 of 1996.

3.5. Values

The following values are adopted as our commitment to entrench and deepen the “NAMC” way, both in our behavior and service offering.

- **Integrity** (honesty / ethical/trustworthy/transparent)
- **Assertiveness** (accountable / responsible / reliable / taking ownership / confident)
- **Collaboration** (consultative / teamwork / participative/cooperative)
- **Service excellence** (performance driven / target oriented / service oriented / motivated/committed/diligent)
- **Fairness** (equal treatment/respect/tolerance/consistency)
- **Objectivity** (analytical/rational / attention to detail / conceptual)
- **Innovation** (creative / pro-active / adaptive/flexible / initiative)

3.6. Core values of the Council for NAMC The core values of the NAMC are:

Innovation: Generating and implementing novel ideas and products that create value.

Diversity: Embracing an inclusive culture that upholds transformation and recognizes contributions from all stakeholders.

Excellence: Striving to excel in every aspect of its business.

Accountability: Fostering reliability and commitment, taking responsibility and ownership.

Learning: Advancing learning through knowledge creation.

Safety, health, and environment: Prioritizing the health and safety of all employees and stakeholders in accordance with environmental stewardship.

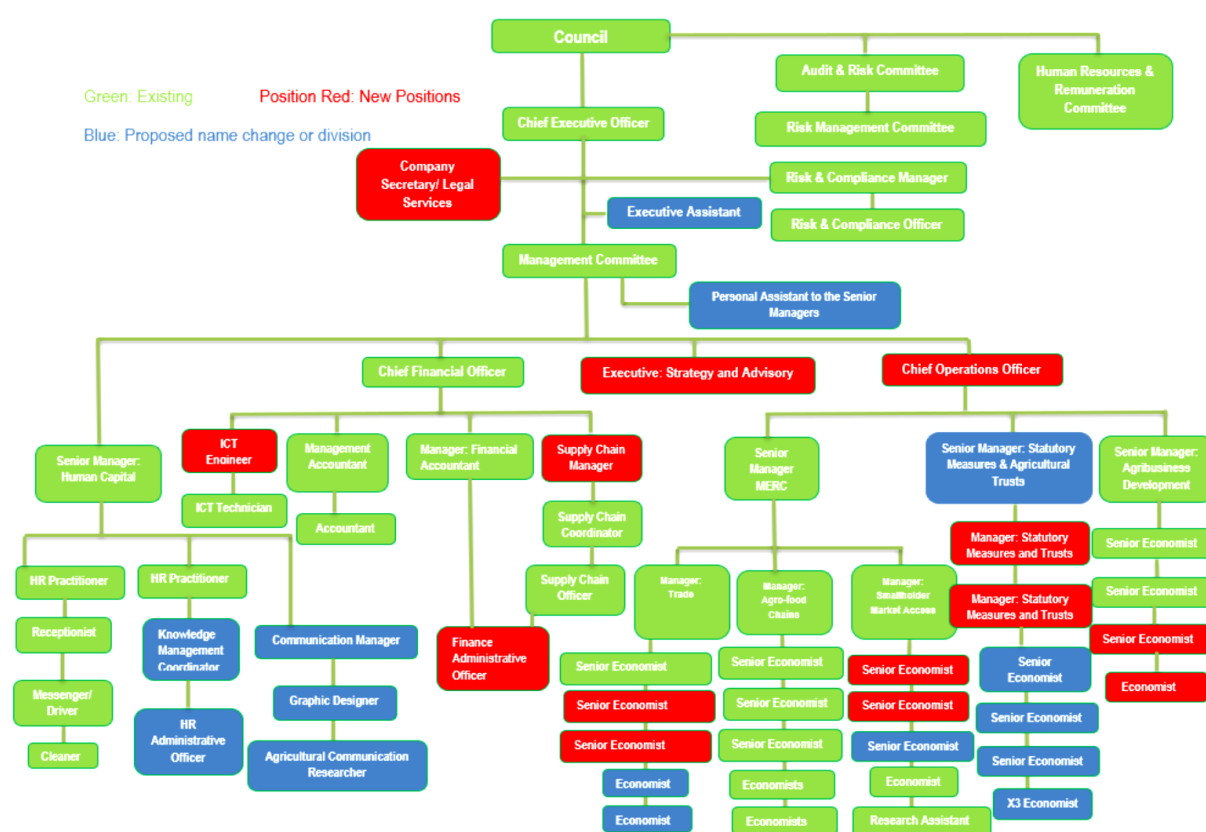
Transparency: Providing services impartially, fairly, equitably, and transparently.

4. STRUCTURE OF THE NAMC

The organogram of the NAMC describes the reporting structure of the organization. The structure was developed to support the efficient, effective, and robust functioning of the organization and to streamline the composition of its Board of Directors and executive management.

The executive management team of the NAMC is headed by the Chief Executive Officer (Information Officer) who reports to the accounting authority (the NAMC Council).

The diagram below demonstrates the structure of the Council for NAMC.



5. ADMINISTRATION OF THE ACT

In terms of PAIA, The Chief Executive Officer is the Information Officer, and has delegated his responsibilities to the Deputy Information Officer referred below to ensure the effective administration of PAIA within the NAMC

6. CONTACT DETAILS

6.1. INFORMATION OFFICER

Below are the contact details for the Chief Executive Office for NAMC, who is the appointed Information Officer.

Full names	Dr Simphiwe Ngqangweni (Chief Executive Officer)
Website	www.namc.co.za
Email Address	info@namc.co.za

Telephone	012 341 1115
Postal Address	The Chief Executive Officer: National Agricultural Marketing Council, Private Bag X935, Pretoria, 0001
Physical Address	536 Francis Baard St, Arcadia, Pretoria, 0002

6.2. DEPUTY INFORMATION OFFICER

In Accordance with the provisions of the Act. The information officer has duly authorized the following person as Deputy Information Officer. When making a request, please direct it to the following Public Information Officer.

Full names	Mr. Mashao David Mohale
Website	www.namc.co.za
Email Address	info@namc.co.za
Telephone	012 341 1115
Postal Address	The Chief Executive Officer: National Agricultural Marketing Council, Private Bag X935, Pretoria, 0001
Physical Address	536 Francis Baard St, Arcadia, Pretoria, 0002

7. REQUEST FOR INFORMATION

7.1. The requestor must contact the Deputy Information Officer on info@namc.co.za to make a request for access to a record.

7.2. The requestor must print the formal request form A, attached hereto as Annexure 1 also available on the NAMC webpage, www.namc.co.za or at the NAMC's office at the address mentioned in paragraph 6.

7.3. The requestor must provide sufficient information on the request form to enable the Deputy Information Officer to identify the records that are being requested.

7.4. The NAMC will acknowledge receipt of a request in writing, within fourteen (14) days of receipt thereof, and will advise within thirty (30) days as to whether the

information requested is available or accessible and how and where the requestor may collect it.

7.6. Should the requestor not receive an acknowledgement of receipt in writing within fourteen (14) days, the requestor should kindly contact the Deputy Information Officer to ensure that the request has been received.

7.7. The requestor should also indicate if he or she wishes to be informed of the decision about the request in any other manner and state the preferred way of communication and provide the necessary particulars.

7.8. If the request is made on behalf of another person, the proxy requestor must provide a reason and submit proof of the capacity in which he is making the request and provide the NAMC with the written consent from the primary requestor. This should be done to the reasonable satisfaction of the Deputy Information Officer.

7.9. If the requested information is available and accessible. The Deputy Information Officer shall notify the requestor (other than a personal requestor) by email, requiring the requestor to pay the prescribed fee (If any) before further processing the request.

7.10. The Deputy Information officer shall, by email, inform third parties within 21 days after the request has been received. The NAMC will consider sharing access to the record, then furnish the name of the requestor to the third party and state to the requestor that the third party may within 21 days deny the request or give written consent.

7.11. A requestor whose request for access to a record has been granted must pay access fee to cover the reproduction, searching and preparation of the copies or transactions of the content of the record requested as well as for the time required to search for and prepare the record for disclosure.

7.12. On receipt of the prescribed fee, the NAMC will provide the record to the requestor in the format that he/she has requested on the request form, or in the format that the record exists in, if the requested format is not available.

7.13. Should the record requested contain information that cannot be shared, the NAMC will only share information in the record that can be shared.

7.14. The NAMC upon the request for a record that has been made or transferred, may extend the request to 30 days if it takes longer to provide the information because of the volume or the difficulty obtaining it.

7.15. If a request for access to a record has been refused, delayed, or granted subject to unreasonable fees or in an unacceptable form by a paragraph (b) public body, section 78(2) of the act empowers the requestor to apply to court of law for appropriate relief within 30 days of the decision.

7.16. If the court of law orders NAMC to grant the requestor access to the requested records, the requestor must pay the access fee before access to such records can be granted.

8. REQUEST BY PEOPLE WITH DISABILITIES

8.1. If a requestor is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make a verbal request. The Deputy Information Officer will then complete the form on behalf of the requestor and give a copy of the completed form to the requestor (Section 18(3)).

8.2. The Information Officer will assist a requestor to comply with the abovementioned requirements to request access to information, including referring a requestor to another public body, if it is apparent that the request for information should have been made, to such other body (Section 19).

9. FEES PAYABLE

The following fees have been prescribed in the Act and must be paid by a requestor before the NAMC's contact persons can make any records available to the requestor. The request fee payable by every requestor, other than a personal requestor, referred to in regulation 7(2) of the act is R35, 00. There are two types of fees payable in terms of the act (section 22) namely: The request fee and the access fee(s). It may be necessary to pay fees for access to records in terms of PAIA. These fees are for the following:

9.1. Request fee: A requestor, who seeks access to a record containing personal information about the requestor, is not required to pay the request fee. Every other requestor, who is not a personal requestor, must pay the prescribed request fee.

9.2. Access fee: If the request is granted, then an access fee must be paid for the reproduction of records and for time more than one hour to search and prepare the records for disclosure. Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one third of the anticipated access fee may be required as a deposit.

9.2.1. The Deputy Information Officer must notify the requestor by relevant means, requiring the requestor to pay the prescribed fee (if any) before further processing the request.

9.2.2. The request fee payable to public bodies is R35.

9.2.3. After the Deputy Information Officer has decided on the request, the requestor must be notified of such decision in the manner requested by the requestor.

9.2.4. If the request is granted, an 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.

9.2.5. If a fee has been paid in respect of a request for access which is refused, the Deputy Information officer of the NAMC will repay the fees to the requestor.

10. METHOD OF PAYMENT

Payment details can be obtained below (no credit card payments are accepted). Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record. If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees as set out in annexure 2.

10.1. The NAMC will accept payment by means of the following methods.

- Direct deposits
- Electronic fund transfers

- Non-transferable cheques for which a clearing period of 10 days must be allowed

10.2. BANKING DETAILS

Bank: Standard Bank

Account Name: National Agric Marketing Council

Account Number: 011 27 3615

Branch Code: 000145.

11. GROUNDS FOR REFUSAL OR DEFFERAL OF ACCESS TO RECORDS

11.1. The Deputy Information Officer shall, subject to other provisions of the Act, refuse a request for information or record if that information or record relates to:

- Mandatory protection of the privacy of a third party who is a natural person, which involves the unreasonable disclosure of personal information of that natural person.
- Mandatory protection of the commercial information of a third party if the record contains:
 - Financial, commercial, scientific, or technical information the disclosure could likely cause harm to the financial or commercial interests of that third party.
 - Information supplied in confidence by a third party to NAMC, if the disclosure could put that third party at a disadvantage in contractual or other negotiations or even prejudice that third party in commercial negotiations.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- Mandatory protection of the safety of individuals and the protection of property.

11.2. The Deputy Information Officer may refuse a request for information or record if that information or record relates to commercial activities of the NAMC which may include-

- Trade secrets of the NAMC

- Financial, commercial, scientific, or technical information the disclosure could likely cause harm to the financial and commercial interests of the NAMC.
- Information which, if disclosed, could put the NAMC into disrepute.
- A programme that is owned by the NAMC and is protected by copyright.
- Information about research being or to be carried out by or on behalf of the NAMC, the disclosure of which would likely expose the NAMC or the person that is or will be carrying out the research on behalf of NAMC or the subject matter of the research to serious advantage.
- An opinion, advice, report, or recommendation obtained or prepared, or an account of a consultation discussion or deliberation that has occurred, including but not limited to minutes of a meeting, for the purpose of assisting to formulate a policy to take decision in the exercise of a power or performance of a duty conferred or imposed by the law.

11.3. If access to a record is deferred, the Deputy Information officer must notify the requestor within 30 days. The requestor must provide reasons why the information should be released prior to the proposed date.

12. APPEALS

- Should a requestor not be satisfied with the decision of the Deputy Information Officer or the deemed refusal of a request, the requestor is entitled to lodge an internal appeal in respect of that decision or deemed refusal.
- The internal appeal must be noted in writing using the form annexed marked "Annexure 3" hereto (Form B), which may also be accessed on the NAMC website.
- The requestor must set out the grounds for the appeal in respect of each record sought. The internal appeal must generally be lodged within sixty (60) days of the receipt of the Deputy Information Officer's decision, or the date of the deemed refusal.
- The appeal must be lodged in person or by e-mail or post with the Deputy Information Officer, whose particulars are detailed in paragraph 6.1 above. The Deputy Information Officer will then forward the requestor's appeal, together with reasons for her decision to the relevant NAMC's authority for a decision.

- If the requestor has not received an acknowledgement of receipt of the appeal within fourteen (14) days, the requestor should contact the Deputy Information Officer to ensure that the appeal has been received by the NAMC.
- Should the requestor not be satisfied with the decision of the relevant NAMC authority, the requestor may apply to the court for relief

13. CATEGORIES OR RECORDS HELD BY THE NAMC - Section 51(1)(e) of PAIA

Subjects	Categories of Records	Request for access	Download from Website
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.	X	X
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures. - Advertised posts. - Employees records. - Learning and Development e.g.: <ul style="list-style-type: none"> - Skills Development and Training - Plans - Employment Equity Plan and - Disciplinary records - Training records 	X	
Information Technology	<ul style="list-style-type: none"> - Incidents and Service Requests. - Asset Issuing and Custodian Information. - System Event Logs. - System Performance Logs. - Systems Maintenance Check lists. - Monthly Operations Reports. - Service Level Agreements. - ICT Policies and Procedure Manuals. - Network maintenance. - System Development lifecycle documents. 	X	X
Publications	Booklets, Books, Periodicals, Journals, Reports, Newsletters, Bulletins, Magazines, Pamphlets, E- Publications	X	X
Media	Press releases, Radio, and TV	X	X

	Interviews, Statements, Participation details, Official Speeches and Messages, Gifts and Awards, Website content and corporate identity and info graphs.		
Supply Chain Management	Bid Documents, Contracts, Purchase Orders, Quotations, Tenders, Terms of Reference and Leases, List of applicants for Tenders, List of Tenders Awarded.	X	
Office of the CEO	Reports / Minutes / Decisions	X	
Finance	Financial Accounting, Financial Reporting, Contracts and Tender Administration, Asset Management / Register, Management Accounting, Estimates, Statements, Budgets, Reports, Audit Records, Revenue Statements, Reports and Returns.	X	

15. HOW TO GAIN ACCESS TO NAMC SERVICES

NAMC services are accessed through a formal application form. Further details on how to access NAMC services may be found on the NAMC website i.e., www.namc.co.za and the requestor may send an email to info@namc.co.za .

16. THE REMEDIES AVAILABLE IN RESPECT OF FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ACT

Any requestor dissatisfied with any decision in respect of a request for access to a record of the NAMC can approach the High court or another Court of similar status to seek relief.

17. SECTION 10 PROVIDES GUIDANCE ON HOW TO USE THE ACT

The Information Regulator (South Africa) is an independent body established in terms of Section 39 of The Protection of Personal Information Act 4 of 2013. It is subject only to the Law and The Constitution and it is accountable to the National Assembly.

The Information Regulator is, among others, empowered to monitor and enforce compliance by Public and Private bodies with the provisions of The Promotion of Access to Information Act, 2000 (Act 2 of 2000), and The Protection of Personal Information Act, 2013 (Act 4 of 2013).

Please direct any queries to relating to the guide on how to use the act to:

THE INFORMATION REGULATOR (SOUTH AFRICA)	
Telephone	
Postal address	P.O Box 31533 Braamfontein Johannesburg 2017
Physical address	JD House 27 Stiemens Street Braamfontein Johannesburg
Website	https://www.inforegulator.org.za
Emails	PAIAComplaints@inforegulator.org.za POPIAComplaints@inforegulator.org.za enquiries@inforegulator.org.za

FORM A

REQUEST FOR ACCESS TO RECORD OF A PUBLIC BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

A. Of public body

Attention _____

The Information Officer/Deputy Information Officer

B. Of the person requesting access to record

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

Full names and Surname: _____

Identity Number: _____

Postal address: _____

Telephone number: _____ Fax number: _____

Email address: _____

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

C. Of person on whose behalf request is made.

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname: _____

Identity number: _____

D. Of record

Provide full particulars of the record to which access is requested, including the reference number if it is known, to enable the record to be located

1. Description of the record or relevant part of the record:

2. Reference number, if available: _____

3. Any further particulars of the record: _____

E. Fees

a) *A request for access to a record, will be processed only after a request fee has been paid.*
b) *You will be notified of the amount required to be paid as the request fee.*
c) *The access fee payable for the access to a record depends on the form in which access is required and the reasonable time required to search for and prepare the record.*
d) *If you qualify for the exemption of the payment of any fee, please state the reason for exemption.*

Reason for the exemption from payment of fees:

F. Form of access to record

If you are prevented by disability to read, view, or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.	
Disability:	Form in which the record is required:

Mark the appropriate box with an X.

NOTES:

- Your indication as to the required form of access depends on the form in which the record is available.
- Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form
- The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
<input type="checkbox"/>	Copy of record	<input type="checkbox"/>	Inspection of record
2. If the record consists of visual images – (This includes photographs, slides, video recordings, computer generated images, sketches etc.)			
<input type="checkbox"/>	view the images.	<input type="checkbox"/>	Copy of the images
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the soundtrack. (Audio cassette)	<input type="checkbox"/>	Transcription of soundtrack (Written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	Printed copy of record	<input type="checkbox"/>	Printed copy of information derived from the record.
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form (stiffy or compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy of the transcription to be posted to you? A postal fee is applicable.	YES	NO
Note that if the record is not available in the language of your choice, access may be granted in the language in which the record is available.		
In which language do you prefer the record?		

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner, and provide the necessary particulars to enable compliance with the request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____

**SIGNATURE OF REQUESTOR / PERSON ON
WHOSE BEHALF REQUEST IS MADE**

<p>FOR NAMC USE</p> <p>Reference Number: _____</p> <p>Request received by _____ (Name and surname of information officer/ deputy Information officer) on the _____ (date) at _____ (place)</p> <p>Request fee (if any): R _____</p> <p>Deposit fee (if any) R _____</p> <p>Access fee R _____</p> <p>_____</p> <p>SIGNATURE DEPUTY INFORMATION OFFICER</p>
--

FEES IN RESPECT OF PUBLIC BODIES IN TERMS OF GOVERNMENT NOTICE NO. R. 187 IN GOVERNMENT GAZETTE 23119 OF 15 FEBRUARY 2002

1. The fee for a copy of the manual as contemplated in regulation 6(c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows.

For every photocopy of an A4-size page or part thereof	0,60
For every photocopy of an A4-size page or part thereof	0,40
For a copy in a computer-readable form on – (i) stifty disc (ii) compact disc	5,00 40,00
For a transcription of visual images, for an A4-size page or part thereof	22,00
For a copy of visual images	60,00
For a transcription of an audio record, for an A4-size page or part thereof	12,00
For a copy of an audio record	17,00

3. The request fee payable by every requestor, other than a personal requestor, referred to in regulation 7(2) is R35,00.

4. The access fees payable by a requestor referred to in regulation 7(3) are as follows:

For every photocopy of an A4-size page or part thereof	R0,60
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable	R0,40
stiffy disc compact disc	R5,00 R40,00
For a transcription of visual images, for an A4-size page or part thereof For a copy of visual images	R22,00 R60,00
For a transcription of an audio record, for an A4-size page or part thereof For a copy of an audio record	R12,00 R17,00
To search 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.	R15,00

For purposes of section 22(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requestor.

The actual postage is payable when a copy of a record must be posted to a requestor

FORM B

NOTICE OF INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (PAIA no 02 of 2000))

The name and postal address, fax number or email address of the information officer or deputy information officer

A. Of Council for NAMC

Attention: _____

The Information Officer/Deputy Information Officer:

B. Of requestor/third party who lodges the internal appeal.

(a) The particulars of the person who requests access to the record must be given below.
(b) Furnish an address and/or fax number in the Republic to which information must be sent (c) Proof of capacity in which the request is made, if applicable, must be attached
(c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requestor must be given at C below

Full names and surname: _____

Identity number: _____

Postal Address: _____

Fax number: _____ Telephone number: _____

Email address: _____

Capacity in which an internal appeal on behalf of another person is lodged: _____

C. Of the person on whose behalf request is made.

This section must be completed only if the request for information is made on behalf of another person.

Full names and surname: _____

Identity number/company number: _____

D. The decision against which the internal is lodged.

Mark the decision against which the internal appeal is lodged with an x in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of PAIA.
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of PAIA.
	Decision in terms of section 29(3) of PAIA to refuse access in the form requested by the requestor.
	Decision to grant request for access.

E. Grounds for appeal

If the provided space is inadequate, please continue a separate folio and attach it to this form. You must sign all the additional folios.

State the grounds on which the internal appeal is based: _____

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request?

Signed at _____ this _____ day of _____ 20.

SIGNATURE OF APPLICANT

FOR NAMC USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on _____ date by _____

Name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's /deputy information office's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on _____ (date) to the relevant authority.

OUTCOME OF APPEAL:

**DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER
CONFIRMED**

NEW DECISION: _____

DATE

INFORMATION OFFICER

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM
THE RELEVANT AUTHORITY ON (date) _____