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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Justice and Constitutional Development, Department of / Justisie en Staatkundige Ontwikkeling, Departement van			
1504	Promotion of Access to Information Act (2/2000): Section 14 Manual (7th Version) of PAIA Act: PAIA Manual: Limpopo Provincial Treasury	47672	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NOTICE 1504 OF 2021

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY



LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

SECTION 14 MANUAL

**ON
PROMOTION OF ACCESS TO
INFORMATION ACT, 2000
(ACT NO. 2 OF 2000)**

SEVENTH (7TH) VERSION

**Prepared in terms of section 14 of the Promotion of Access to
Information Act 2 of 2000 (as amended)**

**DATE OF COMPILATION: 08/07/2019
DATE OF REVISION: 23/12/2021**

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY**TABLE OF CONTENT**

ITEM NO		PAGE
1.	List of Acronyms and Abbreviations	3
2.	Purpose	4
3.	Establishment of the department	5
4.	Organisational Structure	5
5.	Key contact details	7
6.	Description of all remedies available in respect of an Act	8
7.	Guide on how to use PAIA	9
8.	Description of the subject on which the body holds records and categories of records held by the department	12
9.	Records automatically available	14
10.	Services available to members of the public	16
11.	Involvement of members of the public in the formulation of policy	18
12.	Process of personal information	18
13.	Availability of manual	22
14.	Prescribed fees	22
15.	Records that cannot be found	23
16.	Disposal of records	23
17.	Updating of the manual	23
	FORM 2: Request for Access to record	24
	FORM 4: Lodging of an internal appeal	28
	ANNEXTURE B: Fees in respect of public bodies	31

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	“PAIA”	Promotion of Access to Information Act No. 2 of 2000;
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“MEC”	Member of Executive Council
1.5	“LPT”	Limpopo Provincial Treasury;
1.6	“PFMA”	Public Finance Management Act No.1 of 1999 as Amended;
1.7	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.8	“IM”	Information Manager;
1.9	“MFMA”	Municipal Finance Management Act
1.10	“MTEF”	Medium Term Expenditure Framework
1.11	“IR”	Information Regulator
1.12	“EAP”	Employee Assistance Programme
1.13	“CSD”	Central Supplier Database
1.14	“SSA”	State Security Agency
1.15	“MEI”	Management Integrity Evaluation
1.16	“GEPF”	Government Employee Pension Fund
1.17	“ICT”	Information Communication Technology
1.18	“HRM”	Human Resource Management
1.19	“RM”	Records Management

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at Limpopo Provincial Treasury, without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the Limpopo Provincial Treasury;
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the Limpopo Provincial Treasury regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 the description of the services available to members of the public from the Limpopo Provincial Treasury, and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the Limpopo Provincial Treasury has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the Limpopo Provincial Treasury has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

3. ESTABLISHMENT OF THE LIMPOPO PROVINCIAL TREASURY

Limpopo Provincial Treasury is established according to section 17 of the Public Finance Management Act 1 of 1999 (as amended by Act 29 of 1999).

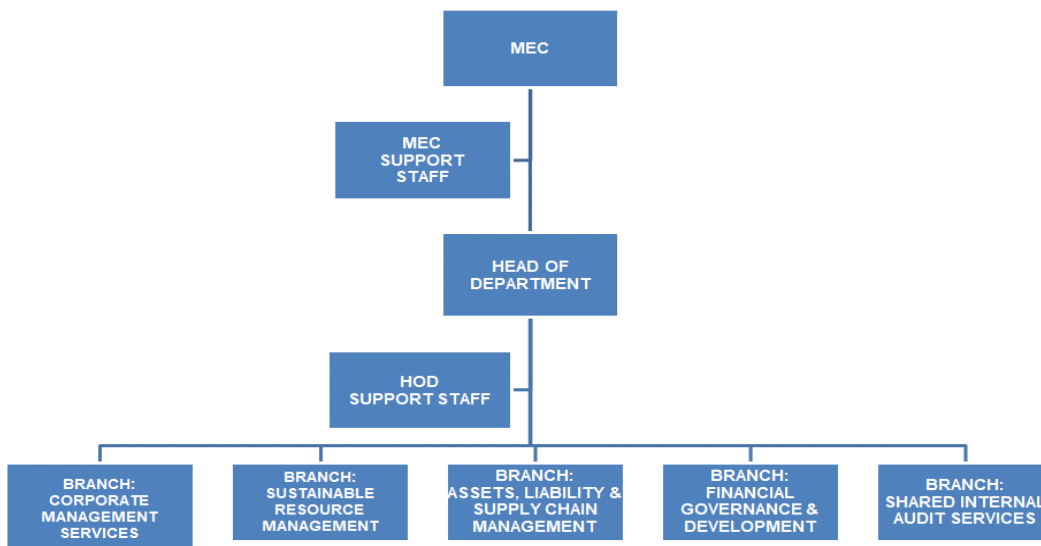
3.1. Objectives/Mandate for Limpopo Provincial Treasury (LPT)

The organisation is directly responsible for implementing, managing or overseeing the following legislation and their relevant regulations: -

- 3.1.1. Public Finance Management Act of 1999 (as amended by Act 29 of 1999);
- 3.1.2. Municipal Finance Management Act 56 of 2003;
- 3.1.3. Annual Division of Revenue Act;
- 3.1.4. Appropriation Act; and
- 3.1.5. Adjustments Appropriation Act

4. STRUCTURE OF THE LIMPOPO PROVINCIAL TREASURY AND FUNCTIONS

4.1. Structure



PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

4.2. Functions

The functions and powers of the provincial treasury are provided in the Act under section 18(1) and (2) of the Public Finance Management Act, 1999 (Act No. 1 of 1999):

- “(1) A provincial treasury must –
- (a) prepare the provincial budget;
 - (b) exercise control over the implementation of the provincial budget;
 - (c) promote and enforce transparency and effective management in respect of revenue, expenditure, assets and liabilities of provincial departments and provincial public entities; and
 - (d) ensure that its fiscal policies do not materially and unreasonably prejudice national economic policies.
- (2) A provincial treasury –
- (a) must issue provincial treasury instructions not inconsistent with the Public Finance Management Act (PFMA);
 - (b) must enforce the PFMA and any prescribed national and provincial norms and standards, including any practice and uniform classification system, in provincial departments;
 - (c) must comply with the annual Division of Revenue Act, and monitor and assess the implementation of that Act in provincial public entities;
 - (d) must monitor and assess the implementation in provincial public entities of national and provincial norms and standards;
 - (e) may assist provincial departments and provincial public entities in building their capacity for efficient, effective and transparent financial management;
 - (f) may investigate any system of financial management and internal control applied by a provincial department or a provincial public entity;
 - (g) must intervene by taking appropriate steps, which may include the withholding of funds, to address a serious or persistent material breach of the PFMA by a provincial department or a provincial public entity;
 - (h) must promptly provide any information required by the National Treasury in terms of the PFMA; and
 - (i) may do anything further that is necessary to fulfil its responsibilities effectively.”

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE LIMPOPO PROVINCIAL TREASURY

5.1. The Head of Department (IO) is the Deputy Information Officer (DIO) in terms of the Act.

Name	:	Mr Gavin Charles Pratt
Telephone No.	:	(015) 298 7176
Email	:	prattgc@treasury.limpopo.gov.za
Fax number	:	015 295 7010

5.2. The Head of Department delegated the Information Manager (IM) of the Department to be the Deputy Information Officer in the department.

Name	:	Ms Ndibuwo Ramuntshi
Telephone No.	:	015 298 7107
Email	:	Ramuntshin@treasury.limpopo.gov.za
Fax No.	:	015 295 7010

GENERAL INFORMATION

5.3. Access to information general contacts

Email: io@treasury.limpopo.gov.za; and
dio@treasury.limpopo.gov.za

5.4. Head Office Postal Address

Postal Address
Private Bag X9486
POLOKWANE
0700

Street Address
46 Hans van Ransburg Street
POLOKWANE
0700

Telephone Numbers (Switch Board):
(015) 298 7000

Fax Number
(015) 295-7010

General Email address for the department:

info@treasury.limpopo.gov.za

Website of the department:

www.limtreasury.gov.za

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE LIMPOPO PROVINCIAL TREASURY

a) Internal appeal

A requester or a third party may lodge an internal appeal against a decision of the information officer or deputy information officer. The appeal may be lodged with the MEC of the department, or the person designated in writing by the MEC, on any of the following grounds:

- a refusal to grant access; or
- The tender or payment of the request fee in terms of section 22(1) of **PAIA**; or
- the access fee to be paid is too excessive; or
- the tender or payment of a deposit in terms of section 22(2) of **PAIA**; or
- the decision of the Information Officer to grant a request for access; or
- an extension of period in terms of section 26(1) of **PAIA**; or
- refusal to grant access to records in a particular form requested, in terms section 29 (3) of **PAIA**;
- failure to disclose records; or
- refusal to grant request to waive the fees.
- A decision taken in terms of section 22; 26(1) or 29(3)

Part 4, Chapter 1 of the Act provides procedures to be followed on internal appeals against decisions of information officer or deputy information officer of certain public bodies.

b) Process for complaining to the Information Regulator (IR) or any regulatory body; and/or

Chapter 10, section 74 and 75 of the POPI Act provides procedures to be followed when lodging/submitting a complaint to the Information Regulator or any regulatory body against any interference with the protection of the personal information of a data subject by information officer or deputy information officer of certain public bodies. Section 74 outlines that: -

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

- Any person may submit a complaint to the Regulator in the prescribed manner and form alleging interference with the protection of the personal information of a data subject;
- A responsible party or data subject may, in terms of section 63(3), submit a complaint to the Regulator in the prescribed manner and form if he, she or it is aggrieved by the determination of an adjudicator.

c) Process for approaching the Court with jurisdiction for appropriate relief.

A requester or third party referred to in section 74(1) and (2) may only apply to a court for appropriate relief in terms of section 82 after that requester or third party has exhausted the internal appeal procedure against a decision of the information officer of Limpopo Provincial Treasury as provided for in section 74.

Part 4, Chapter 2 of the Act provides procedures to be followed on process for approaching the Court with jurisdiction for appropriate relief appeals against decisions of information officer or deputy information officer of certain public bodies

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

7.1. 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.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of-

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

7.3.2.1. the Information Officer of every public body, and

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

- 7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 7.3.3. the manner and form of a request for-
 - 7.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 7.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 7.3.6. 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-
 - 7.3.6.1. an internal appeal;
 - 7.3.6.2. a complaint to the Regulator; and
 - 7.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

appeal or a decision by the Regulator or a decision of the head of a private body;

7.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92¹¹.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE LIMPOPO PROVINCIAL TREASURY

Subjects on which the body holds records	Categories of records held on each subject
Strategic Documents and Plans	<ul style="list-style-type: none"> - Annual Reports, Strategic Plan, Annual Performance Plan. - Monitoring and Evaluation reports; - Service delivery improvement reports. - Citizen's report - Departmental performance reports. - Departmental Policies - Newsletters. - Departmental Strategic Plan - Procedure /Process Manuals
Financial Administration	<ul style="list-style-type: none"> - Budget reports and Medium Term Expenditure Framework (MTEF) submissions. - Revenue, Bank, Cash and payment of accounts statements. - Supply chain management/procurement orders and requisitions for goods /services. - Asset register. - Revenue report - Revenue policies - Provincial and Parastatal Budget and Expenditure report - Financial Governance and System Development records, e.g. policies and instruction notes.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures; - Advertised posts; - Employees records; - Learning and development e.g.: skills development and training plans; - Youth Development and Talent Management records;

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> - Employment equity plan and statistics; - Applications for employment forms; - Human Resource strategic plan; - Labour saving devices and telecommunication records; - Leave plans and records; - Records for Information technology equipment and users; - Labour Relations records; - Staff recruitment and utilisation records; - Security and MISS inspection reports - Employee Assistance Programme (EAP) records. - HIV- AIDS reports. - Organisational Structure - Staff movement; - Employee Financial Matters records; - Employees Travelling and Transport records; - Staff establishment and Job evaluation records; - Compensation of Occupational Injury on duty records; - Exit interviews records;

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

9. CATEGORIES OF RECORDS OF THE LIMPOPO PROVINCIAL TREASURY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category	Document Type	Available on Website	Available upon request
Tender document	- Advertised tender	X	
	- Name of successful bidder	X	
	- Procurement process	X	
	- Procurement notices	X	
Legislation /Regulations	Treasury Regulations	X	
	MFMA Regulations and Legislations	X	
	MFMA Circulars	X	
	MFMA Policies	X	
Strategic Documents (Plans and Report)	- Organisational profile (Overview, Objectives, Functions, Annual Reports;	X	
	- Strategic Plan;	X	
	- Annual Performance Plan;	X	
	- Quarterly Performance Report	X	
Financial Administration	- Municipal Annual Financial Statements	X	
	- Municipal Budget	X	
	- Medium Term Budget Statements	X	
	- National Treasury Instruction Notes	X	
	- PFMA Provincial Report	X	

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

Category	Document Type	Available on Website	Available upon request
	- Budget speech	X	
	- Payment and receipts		X
	- Budget statements and Budget and expenditure review	X	
	- Budget Policy Statements	X	
	- Provincial Practice Notes	X	
	- Financial Delegation	X	
Human Resources	- Organisational Structure	X	
	- Departmental contact numbers	X	
	- Application Forms for employment		X
	- Departmental Policies	X	
	- Procedure /Process Manuals		X
	- Citizen's report.		X
	- Service standards.	X	
	- Service delivery charter.		X
	- Newsflash		x
	- Batho-Pele principle pamphlets		x
	- Citizen guide		X
	- Advertisement for Employment	X	
	- Transversal Circular	X	
	- Departmental Events Calendar	X	

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE LIMPOPO PROVINCIAL TREASURY AND HOW TO GAIN ACCESS TO THOSE SERVICES

10.1 Powers, duties and function

NO.	SERVICES	HOW TO GAIN ACCESS TO THE SERVICE
10.1	<p>The Department offers the following services to the general public: -</p> <ul style="list-style-type: none"> ▪ Provision of bursaries according to skills development needs for the Department ▪ Vacancies ▪ Learnerships /Internships on courses relevant to the Department 	<ul style="list-style-type: none"> ▪ Advertisement on DPSA website and local newspapers ▪ Uploading information on the departmental website: www.limtreasury.gov.za ▪ Induction programme; ▪ Provision of awareness through appointment of accredited service providers
10.2	<ul style="list-style-type: none"> ▪ Formulate the Provincial Budget ▪ Ensure the provision of Quarterly Economic Bulletin 	<ul style="list-style-type: none"> ▪ Media; ▪ Provincial departments through their APP and procurement plans which is in line with their mandate; and ▪ Uploading information on the departmental website: www.limtreasury.gov.za ▪ Publicised to all provisional departments and upload the bulletin in the departmental website. ▪ Uploading information on the departmental website: www.limtreasury.gov.za

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

10.3	<ul style="list-style-type: none"> ▪ Monthly Municipal Budget Statements (s71 reports) 	<p>Uploaded on the departmental website for public consumption.</p> <p>Uploading information on the departmental website:</p> <p>www.limtreasury.gov.za</p>
10.4	<ul style="list-style-type: none"> ▪ CSD registration for members of the public on their tendering companies 	<ul style="list-style-type: none"> ▪ Physical visits ▪ Online: Telephonically ▪ Awareness on tendering systems ▪ Awareness on the new regulations affecting tendering process ▪ Departmental website: <p>www.limtreasury.gov.za</p>
	<ul style="list-style-type: none"> ▪ Provision of information on Provincial Banker (Provincial Bank) 	<ul style="list-style-type: none"> ▪ Telephonically; ▪ Media statement; ▪ Departmental website <p>www.limtreasury.gov.za</p>
	<ul style="list-style-type: none"> ▪ Advertisement of tenders on the Bulletin (weekly) 	<ul style="list-style-type: none"> ▪ Online bulletin document ▪ Appointed bidders are publicised on the bulletin and also uploaded on the departmental website: <p>www.limtreasury.gov.za</p>
	<ul style="list-style-type: none"> ▪ Assets Management 	<ul style="list-style-type: none"> ▪ Advertisement on local newspapers when doing auctioning; ▪ Informing potential buyers through telephone during auctioning period on specialised equipment, i.e. Health equipments, mobile classrooms, etc.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY LIMPOPO PROVINCIAL TREASURY

Limpopo Provincial Treasury is not a service delivery department, therefore, there is no active participation/involvement by members of the public with regard to the formulation of policies the department uses. As a results, policies and regulations are being adopted from the National Treasury, DPSA and Office of the Premier in the province.

However, members of the public are also encouraged to submit proposals for the development of a Code of Conduct or any legislative reform or representations on any matter affecting the personal information of a data subject. The public are also encouraged to participate in public consultation and stakeholder's engagement arranged by different stakeholders since the inputs and submissions of members of the public are considered intensively during the formulation of the Regulations, Guidelines and Codes of Conduct.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing

The purpose of processing personal information by Limpopo Provincial Treasury is for the following: -

- 12.1.1. Fulfilling or executing its statutory obligations under **PAIA** and **POPIA**, through receiving of complaints, investigation of complaints and conducting compliance assessment;
- 12.1.2. Staff administration and Job applicants;
- 12.1.3. Keeping of accounts and records;
- 12.1.4. Procurement process; and
- 12.1.5. Complying with other relevant legislations, such as PFMA, Regulations under it and National Treasury Instruction Notes

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence.
Responsible parties, Juristic Persons / Public Entities	Names of contact persons; Name of Legal Entity; Physical and Postal address; contact details (contact number(s), fax number, email address) and Registration Number.
Employees / Members / Committee Members	Gender, pregnancy; marital status; race, age, language, education information (qualifications); financial information; employment history; ID numbers; physical and postal address; contact details (contact number(s), fax number, email address); criminal record; well-being and family members, medical, nationality, ethnic or social origin, physical or mental health, disability, biometric information of the person, employment history, professional affiliation and references.
Contracted Service Providers	Names of contact persons; name of entity; name of directors and shareholders, physical and postal address and contact details (contact number(s), fax number, email address); financial information; registration number; founding documents; tax related information; authorised signatories, broad-based black economic empowerment (B-BBEE) status, affiliates entities, business strategies.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

12.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus through Management Integrity Evaluation (MIE) company
Citizenship	Home Affairs
Vetting Investigation	State Security Agency (SSA)
Company Registration and Compliance	Central Supplier Database (CSD)
Employment Reference Checks	Departmental Human Resource Management (HRM) Unit
Administering of Employees Pension and Medical Aid benefits	Government Employee Pension Funds (GEPF)
Capturing and organising of Personal Information	Departmental Human Resource Management (HRM) Unit
Administering the preservation of Personal Information	Records Management (RM) Unit
Creation of User Account	Information Communication Technology (ICT) Unit

12.4 Planned transborder flows of personal information

- 12.4.1. Limpopo Provincial Treasury has not planned Transborder flows of Personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, the department will ensure that anyone to whom it pass personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

the third party agrees to treat that personal information with the same level of protection as the department is obliged to comply with **POPIA**.

- 12.4.2. Any transfer of personal information cross border shall be with data subject's consent, however, should it not be reasonably practicable to obtain data subject's consent, the department shall transfer the personal information if it will be for the data subject's benefit; and the data subject would have given consent should it have been reasonably practicable to obtain such consent.

12.5. General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- 12.5.1. The department continuously establishes and maintains appropriate, reasonable technical and organisational measures by taking 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.
- 12.5.2. The department has taken reasonable measures in identifying all reasonably foreseeable internal and external risks to personal information in its possession or under its control; establish and maintain appropriate safeguards against the risks identified; regularly verify that the safeguards are effectively implemented; and ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 12.5.3. Measures taken by the department includes, amongst others Access Control; Data Encryption; Defensive Measures; Robust Monitoring, Auditing and Reporting capabilities; Data Backups; Anti-virus and Anti-Malware Solutions; Awareness and Vigilance; and Agreements are concluded with Operators to implement security controls.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following official languages-

- 13.1.1 English;
- 13.1.2 Sepedi
- 13.1.3 Afrikaans
- 13.1.4 Tshivenda
- 13.1.5 Xitsonga

13.2 **A copy of this Manual or the updated version thereof, is also available as follows-**

- 13.2.1 on www.limtreasury.gov.za, if any, of the public body;
- 13.2.2 at the head office of the public body for public inspection during normal business hours;
- 13.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 13.2.4 to the Information Regulator upon request.

13.3 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. PRESCRIBED FEES

- 14.1. Section 22(1) of **PAIA** states that fees payable for access to records of the Regulator are to be prescribed. The prescribed fees are as set out in annexure B, attached hereto.
- 14.2. A requester who seeks access to any record may be required to pay a fee, unless an exempted, as referred to in paragraph 14.3 and 14.4 below.
- 14.3. The requester does not need to pay an access fee to a public body if he or she is a single person whose annual income, after permissible deductions, such as PAYE and UIF, is less than **R14 712** a year; or
- 14.4. He or she is married and the joint income with his or her partner, after permissible deductions, such as PAYE and UIF, is less than **R27 192** per year.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

15. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 15.1. Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.
- 15.2. Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.


16. DISPOSAL OF RECORDS

- 16.1. The Information Officer will reserve the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service.
- 16.2. Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.
- 16.3. In accordance with section 24(1) of **POPIA**, the Information Officer may, upon receipt of the request from a data subject,
- 16.3.1. correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or
- 16.3.2. destroy or delete a record of personal information about the data subject that the Regulator is no longer authorised to retain in terms of section 14 of **POPIA**.

17. UPDATING OF THE MANUAL

The Department (LPT) will, if necessary, update and publish its Manual annually.

Issued by


Mr C. Pratt, CA (SA)
Head of Department and Deputy Information Officer
LIMPOPO PROVINCIAL TREASURY

29 December 2021
Date

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

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 (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
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	

FORM OF ACCESS	
<i>(Mark the applicable box with an "X")</i>	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	

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>	

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

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>	
E-mail of information <i>(including soundtracks if possible)</i>	
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

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.

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

- a) A request for access to a record, other than a record containing personal information about yourself, 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 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.
- d) If you qualify for exemption of the payment of any fee, please state the reason for exemption

Reason	

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

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 <i>(Please specify)</i>

Signed at this day of 20

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

FOR OFFICAL USE

Reference number:	
Request received by: <i>(State Rank, Name and Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

.....
Signature of Information Officer

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

FORM 4 LODGING OF AN INTERNAL APPEAL [Regulation 9]

Reference No.

PERSONAL INFORMATION

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 (W)		Facsimile		Cell	
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>						
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						
GROUNDS FOR APPEAL						
<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>						
State the grounds on which the internal appeal is based						

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

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 OFFICAL 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 (Sec 22). Confirmed?	Yes		New decision <i>(if not confirmed)</i>
	No		

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

Extension (Sec 26(1)). Confirmed?	Yes		New decision (if not confirmed)
	No		
Access (Sec 29(3)). Confirmed?	Yes		New decision (if not confirmed)
	No		
Request for access granted. Confirmed?	Yes		New decision (if not confirmed)
	No		

Signed at this day of 20

.....
Relevant Authority

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY

ANNEXTURE B [Fees]

Fees in Respect of Public Bodies

	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: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 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: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requester • If provided to the requester	R40.00 R40.00 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. To not exceed a total cost of	R100.00 R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

PAIA MANUAL: LIMPOPO PROVINCIAL TREASURY
Fees in Respect of Private Bodies

	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 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: (i) Flash drive (to be provided by requester) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00 R40.00 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. To not exceed a total cost of	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any."

