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## GENERAL NOTICE ALGEMENE KENNISGEWING

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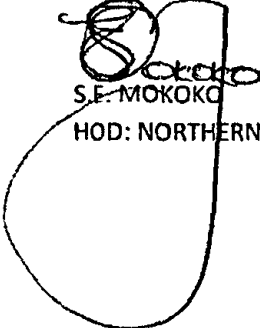
### NOTICE 29 OF 2011

NORTHERN CAPE  
PROVINCIAL GOVERNMENT

NORTHERN CAPE  
PROVINCIAL TREASURY

PROMOTION OF ACCESS TO  
INFORMATION MANUAL

This Manual is published in terms of section 4 (1) (b) of Regulations No. R 187 dated 15 February 2002 of the Promotion of Access to Information Act, 2000 for notification.



S.E. MOKOKO

HOD: NORTHERN CAPE PROVINCIAL TREASURY

**NORTHERN CAPE PROVINCIAL TREASURY**  
**ACCESS TO INFORMATION MANUAL**

**DEVELOPED AND ADOPTED IN ACCORDANCE WITH THE  
PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT  
NO.2 OF 2000)**

APPROVED: \_\_\_\_\_

  
S.E. MOKOKO  
HEAD OF DEPARTMENT

Date: 22/01/2009

## **1. FUNCTIONS AND THE STRUCTURE OF THE DEPARTMENT**

### **Organogram:**

Attached as Annexure "A"

### **Functions**

Programme 1: Administration

#### **Aim**

To provide leadership, strategic management in accordance with legislation, regulations, and policies and to ensure appropriate support service to other programmes. The programme consists of the following three sub-programmes;

Programme 1: Administration

**Office of the Member of the Executive Council for Finances (MEC)**

**Office of the Head of Department (HOD)**

**Corporate Services**

The role of the Office of the MEC is to set policy priorities and provide political directives as well as to ensure that the department implements its responsibilities with regard to the Provincial Growth and Development Strategy.

The role of the Office of the HOD is to translate policies and priorities into strategies for effective service delivery and to manage, monitor and control performance of the department.

The role of Corporate Services is to render human resource management and development services to the department, including records and support services. The programme consists of the following sub-programmes

Human Resources Management – responsible for the recruitment, selection, placement of staff and HR administration in general,

Human Resource Development – responsible for the skills development, employment equity and staff retention strategies,

Legal services and Labour Relations – responsible for the legal and labor relations advise to the line managers and directorates of the department,

Information, Communication and Technology – responsible for rendering support on all ICT related matters in the department,

Organisational efficiency – responsible for the development and implementation of organisational efficiency and development and implementation of PMDS,

Special programmes – responsible for the development and implementation of employee Health and Wellness Programmes,

Facilities – responsible for rendering support on security, buildings, transport and records management within the department,

#### **Programme 2: Sustainable Resource Management**

The aim of this programme is to provide advice and support to the Head of Department (HOD) on the Provincial Fiscal policy, Public finance developments and the management of the annual provincial budget process as well as to manage the provincial government's fiscal resources effectively.

This programme consists of the following sub-programmes:

Budget management – responsible for the planning, analysis, evaluation, consolidation and monitoring of the revenue and expenditure of the Province,

Public Finance – responsible for establishing the necessary structures and monitoring of local government budgets in accordance with the provisions of the Municipal Finance Management Act, and

#### **Programme 3: Assets and liabilities management**

The aim of this programme is to provide policy directions, facilitating the effective and efficient management of physical and financial assets, PPP's and liabilities.

The programme consists of the following sub-programmes:

Provincial Asset Management – responsible for the facilitation and promotion of systems for the effective monitoring and management over all Provincial property and other movable and fixed assets,

Provincial Supply Chain Management – responsible for assisting provincial departments to implement procurement systems that are fair, transparent, economical and efficient,

Support and Interlinked Financial System – responsible for ensuring effectively, efficiently and economically implemented and managed financial systems with functionalities that are compliant with norms and standards.

Public Private Partnership – responsible for facilitating and developing technical assistance and support to departments on PPP projects

#### Programme 4: Financial Governance

The aim of this programme is to promote accountability through substantive reflection of financial activities of the province as well as compliance with financial norms and standards.

The programme consists of the following sub-programmes:

*Provincial Accounting Service – responsible for implementation of Provincial Treasury accounting policies, norms and standards, monitoring and preparation of annual financial statements and annual reports by departments as well as compilation of consolidated annual financial statements,*

Norms and Standards – responsible for developing and implementing normative measures for provincial departments and municipalities,

Risk Management – responsible for developing and implementing the risk management governance methodologies and frameworks within the province, and

Municipal Accounting Services – responsible for the implementation of accounting policies, norms and standards as well as monitoring the preparation of annual financial statements and annual statements by municipalities

## 2. Information Officer

The HOD of Treasury is the Information Officer in terms of the Promotion of Access to Information Act and can be contacted at:

### Physical Address

Metlife Towers, 9<sup>th</sup> Floor  
4 Corner Knight and Stead Street

Market Square  
Kimberley  
8300

**Postal address**

Private Bag x5054  
Kimberley  
8300

e-mail: [smokoko@ncpg.gov.za](mailto:smokoko@ncpg.gov.za) or [pmbatha@ncpg.gov.za](mailto:pmbatha@ncpg.gov.za)  
tel number: (053) 830 8358  
fax number: (053) 830 8333

**3. Deputy Information Officers**

The following senior managers are designated the Deputy Information Managers by the Information Officer:

General Manager: Sustainable Resource Management

e-mail: [VGumbo@ncpg.gov.za](mailto:VGumbo@ncpg.gov.za)  
tel number: (053) 830 8408  
fax number: (053) 830 8333

General Manager: Assets and Liabilities Management

e-mail: [rdikotla@ncpg.gov.za](mailto:rdikotla@ncpg.gov.za)  
tel number: (053) 830 8258  
fax number: (053) 830 8333

General Manager: Financial Governance

e-mail: [lbosvark@ncpg.gov.za](mailto:lbosvark@ncpg.gov.za)  
tel number: (053) 830 8204  
fax number: (053) 830 8333

Chief Finance Officer

e-mail: [tmacholo@ncpg.gov.za](mailto:tmacholo@ncpg.gov.za)  
tel number: (053) 830 8220  
fax number: (053) 8314261

Director: Corporate Services

e-mail: [mphera@ncpg.gov.za](mailto:mphera@ncpg.gov.za)

tel number: (053) 830 8323

fax number: (053) 831 4205

#### 4. RECORDS

Automatic disclosures in terms of s.14(1)(e)

- publications
- Bulletins
- Pamphlet
- Journals
- Library material
- Information relating to the mission, vision and strategic objectives of the Department

Records that may be requested in terms of s.14(1)(d)

Employee Records of Individuals

- Personnel records of employees
- Files of applicants for vacancies
- Records of procedure relating to grievance and discipline

Policy documents

- Internal policies of the department
- National policies of state dealing with the mandate of the department
- Planning documents
- Strategic and Operational Plans of the department

Minutes of meetings

- For the policy making and coordinating structures of the department
- For working meetings held in various sections

Proceedings of workshops and seminars

- Relating to any functional area of the department



**Draft legislation**

- This could relate to any law governing public finances and administration, either provincial or national

**Documents relating to norms and standards**

- norms and standards for financial services
- protocols and guidelines for specific areas of public finances

**Financial documents**

- Financial planning documents
- Statements of accounts
- Records of income and expenditure
- Current accounts

**Reports**

- Annual report of the department
- Audit report of the department
- Research papers

**Procurement records**

- Tender documentation
- Records of transactions

**Correspondence**

- On all matters pertaining to the department

**Administrative Documents**

- forms, job applications, financial transactions

**General**

- any other information held by the department which is not listed here above

## 5. REQUEST PROCEDURE

### Granting or refusal of request

A requestor must be given access to a record held by the department if the requestor has complied with the following

- A request complies with all procedural requirements in the Act relating to the request to access the record and
- Access to that record is not refused on any grounds of refusal mentioned in the Act

### 5.1 Application process

#### Step 1: the request

Any person wishing to have access to information or access held by the department must make a request in a prescribed form (annexure A) to the Information Officer at the addresses referred to here above (see section 2 above).

#### Step 2: validation and acknowledgement

The Information Officer refers the request to the relevant Deputy Information Officer who then validates the request by ascertaining if the required information is available within the department. The request is then accepted, rejected or transferred to the relevant unit or Department. An acknowledgement is then forwarded to the requestor to confirm the status of the request.

#### Step 3: Information processing

If the request is accepted, the relevant Deputy Information Officer will gather and prepare or cause the gathering and preparation of the information and calculate the relevant costs involved. The cost of the request is as determined by the Revenue Management Services from time to time in line with the approved tariff policy or as determined by the Head of Department.

#### Step 4: Final notification

The requestor is informed by the relevant Deputy Information Officer of the completion of the request as well as the outstanding fees payable to the Department.

#### Step 5: Payment and delivery

Once the payment as stipulated in step 4 has been received at the departmental cashier, the information will be released to the requestor.

## 6. General information

6.1 Request for information will be as far as possible processed within 30 days, failing which the requestor will be informed of the delay and its causes in writing by the relevant deputy information officer

6.2 The granting of access to information may be accompanied by any conditions of use, including but not limited to the copyright laws and restrictions on reproduction and publication

6.3 If the request is made on behalf of another person, the requestor must submit proof of capacity in which the requestor is making the submission.

6.3 If the requestor is unable to make a written request due to illiteracy or disability, such a person may make a request orally to the relevant Deputy Information Officer.

6.4 Access to information is free but the reproduction, photocopy and printing costs are not, therefore the fees will be charged as determined from time to time and consist of

- A request fee, which is a standard fee
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time costs and postal costs where applicable.

## 7. Redress for failure to act

As a general rule failure by officials to act in terms of their responsibilities in granting access to information may be reported to the relevant senior manager or executing authority, whatever the case may be

A failure to respond to a request for access to information held by the department is, in terms of the Act, equivalent to refusal to grant access to information or record. If this happens, the requestor would be entitled to lodge an appeal with the MEC for Finance. A special form is available for this purpose. The contact details of the MEC are:

The Office of the MEC: Finance  
Private Bag 5054  
Kimberley  
8300

Tel: 053-830 8404  
Fax: 053- 053 8308464

e-mail: [jwilson@ncpg.gov.za](mailto:jwilson@ncpg.gov.za)

The following remedies are also available to the requestor of access to information

- (i) A public service employee may lodge a grievance or complain for investigation to the Public Service Commission concerning an official act or omission (s.35 of the Public Service Act, 1994)
- (ii) A aggrieved employee or job-seeker may lodge a dispute in terms of the provisions of the Public Service Act, Labour Relations Act, Employment Equity Act or Promotion of Administrative Justice Act
- (iii) A person may lodge a complaint with the labour inspector for any alleged contravention of the Basic Conditions of Employment (s.78(1)(a) or the Employment Equity Act (s.34(e)
- (iv) A person may lodge a complaint with the Public Protector regarding the suspected unlawful or improper act or omission (Public Protector Act)
- (v) A person may lodge a complaint with the South African Human Rights Commission concerning an official act or omission that is suspected to constitute a violation of or threat to any fundamental right (Human Rights Commission Act, 1994)
- (vi) In order to be protected from reprisals because of any disclosure regarding unlawful or irregular conduct by an employer or fellow employee, the person in question may follow the disclosure procedures in the Protected Disclosures Act, 2000.
- (vii) A person may make use of remedies such as the judicial review of an administrative action in terms of the Promotion of Administrative Justice Act, 2000.
- (viii) A person may request reasons for an administrative action in terms of the Promotion of Administrative Act, 2000.
- (ix) A person may request access to records of a government department or other public body in terms of the Promotion of Access to Information Act, 2000.

**NOORD-KAAP PROVINSIALE TESOURIE  
HANDLEIDING: TOEGANG TOT INLIGTING**

**ONTWIKKEL EN GOEDGEKEUR IN OOREENSTEMMING  
INGEVOLGE DIE BEVORDERING VAN TOEGANG TOT  
INLIGTING WET 2000 (WET NR. 2 VAN 2000)**

**GOEDGEKEUR:**

**S. E. MOKOKO  
DEPARTEMENTSHOOF**

**DATUM: 22/01/2009**

## 1. FUNKSIES EN STRUKTUUR VAN DIE DEPARTEMENT

### Organogram

Aangeheg as Aanhangsel "A"

### Funksies

Program 1: Administrasie

### Doel

Om leierskap, strategiese bestuur in ooreenstemming met wetgewing, regulasies en beleid te voorsien, en om te verseker dat geskikte ondersteuningsdienste aan ander programme daargestel word. Die program bestaan uit die volgende drie subprogramme;

- Program 1: Administrasie

#### Kantoor van die Lid van die Uitvoerende Raad (LUR)

#### Kantoor van die Departementshoof (DH)

#### Korporatiewedienste

Die rol van die kantoor van die LUR is om beleidsprioriteite daar te stel en politieke riglyne te verskaf, asook om te verseker dat die departement sy verantwoordelikhede met betrekking tot die Provinsiale Groei en Ontwikkelingstrategie implementeer.

Die rol van die Kantoor van die DH is om die beleide en prioriteite te omskep in strategieë vir effektiewe dienslewering en om die uitvoering van die departement te bestuur, monitor en te beheer.

Die rol van die Korporatiewedienste is om menslike hulpbronne-bestuur en ontwikkelingsdienste aan die departement te lewer, insluitende rekords en ondersteuningsdienste. Die program bestaan uit die volgende subprogramme:

Menslike Hulpbronnebestuur - verantwoordelik vir die werwing, keuring en plasing van personeel, en Menslike Hulpbronne administrasie in die algemeen,

Menslike hulpbron- ontwikkeling – verantwoordelik vir vaardigheidsontwikkeling, gelyke indiensneming en strategieë vir die behoud van personeel,

Regsdienste en Arbeidsverhoudinge - verantwoordelik vir die regs- en arbeidsverhoudings advies aan die lynbestuurders en direktorate van die departement,

Inligting, Kommunikasie en Tegnologie (ICT) - verantwoordelik vir lewering van ondersteuning aan alle ICT verwante aangeleenthede in die departement,

Organisatoriese doeltreffendheid - verantwoordelik vir die ontwikkeling en implementering van organisatoriese doeltreffendheid, ontwikkeling en implementering van Prestasie Bestuur en Ontwikkeling Stelsel (PMDS),

Spesiale programme – verantwoordelik vir die ontwikkeling en implementering van werknemersgesondheid-en welvarendheids-programme,

Fasiliteite – verantwoordelik vir die lewering van ondersteuning in veiligheid, geboue, vervoer en rekordbestuur binne die departement,

- Program 2: Onderhoubare bronnebestuur

Die doel van hierdie program is om raad en ondersteuning te verskaf aan die Departementshoof (DH) aangaande die Provinsiale Fiskalebeleid, Openbare finansiële verwickelinge en die bestuur van die jaarlikse provinsiale begrotingsproses sowel as om die provinsiale regering se fiskale bronne effektief te bestuur.

Hierdie program bestaan uit die volgende subprogramme:

- Begrotingsbestuur – verantwoordelik vir die beplanning, ontleding, waardebeoordeling, konsolidasie en monitering van die inkomste en uitgawes van die provinsie,
- Openbare Finansies – verantwoordelik vir die daarstelling van die nodige strukture en monitering van plaaslikeregering-begrotings ingevolge die voorskrifte van die wet op Munisipale Finansiële Bestuur, en

- Program 3: Bestuur van Bates en Laste

Die doel van hierdie program is om beleidsrigtings te verskaf, fasilitering van effektiewe en doeltreffende bestuur van tasbare en finansiële bates, Publieke Private Vennootskappe (PPPs) en laste.

- Die program bestaan uit die volgende subprogramme:

- Provinsiale Bate Bestuur – verantwoordelik vir die fasilitering en bevordering van stelsels vir die doeltreffende monitering en bestuur van alle Provinsiale eiendom en ander roerende en vaste bates,
- Provinsiale Voorsieningkettingbestuur – verantwoordelik vir die ondersteuning van provinsiale departemente om verskaffingsstelsels wat regverdig, deursigtig, ekonomies en doeltreffend is, te implementeer,
- Ondersteuning en onderling verbindende Finansiële Stelsels – verantwoordelik vir die versekering van effektiewe, doeltreffende en ekonomies- geïmplementeerde- en beheerde finansiële stelsels met praktiese eienskappe wat voldoen aan norme en standaarde.
- Publieke Private Vennootskappe (PPP) – verantwoordelik vir die fasilitering en ontwikkeling van tegniese bystand en ondersteuning aan departemente met PPP projekte.

- **Program 4: Finansiële Staatsbestuur**

Die doel van hierdie program is om aanspreeklikheid te bevorder deur middel van substantiewe besinning van finansiële bedrywighede van die provinsie, sowel as die nakoming van finansiële norme en standaarde.

Die program bestaan uit die volgende subprogramme:

- **Provinsiale Rekenkundigedienste – verantwoordelik vir die implementering van Provinsiale Tesourie se rekenkundige beleid, norme en standaarde, monitering en voorbereiding van jaarlikse finansiële state en jaarlikse verslae by departemente sowel as die samestelling van gekonsolideerde jaarlikse finansiële state,**
- **Norme en Standaarde – verantwoordelik vir ontwikkeling en implementering van normatiewe maatreëls vir provinsiale departemente en munisipaliteite,**
- **Risikobestuur – verantwoordelik vir ontwikkeling en implementering van die risikobestuur-beheersmetodologieë en raamwerke binne die provinsie, en**
- **Munisipale Rekenkundigedienste – verantwoordelik vir die implementering van rekenkundigebeleid, norme en standaarde asook die monitering van die voorbereiding van jaarlikse finansiële state en jaarlikse state deur munisipaliteite**



**2. INLIGTINGSBEAMPTE**

Die DH van Tesourie is die Inligtingsbeampte ingevolge die Wet op Bevordering van Toegang tot Inligting en kan gekontak word by:

- Fisiese Adres

Metlife Towers, 9de Vloer  
Hoek van Knight- en Steadstraat  
Markplein  
Kimberley  
8301

- Posadres

Privaatsak X5054  
Kimberley  
8300

- Kontakbesonderhede

e-pos: [smokoko@ncpg.gov.za](mailto:smokoko@ncpg.gov.za) of [pmbatha@ncpg.gov.za](mailto:pmbatha@ncpg.gov.za)  
tel: 053 830-8358  
faks: 053 830-8333

### 3. ADJUNK-INLIGTINGSBEAMPTES

Die volgende senior bestuurders is deur die Inligtingsbeampte aangewys as die Adjunk-Inligtingsbeamptes

- Algemene Bestuurder: Volhoubare Hulpbronne Bestuur

e-pos: [VGumbo@ncpg.gov.za](mailto:VGumbo@ncpg.gov.za)  
tel: 053 830-8408  
faks: 053 830-8333

- Algemene Bestuurder: Bate- en Laste Bestuur

e-pos: [rdikotla@ncpg.gov.za](mailto:rdikotla@ncpg.gov.za)  
tel: 053 830-8258  
faks: 053 830-8333

- Algemene Bestuurder: Finansiëlebeheer

e-pos: [lbosvark@ncpg.gov.za](mailto:lbosvark@ncpg.gov.za)  
tel: 053 830-8204  
faks: 053 830-8333

- Hoof Finansiële Beampte

e-pos: [tmacholo@ncpg.gov.za](mailto:tmacholo@ncpg.gov.za)  
tel: 053 830-8220  
faks: 053 831-4261

- Direkteur: Korporatiewedienste

e-pos: [mphera@ncpg.gov.za](mailto:mphera@ncpg.gov.za)  
tel: 053 830-8323  
faks: 053 831-4205

#### 4. REKORDS

Outomatiese bekendmaking ingevolge art. 14(1)(e)

- Publikasies
- Bulletins
- Pamflette
- Joernale
- Biblioteekmateriaal
- Inligting aangaande die missie, visie en strategiese doelwitte van die departement

Rekords wat aangevra mag word ingevolge art. 14(1)(d)

- Werknemer Rekords van Individue
  - Personeel rekords van werknemers
  - Lêers van applikante vir vakatures
  - Rekords van prosedure aangaande griewe en dissipline
- Beleidsdokumente
  - Interne beleide van die departement
  - Nasionale staatsbeleide wat handel oor die mandaat van die departement
  - Beplanningsdokumente
  - Strategiese en operasionele planne van die departement
- Notules van vergaderings
  - Vir die beleidmaking en koördinerende strukture van die departement
  - Vir werksvergaderings gehou in verskeie afdelings
- Verrigtinge van werksessies en seminare
  - Aangaande enige funksionele gebied van die departement
- Konsepwetgewing
  - Dit kan verband hou met enige wet wat openbare finansies en administrasie beheer, provinsiaal of nasionaal
- Dokumente aangaande norme en standaarde
  - norme en standaarde vir finansiële dienste
  - protokolle en riglyne vir spesifieke aspekte van openbare finansies
- Finansiële dokumente

- Finansiëlebeplanningsdokumente
- Rekeningstate
- Rekords van inkomste en uitgawes
- Lopende rekeninge
- Verslae
  - Jaarlikse verslag van die departement
  - Ouditverslag van die departement
  - Navorsingsdokumente
- Verkrygingsrekords
  - Tender dokumentasie
  - Rekords van transaksies
- Korrespondensie
  - Op alle aangeleenthede wat betrekking het op die departement
- Administratiewe dokumente
  - vorms, aansoeke vir werk, finansiële transaksies
- Algemeen
  - enige ander inligting deur die departement gehou wat nie hier bo opgeneem is nie.

## 5. . VERSOEKPROSEDURE

Toestaan of weiering van versoek

'n Versoeker moet toegang tot 'n rekord, deur die departement gehou, gegee word indien die versoeker aan die volgende voldoen het

- 'n Versoek voldoen aan alle prosedurele vereistes van die Wet wat verband hou met die versoek tot toegang tot die rekord, en
- Toegang tot daardie rekord is nie geweier op enige gronde van weiering genoem in die Wet nie

### 5.1 Aansoek proses

- Stap 1: die versoek

Enige persoon wat toegang tot inligting in besit van die departement verlang, moet 'n versoek rig in 'n voorgeskrewe vorm (aansoek A) aan die Inligtingsbeampte by die adresse hierbo na verwys (sien afdeling 2 hierbo)

- Stap 2: bevestiging en erkenning

Die Inligtingsbeampte verwys die versoek na die betrokke Adjunk-Inligtingsbeampte wat die versoek dan bevestig deur vas te stel of die inligting binne die departement beskikbaar is. Die versoek word dan aanvaar, afgewys of oorgeplaas na die betrokke eenheid of departement. 'n Erkenning van ontvangs word dan aan die versoeker gestuur om die status van die versoek te bevestig.

- Stap 3: Behandeling van Inligting

Indien die versoek aanvaar word sal die betrokke Adjunk-Inligtingsbeampte die inligting versamel en voorberei, of die versameling en voorbereiding teweegbring, en die koste verbode daaraan bereken. Die koste van die versoek is soos bepaal deur die Inkomste Bestuursdienste van tyd tot tyd in ooreenstemming met goedgekeurde tariefbeleid, of soos bepaal deur die Departementshoof.

- Stap 4: Finale kennisgewing

Die versoeker word deur die betrokke Adjunk-Inligtingsbeampte ingelig van die voltooiing van die versoek, sowel as van die uitstaande foie betaalbaar aan die Departement.

- Stap 5: Betaling en aflewering

Sodra die betaling soos bepaal in stap 4 ontvang is deur die departementele kassier, sal die inligting aan die versoeker vrygestel word.

## 6. ALGEMENE INLIGTING

- 6.1 Versoek vir inligting sal sover moontlik binne 30 dae verwerk word, by gebreke waarvan die versoeker van die vertraging, en oorsake daarvan, in skrif verwittig sal word deur die betrokke adjunk-inligtingsbeampte
- 6.2 Die toestaan van toegang tot inligting mag gepaard gaan met enige voorwaardes van gebruik, insluitende, maar nie beperk tot, die kopiereg wette en beperkings op reproduksie en publikasie nie.
- 6.3 Indien die versoek namens 'n ander persoon gerig word, moet die versoeker bewys lewer van hoedanigheid waarin die versoeker die aansoek indien.
- 6.4 Indien 'n versoeker onbekwaam is om 'n skriftelike versoek te doen as gevolg van ongeletterdheid of gestremdheid, mag so 'n persoon 'n versoek mondelings rig aan die betrokke Adjunk-Inligtingsbeampte.
- 6.5 Toegang tot inligting is gratis, maar die reproduksie, fotokopie en drukkoste is nie, daarom sal fooie gehef word soos bepaal word van tyd tot tyd, en bestaan uit
  - 'n Versoekfooi, wat 'n standaard fooi is
  - 'n Toegangsfooi, wat bereken moet word deur reproduksiekoste, nasporing- en voorbereidings-tyd-koste en, posgeld waar van toepassing, in berekening te bring.

## 7. REDRESSERING IN DIE VERSUIM VAN OPTREDE

In die algemeen mag die versuim van beamptes om op te tree in ooreenkoms met hulle verantwoordelikhede met die toestaan van toegang tot inligting aan die betrokke senior beampte, of uitvoerende gesag, wat ook al die geval mag wees, gerapporteer word.

'n Versuim om te reageer op 'n versoek om toegang tot inligting in die besit van die departement is, ingevolge die Wet, gelyk aan die weiering om toegang tot inligting of rekord toe te staan. As dit gebeur, sal die versoeker geregtig wees om 'n appèl aan te teken met die LUR vir Finansies. 'n Spesiale vorm is beskikbaar vir hierdie doel. Die kontakbesonderhede van die LUR is:

Die Kantoor van die LUR: Finansies  
Privaatsak X5054  
Kimberley  
8300

Tel: 053 830-8404  
Faks: 053 830-8464  
e-pos: jwilson@ncpg.gov.za

Die volgende regs middels is ook aan die versoeker van toegang tot inligting beskikbaar

- 'n Staatsdiens werknemer mag 'n grief aanteken of 'n klag indien aan die Staatsdienskommissie vir 'n ondersoek met betrekking tot 'n amptelike optrede of versuim (art. 35 van die Staatsdiens Wet, 1994)
- 'n Gegriefde werknemer of werksoeker mag 'n dispuut aanteken ingevolge die voorskrifte van die Staatsdiens Wet, Arbeidsverhoudinge Wet, die Wet op Gelyke Indiensneming, of die Wet op die Bevordering van Administratiewe Geregtigheid
- 'n Persoon mag 'n klagte met die arbeidsinspekteur indien vir enige beweerde oortreding van die Wet op Basiese Diensvoorwaardes, 1997 – (art. 7B(1)(a)), of die Wet op Gelyke Indiensneming, 1998 (art. 34(e))
- 'n Persoon mag 'n klagte indien by die Openbare Beskermer betreffende die vermoede onwettige of onbehoorlike optrede of versuim (Wet op Openbare Beskermer, 1994)
- 'n Persoon mag 'n klagte by die Suid-Afrikaanse Menseregte Kommissie indien betreffende 'n amptelike optrede of versuim wat vermoed word om 'n skending of dreigement tot enige fundamentele reg uit te maak (Wet op Menseregtekommissie, 1994)
- Ten einde beskerm te word teen vergelding as gevolg van enige bekendmaking betreffende onwettige of onreëlmatige gedrag van 'n werkgewer of medewerker, mag die betrokke persoon die bekendmakingsprosedure in die Wet op Beskermdede Bekendmakings, 2000, volg.

- 'n Persoon mag gebruik maak van regs­middels soos die geregtelike oorsig van 'n administratiewe aksie ingevolge die wet op die Bevordering van Administratiewe Geregtigheid, 2000 (Wet 3 van 2000).
- 'n Persoon mag redes versoek vir 'n administratiewe aksie ingevolge die Wet op die Bevordering van Administratiewe Geregtigheid, 2000 (art. 5).
- 'n Persoon mag toegang tot rekords van 'n staatsdepartement of enige ander openbare liggaam versoek ingevolge die Wet op die Bevordering van Toegang tot Inligting, 2000 (art. 11).



**LEFAPHA LA MATLOTLO LA POROFENSE YA KAPA  
BOKONE**

**GO FITLHELELA BUKANA YA TSHEDIMOSSETSO**

**E TLHAMILWE LE GO AMOGELWA GO YA KA MOLAO WA  
TSWELETSO YA GO FITLHELELA TSHEDIMOSSETSO,  
2000 (MOLAO 2 WA 2000)**

**E DUMELETSWE KE:**

**S.E. MOKOKO  
TLHOGO YA LEFAPHA**

**LETLHA: 22/01/2009**

## 1. DITIRO LE DIPOPEGO TSA LEFAPHA

### Setheothulaganyo

E gokagantswe jaaka Karolwana "A"

### Ditiro

Lenaneo 1: Tsamaiso

### Maikaelelo

Go tlamela boetefedipele, tsamaiso e e rulagantsweng go ya ka peomolao , go tsamaisa ka tlhomamo, le mekgwa e e netefatsang gore thuso e e maleba e rebolelwa mananeo a mangwe. Lenaneo le le na le dikarolwana di le tharo:

- Lenaneo 1: Tsamaiso

### Kantoro ya Mokhuduthamaga

### Kantoro ya Tlhogo ya Lefapha

### Ditirelo tse di tshwaragano

Tiro ya kantoro ya Mokhuduthamaga ke go rulaganya melawana e e tlang pele le go tlamela tiredi ya polotiki mmogo le go netefatsa gore mafapha a tsenya tirisong maikarabelo a bona ba etse tlhoko mokgwa o Porofense e Golang le go Tswelela pela ka gona.

Tiro ya kantoro ya Tlhogo ya Lefapha ke go fetolela melawana le ditshonopele mo dithulaganyong tse di tla dirang gore thebolo ya ditiro e nne e e nonofileng go tsamaisa , go ela tlhoko le go laola tiro mo lefapheng.

Tiro ya Lefapha tshwaragano ke go rebola tsamaiso ya motswedi wa botho le go tsweletsa ditirelo tsa lefapha, go akaretsa ditirelo tsa thuso. Lenaneo le, le akaretsa dikarolwana tse di latelang.

Tsamaiso ya Motswedi wa Botho – Maikarabelo a bona ke go raopa, go tlhopha le go ka baya badiri le tsamaiso ya motswedi wa botho ka kakaretso.

Tsweletso ya Motswedi wa botho – maikarabelo a bona ke go tsweletsa botswerere, go thapa ka tekatekano le mokgwa wa go ngoka badiri go re ba se tsamaye.

Ditirelo tsa Molao le Kamano ya Badiri – Maikarabelo ke go lebelela tsa molao le tsa kamano ya badiri go gakolola batsamaisi le dikarolwana tsa mafapha.

Tshedimosetso, Puisano le Mafaratlhatlha - maikarabelo a setlhotswana se ke go thusa ka Tshedimosetso, Puisano le Mafaratlhatlha mmogo le tsothe tse di maleba mo lefapheng.

Thulaganyo ya bokgoni - maikarabelo ke go tswelletsa le go ka tsenya mo tirisong thulaganyo ya bokgoni le go tswelletsa tiriso ya TIRAFATSO LE TSAMAIISO YA TSWELETSO YA DITHULAGANYO (PMDS).

Mananeo a a kgethegileng – Maikarabelo ke go tswelletsa le go tsenya tirisong mananeo a a maleba le boitekanelo le Pholo ya badiri.

Dibebofatsi - maikarabelo ke go tlamela thuso ya pabalesego, dikago, dipalangwa le tsamaiso ya dipego mo lefapheng.

- Lenaneo 2: Tsamaiso ya Metswedi e e Tswelletseng.

Maitlomo a lenaneo le ke go tlamela le go thusa Tlhogo ya lefapha ka dikgakololo tse di maleba le molao wa matlotlo a porofense, Tswelsetso ya matlotlo a setshaba le mokgwa wa tsamaiso ya tekanetso ya ngwaga ya porofense le go ka tsamaisa ditshelete tsa mmuso wa porofense ka bononthotho.

Lenaneo le, le na le dikarolwana tse di latelang:

- Tsamaiso ya tekanyetso ya matlotlo – Maikaelelo ke go rulaganya, go tshetshereganya, go tlhotlhwa fatsa, go tiisa le go laola letseno le tiriso ya matlotlo a Porofense.
- Matlotlo a Setshaba – Maikaelelo ke go tlhoma dipopego tse di tlhokegang le go lebelela tekanyetso ya lefapha la selegae a go ya ka molawana wa tlamelo ya Tsamaiso ya Matlotlo a Masepala.

- Lenaneo 3: Tsamaisi ya Maruo le Melato

Maitlomo a lenaneo le ke go tlamela tsamaiso ya melawana, go nolofatsa tsamaiso e e tiileng ebile e nonofile ya dithoto tsa matlole, Kgwebisano ya Poraefete ya Botlhe (PPP's) le molato.

Lenaneo le le na le dikarolwana tse di latelang

- Tsamaiso ya maruo a porofense – Maikarabelo ke go fefofatsa le go thatlosa tsamaiso ya dithulaganyo tse di nonofileng ka dithoto tsotlhe tsa porofense tse di sutisegang le tse di tsepameng.
- Tsamaiso ya tlamelo ya motseletsele wa dilo- Go thusa lefapha ka go ka tsenya tirisong mokgwa wa tshenkelo o o sa gobeleteng, o o bonalatsang o somarela ebile o na le bokgoni.
- Thulaganyo ya Tlamelo e e Gokaganyeng ya Matlotlo- Go netefatsa gore tsamaiso ya matlotlo ke e e lolameng ebile e dirafadiwa ka mokgwa o o somarelang o o tsamaisanang le melawana e e beilweng.
- Kgwebisano ya Botlhe ya Poraefete – maikarabelo ke go nolofatsa le go tlhabolola thuso ya thekeniki le go tshegetsisa mafapha ka porojeke ya Kgwebisano ya Botlhe ya Poraefete (PPP projects).

- **Lenaneo 4: Taolo ya Matlotlo**

Maikaelelo a lenaneo le ke go tswelletsa go tsaya maikarabelo a go gakologelwa ditirelo tsa matlotlo a porofense mmogo le dithulaganyo tsa matlotlo tse di tsamaisanang le melawana e e beilweng.

Lenaneo le le na le dikarolwana tse di latelang

- **Tirelo ya porofense ya Polokelo – Maikarabelo ke go tsenya tirisong melawana ya porofense ya polokelo ya matlotlo, maemo le boleng, tekolo le paakanyetso ya polelo ya matlotlo ya ngwaga le pego ya mafapha le thulaganyo e e tiisitweng ya matlotlo ya ngwaga.**
- **Maemo le Boleng – Maikarabelo ke go tswelletsa le go tsenya tirisong boleng jwa tekanyo ya mafapha le bomasepala ba porofense.**
- **Tsamaiso ya Tekeletso - Maikarabelo ke go tswelletsa le go tsenya tirisong tsamaiso ya puso ya tekeletso le mekgwa le ditlhomeso mo porofenseng, le**
- **Ditirelo tsa Masepala tsa Polokelo – Maikarabelo ke go tsenya tirisong melawana ya matlole, maemo le boleng le go lekola paakanyo ya ngwaga ya pego ya matlole le pego ya ngwaga ya bomasepala.**

**2. MOTLHANKEDI WA TSHEDIMOSETSO**

Tlhogo ya lefapha la matlotlo ke ena motlhankedi wa Tshedimosetso go ya ka mosupatsela wa molawana wa Tsweletso ya Pono ya Tshedimosetso mme a ka bonwa mo:

- **Aterese ke e e latelang**

Metlife Towers, 9th Floor  
Corner Knight and Stead Streets  
Market Square  
Kimberley  
8301

- **Aterese ya Poso**

Private Bag x5054  
Kimberley  
8300

- **Dintlha tsa kgolagano ka botlalo**

e-mail: [smokoko@ncpg.gov.za](mailto:smokoko@ncpg.gov.za) or [pmbatha@ncpg.gov.za](mailto:pmbatha@ncpg.gov.za)

tel: 053 830-8358

fax: 053 830-8333

### 3. MOTLATSA MOTLHANKEDI WA TSHEDIMOSETSO

Batsamaisi bagolo ba ba latelang ba tlopiwa go nna Batlatsa Batlhankedi ba Tshedimosetso ke Motlhankedi wa Tshedimosetso:

- **Motsamaisi Ka Kakaretso : Tsamaiso ya metswedi e e tswelletseng**

e-mail: [VGumbo@ncpg.gov.za](mailto:VGumbo@ncpg.gov.za)  
tel: 053 830-8408  
fax: 053 830-8333

- **Motsamaisi Ka Kakaretso : Tsamaiso ya Maruo le Melato**

e-mail: [rdikotla@ncpg.gov.za](mailto:rdikotla@ncpg.gov.za)  
tel: 053 830-8258  
fax: 053 830-8333

- **Motsamaisi Ka Kakaretso: Tsamaiso ya tsa Matlotlo**

e-mail: [lbosvark@ncpg.gov.za](mailto:lbosvark@ncpg.gov.za)  
tel: 053 830-8204  
fax: 053 830-8333

- **Motlhankedi Mogolo wa Matlotlo**

e-mail: [tmacholo@ncpg.gov.za](mailto:tmacholo@ncpg.gov.za)  
tel: 053 830-8220  
fax: 053 831-4261

- **Mokaedi: Ditirelo tse di Tshwaraganeng**

e-mail: [mphera@ncpg.gov.za](mailto:mphera@ncpg.gov.za)  
tel: 053 830-8323  
fax: 053 831-4205

**4. DIPEGO**

Thebolo ya tshedimosetso e e itirisang ka molawana wa s.14(1)(e)

- Kgatiso
- Kgaso ya Dikgang
- Pamfolete
- Dijenale
- Didiriso tsa Laeborari
- Tshedimosetso e e maleba le maikaelelo, pono le thulaganyo e e sa tseyeng matlhakore ya lefapha

Makwalo a a ka lopiwang go ya ka ditumalano s.14(1)(d)

- Makwalo a bathapiwa ka bongwe
  - Makwalo a badiri
  - Difaele tsa topo ya tiro
  - Makwalo a thulaganyo a a maleba le tsamaiso ya dingongora le thupiso
- Ditokomane tsa melawana
  - Melawana ya ka fa gare ga lefapha
  - Melawana ya setshaba sa naga e e dirisanang ka taolelo ya mafapha
- Ditokomane tsa thulaganyo
  - Dithulaganyo tse di mo tirisong tsa lefapha
- Metsotso ya dikopano
  - Go dira melao le dipopego tse di nyalanang le lefapha
  - Dikopano tse di dirang tse di tshwarelwang mo dikarolong tse di farologaneng
- Tsweletso ya bodirelo le diseminara
  - E e amanang le ditirelo dingwe le dingwe tsa lefapha
- Peomolao ya nakwana
  - Se se ka amana le molao mongwe le mongwe o o laolang tsamaiso ya matlole a botlhe, a porofense kgotsa a setshaba.
- Ditokomane tse di amanang le maemo le boleng

- Maemo le boleng jwa ditirelo tsa matlotlo
- Metlhagolatsela le methalo e e kaelang ya dikarolo tse di rileng tsa matlole a botlhe
- Ditokomane tsa matlole
  - Ditokomane tse di rulaganyang matlole
  - Polelo ya tshupatlotlo
  - Pego ya letseno le tshenyegelo
  - Tshupatlotlokelelo
- Dipego
  - Dipego tsa ngwaga tsa lefapha
  - Pego e e runtsweng ya lefapha
  - Dipampiri tsa tlhotlhomiso
- Dipego tsa tshenkelo
  - Ditokomane tsa thennere
  - Dipego tsa tirisano (direkoto tsa go reka kgotsa go rekisa)
- Kwalelano
  - Merero yotlhe e e amanang le lefapha
- Ditokomane tsa Tsamaiso
  - Diforomo, patlo tiro, tirisano ya matlole
- Kakaretso
  - Tshedimosetso nngwe le nngwe e e mo lefapheng fela e sa kwalwa mo go tse di fa godimo



## 5. TSAMAIISO YA KOPO

### 5.1 Go naya kana go gana ka kopo

- Mokopi o tshwanetse go letlelelwa go bona pego e e tshwerweng ke lefapha fela fa mokopi a inyalana le tse di latelang
  - Kopo e ikamanya le ditlhokego tsa tsamaiso mo molaong o o maleba le topo ya go bona pego, le
  - Tetla ya go bona pego ga e ganediwe ka mabaka a kganetso a a boletsweng mo molaong

### 5.2 Mokgwa wa go dira kopo

- Kgato 1: Kopo

Motho mongwe le mongwe yo o batlang go bona tshedimosetso e e tshwerweng ke lefapha o tshwanetse go dira kopo mo foromong e e beilweng (mamelelelo A) go Motlhankedi wa Tshedimosetso go aterese e e fa godimo ( Bona Karolo 2 fa godimo )

- Kgato 2: Bonnete le Kamogelo

Motlhankedi wa Tshedimosetso o lebisa kopo go Motlatsa Motlhankedi wa Tshedimosetso yo o maleba yo o tla netefatsang kopo ka go batlisisa gore a tshedimosetso eo e gone mo lefapheng. Kopo e ka amogelwa, ya ganwa kgotsa ya fetisetswa ko setlamong kana lefapheng le le maleba. Kamogelo e fetisetswa go mokopi go netefatsa maemo a kopo.

- Kgato 3: Tiragatso ya Tshedimosetso

Fa kopo e amogelwa, Motlatsa Motlhankedi wa Tshedimosetso yo o maleba o tla kokoanya le go baakanya kana a rulaganye kopano e e tla rulaganyang tshedimosetso mme a balele ditlhwatlhwa tse di tlhokegang. Tlhwatlhwa ya kopo e bewa ke Botsamaisi jwa ditirelo tsa lotseno nako le nako mabapi le molawana wa ditlhwatlhwa tse di dumeletsweng ke tlhogo ya Lefapha.

- Kgato 4: Kitsiso ya bofelo

Mokopi o tla itsisiwe ke Motlatsa Motlhankedi wa tshedimosetso yo o maleba ka ga go fediswa ga kopo le ka ga madi a a tshwanetsweng go duelwa Lefapha.

- Kgato 5: Tuelo le Kgoroso

Fela fa tuelo e e boletsweng mo Kgato 4 e amogetswe ke kasiri (moamogela dituelo) ya lefapha, tshedimosetso e tla rebolelwa mokopi.

**6. TSHEDIMOSETSO KA KAKARETSO**

- 6.1 Kopo ya tshedimose tso e tla diregadiwa fa go kgonagala mo matsatsing a le 30, fa go sa kgonagale mokopi o tla itsisiwe ka lokwalo ke Motlatsa Motlhankela wa Tshedimose tso o o maleba ka ga tiego le gore e bakilwe ke eng.
- 6.2 Go newa tetla ya go ka bona tshedimose tso go ka felegetswa ke maemo a tiriso, go akaretsa fela go sa lekanyediwe melao ya tetlokhopi le kganelo ya ntsifatso le kgatiso.
- 6.3 Fa kopo e dirwa mo boemong jwa motho yo mongwe, mokopi o tshwanetse go tlisa bopaki jwa gore o dira kopo ka maemo afe.
- 6.4 Fa mokopi a palelwa ke go dira kopo e e kwadiiweng ka ntlha ya gore a sa aitse go kwala kana ka ntlha ya bogole bongwe, motho yo a ka dira kopo ya molomo go Motlatsa Motlhankedi wa Tshedimose tso yo o maleba.
- 6.5 Pono ya tshedimose tso ke mahala fela go ntsifatsa, go kopisa le go gatisa go a duelelwa , ka ga moo batho ba tla duela jaaka go lekanyeditswe nako le nako go akaretsa.
  - Tlhwatlhwa ya kopo e e tihomameng
  - Tlhwatlhwa ya go kgona go bona, e e tla balelang ebile e tseela tsiya madi a ntsifatso, phurophutso le tuelo ya nako ya go baakanya le madi a poso mo go tlhokegang.

## 7. GO KOPA MAITSHWARELO GO SA ATLEGE

Jaaka e le molao kakaretso fa bathankela ba sa atlege go diragatsa maikarabelo a bona mo go reboleng tella go bona tshedimosetso ba ka tlalewa go motsamaisi mogolo yo o maleba kana modiragatsi yo o nang le taolo, go ya ka mo kgetsi e emeng ka teng.

Go palelwa ke go araba kopo ya pono ya tshedimosetso e e tshwerweng ke lefapha e ka tumalano ya molao o o lekaneng le go gana kana go rebola tshedimosetso kana pegu. Fa se se diragala mokopi o letleletswe go ka ngongorega go Mokhuduthamaga wa Matlotlo. Foromo e e kgethegileng e ka bonwa go dirisetswa lebaka le.

Le ka ikgolaganya le Mokhuduthamaga kwa:

Kantoro ya Mokhuduthamaga: Matlotlo  
 Private Bag 5054  
 Kimberley  
 8300

Tel: 053 830-8404

Fax: 053 830-8464

e-mail: [jwilson@ncpg.gov.za](mailto:jwilson@ncpg.gov.za)

Dithuso tse di latelang di ka bonwa ke mokopi yo o batlang tshedimosetso

- Mothapiwa wa ditirelo tsa setshaba a ka dira boipeletso kana a tsenya ngongora go Motlhankedi wa Ditirelo tsa Botlhe yo o nang le taolo gore a sekaseke Molao Semmuso kgotsa tiro e e sa dirwang (s.35 Molao wa Ditirelo tsa Botlhe, 1994).
- Mothapiwa yo o sa kgotsofalang kana motho yo o batlang tiro a ka dira boipiletso go ganetsana ka tlanelo ya Molao wa Ditiro tsa botlhe, Molao wa Kamano ya Tiro, Molao wa go thapiwa ka tekatekano kgotsa go Tlhatlosiwa ga Tsamaiso ya Molao wa Bosiamisi.
- Motho a ka tsenya ngongora go motlhatlhoi wa ditiro fa go na le pelaelo ya gore ditshwanelo tsa Mabaka a Khiri di a gatakakwa (s.78(1)(a) kgotsa Molao wa Khiri ka tekatekano (s.34(e)).
- Motho a ka tsenya ngongora le Mosireletsi wa Setshaba fa go belaelwa gore go na le tiro e e seng ka fa molaong kana tiro e e seng maleba kana e e tlogetsweng (Molao Wa Tshireletso ya Setshaba).
- Motho a ka tsenya ngongora mo Afrika Borwa mabapi le tiro ya semmuso kana tiro e e tlogetsweng e go belaelwang e thaya tshotlakako kana e tshosetsa theo ya ditshwanelo (Molao wa Khomishini ya Ditshwanelo tsa Botho 1994).
- Gore motho a sireletsege mo ipusolosetsong ka ntlha ya fa a senotse maitshwaro a a seng ka fa molaong kgotsa maitshwaro a a sa letlelelwang a modira mmogo, motho yo a ka latedisa tsamaiso ya tshenolo ka fa Molaong wa Tshireletso ya Tshenolo 2000.

- Motho a ka dirisa dithuso ditshwana le tsamaiso ya tshekatsheko ya bosiamisi e e maleba le tsamaiso ya go Tlhatlosiwa ga Molao wa Bosiamisi 2000.
- Motho a ka lopa mabaka a tsamaiso ya tiro e e lebaneng le Molao o o Tlhatlosang Tsamaiso 2000.
- Motho a ka lopa go bona dipego tsa mafapha a puso kgotsa maloko afe kana afe a setshaba mabapi le Molao wa Tlhatloso ya go bona Tshedimosetso 2000.





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