

**DEPARTMENT OF TOURISM
NOTICE 674 OF 2016**

**MANUAL
FOR
THE DEPARTMENT OF TOURISM**
*In terms of section 14 of
the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)*

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1. AIM OF THE MANUAL

Section 32 (1) of the Constitution of the Republic of South Africa, 1996 provides that everyone has the right of access to any information held by the state and any information held by another person that is required for the exercise or protection of any right. The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (herein after referred to as "PAIA"). PAIA however recognises however that the right of access to information is subject to certain justifiable limitations.

The details of records kept by a public body are contained in a book commonly known as a manual. The manual therefore relates to the records kept by the public body. The records kept pertain to the business / functions of each and every unit. To distinguish between the functions / business of each unit, the records of each unit are numbered differently. Each record also carries a disposal instruction.

Apart from records, also called files, the manual also contains information on the addresses of the Head of the Department as well as the Information Officer/s of the public body and also the name of each unit in the public body, its core function and a list of all records kept by the public body.

2. SECTION 10 GUIDE OF ALL MANUALS IN THE REPUBLIC OF SOUTH AFRICA

The South African Human Rights Commission (SAHRC) has in terms of section 10 of PAIA, compiled a guide on the use of PAIA. This guide is available at the offices of the SAHRC.

The PAIA Unit (Promotion of Access to Information) at the South African Human Rights Commission
The Research and Documentation Department
Private Bag X2700
HOUGHTON
2014

Telephone	+27 11 877 3600
Website	www.sahrc.org.za
e-mail	PAIA@sahrc.org.za

3. CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY/IES FOR THE DEPARTMENT OF TOURISM

INFORMATION OFFICER

Director-General: Department of Tourism: Mr Victor Tharage
Private Bag X424
Pretoria
0001

Telephone: +27 444 6721/6379
 Fax: +27 444 7040
 Email: vtharage@tourism.gov.za
Facsimile: +27 444 7101

Description of functions:

To provide strategic leadership and direction to the department.
 To build the department into an organisation capable of delivering on the priorities and policies set by the Minister and Cabinet.
 To ensure that the strategic objectives and outputs set for the department are achieved.
 To build a competent, committed and performing team within the department.

DEPUTY INFORMATION OFFICER: Ms Mmaditonki Setwaba

Chief Director: Legal Services: Department of Tourism
 Facsimile: +27 444-7101
 E-mail: msetwaba@tourism.gov.za

Description of functions:

To facilitate the implementation and coordination of PAIA by the Department of Tourism and to provide training on PAIA within Department.

4. BRANCHES IN THE NATIONAL DEPARTMENT OF TOURISM

1. Chief Operations Officer	To provide strategic governance and risk management, legal, corporate affairs, information technology, internal audit, financial management and strategic communications, support services to the Department.
2. Policy and Knowledge Services	To support the sector policy development and evaluation, research and knowledge management, and the promotion of transformation and responsible tourism.
3. International Tourism Management	To provide strategic policy direction for the development of South Africa's tourism potential across various regions of the world.
4. Domestic Tourism Management	To provide strategic policy direction for the development and growth of sustainable domestic tourism throughout South Africa

5. RECORDS IN THE POSSESSION OF THE DEPARTMENT, WHICH ARE AUTOMATICALLY AVAILABLE

This chapter deals with the provisions of section 14(1) (d) of the Promotion of Access to Information Act, which prescribes that a body must provide details of records in its possession in order to give effect to requests for access to information.

The Department's categorises the records and information (relevant to the functions and services of the Department) into the following broad categories:

- 5.1 Policies, strategies, delegations, government notices and legislation
- 5.2 Press statements and speeches
- 5.3 Departmental personnel records
- 5.4 Departmental financial records
- 5.5 Agendas and minutes of departmental meetings
- 5.6 General administration information
- 5.7 Departmental reports
- 5.8 Internal circulars, internal memoranda, letters, cabinet memoranda
- 5.9 Contracts, international agreements
- 5.10 Branch specific information as described in paragraph 4
 - 5.10.1 Business plans
 - 5.10.2 Strategy documents
 - 5.10.3 Programme specific information
 - 5.10.4 Research documents

Included in this manual is the subject of files. Files are the tool used to preserve records in the Department. Each file has a number and a brief description of the records kept in the file as well as the subject of the file. Each file has its own number, the opening and closing dates and the disposal instruction of that file. The disposal instruction is important because it determines what must happen with the file after a specific period of time has lapsed, e.g. A10 would mean that the file must be sent to NASA (National Archives of South Africa) ten years after the closing date on the file cover. The Tourism Ministry has its own record keeping system, similar to that of the Department.

6. ACCESS TO RECORDS IN TERMS OF SECTION 14(1) (e)

The Department must, in terms of section 15(1), submit to the Minister of Justice and Correctional Services a list of records that are automatically available to access without a request to publish in the Government Gazette.

The Department has submitted to the Minister of Justice and Correctional Services a list of information that is automatically available to publish in the gazette. This information is also available on the website of the Department: <http://www.tourism.gov.za>.

7. DESCRIPTION OF CATEGORIES OF RECORDS AUTOMATICALLY AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

**AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:
(Section 15 of the Promotion of Access to Information Act 2000 (Act no. 2 of 2000))
[Regulation 5A]**

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website)(SECTION 15(1)(a))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
<p>(a) All information on the website The following information is available on the website (www.tourism.gov.za):</p> <ul style="list-style-type: none"> - About the Department; - Media; <ul style="list-style-type: none"> • Media Alerts; • Media Statements; • Speeches; and • Media Invites. - Events Calendar; - Functions (Services); - Reports; <ul style="list-style-type: none"> • Quarterly Performance Reports; • Budget Reports etc. - Provincial Consumer Affairs Contact Details; - National Tourism Sector Strategy (NTSS); - FAQs; - PAIA; - Department of Tourism Medium Term Strategic Plan; - National Heritage and Cultural Tourism Strategy; - Domestic Tourism Growth Strategy; - National Rural Tourism Strategy; - National Tourism Service Excellence; 	<p>From the website of the Department.</p>

<ul style="list-style-type: none"> - Tourism Act, 2014; - Tourism Incentive Programme; - Knowledge Portal; - Service Standards; - Financial Statements - Manuals and Directives - Tourism Guidelines: <ul style="list-style-type: none"> • Grading support; • Market access; and • Service Charter. - Policy and Knowledge Services; - SDIP for NDT. - General News; - Departmental Policy with quarterly updates; - Brochures; <ul style="list-style-type: none"> • Tourism BBBEE Code - Publications; <ul style="list-style-type: none"> • Annual Report; • Strategic Plan; • Annual Performance Plan; - Newsletters; <ul style="list-style-type: none"> • Bojanala Stakeholder Magazine; 	
AUTOMATICALLY AVAILABLE FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
(a) The list of records above.	<p>The records may be obtained on request in writing and on payment of a prescribed amount, addressed to:</p> <p>The Information Officer The Department of Tourism Private Bag X 424 PRETORIA 0001</p>
AUTOMATICALLY AVAILABLE FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	
(a) The list of records above.	<p>The records may be obtained on request in writing on payment of a fee prescribed in item 2 of Part II of Annexure A of the regulations relating to the Promotion of Access to Information Act, addressed to:</p> <p>The Information Officer</p>

	The Department of Tourism Private Bag X 424 PRETORIA 0001
AUTOMATICALLY AVAILABLE FOR FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
(a) The list of records above.	The records may be obtained on request in writing addressed to: The Information Officer The Department of Tourism Private Bag X 424 PRETORIA 0001

8. MANNER OF ACCESS TO AUTOMATICALLY AVAILABLE RECORDS

Section 15 of the Promotion of Access to Information Act, 2000 prescribes that the Department must publish in the Government Gazette a schedule (list) of records that are automatically available in the Department. Requests for these records are not by filling out the prescribed Form A that is utilized to request information, there is also no requestor fee payable for these records. The fees payable are only where copies of the record are to be made, depending on whether the record is in hard copy format, compact disc, stiffer drive, cassette recording, etc.

In the case of such records already placed with the National Archives of South Africa, the records will be made available in compliance with the following laws applicable to the perusal of such records:

- The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- The Protection of Information Act, 1982 (Act No. 84 of 1982)
- The National Archives and Records of South Africa Act, 1996 (Act No. 43 of 1996)

9. REQUEST PROCEDURE

9.1 Requests for access to information

Everyone has the right to request access to recorded information held by the Department, subject to the request being made on the prescribed form and that the prescribed fees are paid. Access is also subject to the grounds of exclusion found in Chapter 4 of PAIA. The request may be made by anyone who act in their own interests or act on behalf of someone who cannot do so themselves.

9.1.1 Form for Completion

A requester must complete the prescribed form which-

- (a) can be found in the Regulations to PAIA;
- (b) is on the website of the SAHR at www.sahrc.org.za;
- (c) is attached to this document as an **Annexure A**; or
- (d) is obtainable from the Department's information centre located at the reception area of the Department's premises.

9.1.2 Process

- (a) The request for information must be submitted to:

Director-General
Private Bag X 424
PRETORIA
0001

Attention: Ms M Mathebula
TEL: +27 12 444 6732
Fax: +27 12 444 7040
Email: vtarage@tourism.gov.za

- (b) A requester must indicate if he or she would like to obtain a copy of the record or would like to inspect the record at the offices of the public body. Alternatively, if the record is not a paper copy document, it can then be viewed in the requested form, where possible.
- (b) If a requester asks for access in a particular form, then he or she will get access in the manner that has been asked for. This principle applies, unless doing so would interfere unreasonably with the running of the Department, or damage the record, or infringe a copyright not owned by the state. If for practical reasons, access cannot be given in the required form, but in an alternate manner, then the fee will be calculated according to the way that the requester first asked for it.
- (c) If, in addition to a written reply to their request for the record, the requester wants to be informed about the decision in any other way, for example, telephonically, this must be indicated.
- (d) If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated.

9.2 Request on behalf of another person

If the request is made on behalf of another person, a requester must submit proof of the capacity in which he or she is making the request, to the reasonable satisfaction of the Deputy Information Officer.

9.3 Request by people with disabilities

- (a) If a requester 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 (or his or her delegate) will then complete the form on behalf of the requester and give a copy of the completed form to the requester.
- (b) The Deputy Information Officer (or his or her delegate) will assist a requester to comply with the abovementioned requirements to request access to information, including referring a requester, if it is apparent that the request for information should have been made to another public body, to such other body.

9.4 Transfer of requests

- (a) Requests for records may be transferred to another public body in the following circumstances:
 - (i) When the record is in the possession of another public body;
 - (ii) The subject matter of the record is more closely associated with the functions of another public body;
 - (iii) The record was created for another public body, or was received first by another public body; or
 - (iv) The record contains commercial information relating to economic interests and the financial welfare of the Republic, and commercial activities of public bodies.
- (b) In such instances the Deputy Information Officer (or his or her delegate) would have to transfer the request to the other public body as soon as is reasonably possible, but no later than fourteen (14) days within receipt of the request. If the public body or the Information Officer to whom the request is made is in possession of the record and considers it helpful to do so to enable the Information Officer of the other public body to deal with the request, the record or a copy of the record will be sent to that Information Officer.
- (c) If a request for access to a record has been transferred, it has to be computed from the date it was first received. All the relevant time periods that apply to a request for information have to be adhered to.

9.5 Notification of transfer

- (a) When a request for access has been transferred, the Deputy Information Officer making the transfer will immediately notify the requester of:
 - (i) the transfer;
 - (ii) the reasons for the transfer; and

- (iii) the period within which the request must be dealt with.
- (b) The Deputy Information Officer will reasonably ensure that the record is preserved until a decision is taken about access to the information. Time frames for an appeal will be included.

10. PAYMENT OF FEES IN TERMS OF THE ACT

- (a) Personal requestor

Anyone who seeks information pertaining to her / himself is called a personal requestor and is exempted from paying the requestor's fee.

- (b) Requestor

The request fee payable is R35-00 as prescribed by the Regulations to the PAIA. In addition, if any copies or transcripts are requested, those will be charged according to the fee structure as prescribed by the Regulations and the Information Officer or Deputy Information Officer may charge for the time spent on processing the request.

10.1 Payment method

All payments shall be made in the form of cash payable at the Department's finance directorate at Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, during office hours or by deposit into the bank account of the Department.

The banking details for the Department are as follows:

Account holder : Department of Tourism
Name of Bank : ABSA
Type of Account: Deposit Acc. (Current)
Account Number: 40 7532 7895
Branch Code : 632005

IMPORTANT: No request may be processed unless the request fee, where applicable, has been paid in terms of Section 22(1) of the Act.

11. REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH

11.1 Internal Appeal

The internal appeal authority for purposes of PAIA is the Minister of Tourism. After exhausting the internal appeal remedy an application may be lodged with a court in accordance with section 78 to 82 of the Act.

11.2 Form

- (a) A requester may lodge an internal appeal against a decision of the Deputy Information Officer to refuse a request, or against the request and access fees, or against an extension of the period to deal with the request, on the prescribed form that has been printed in the Regulations issued in terms of the PAIA, or a form that substantially corresponds with this form. A copy of this form is attached to this manual as Annexure B. Copies of this form are also available from the Department's offices or from the Deputy Information Officer's referred to in this manual. The form is also available on the website of the Department.
- (b) An Appellant must provide reasons for the internal appeal, how he or she wishes to be informed of the decision about the appeal and must pay the prescribed appeal fee (if any).
- (c) After receiving an appeal, the Information Officer must within ten (10) working days submit to the Minister, the internal appeal, the reasons for decision, and details of any third party involved, if any.
- (d) The appeal must be lodged within sixty (60) days or if notice to a third party is required by s 49(1)(b) of PAIA, within thirty (30) days after notice has been given to the Appellant of the decision appealed against, or if notice to the Appellant is not required, after the decision was taken. The appeal must be made to the address, fax number or electronic mail address of the Deputy Information Officer.
- (e) The Minister will allow late lodging of an appeal only if the Appellant's motivation is credible. In the case where an Appellant lodged an appeal outside the required period, the appellant will be informed if his or her late appeal was allowed or disallowed.

11.3 Appeal fee

An Appellant has to pay the prescribed appeal fee (if any). A decision on the internal appeal may be deferred until the appeal fee is paid.

12. UPDATING THE MANUAL

This manual shall be updated at least once (1) every year. The Department's manual in terms of section 14 of the Promotion of Access to Information Act, 2000 is published in three (3) official languages.

13. AVAILABILITY OF THE MANUAL

- 13.1. The manual is available for inspection at the offices of the Department of Tourism free of charge;
- 13.2. Copies may be obtained by request at the prescribed fees from the Department of Tourism;
- 13.3. Can also be accessed on the Department of Tourism website (<http://www.tourism.gov.za>); and
- 13.4. From the South African Human Rights Commission in accordance with paragraph 4(1) of the Regulations promulgated in terms of PAIA.