independent police
investigative directorate
Department:
Independent Police Investigative Directorate
REPUBLIC OF SOUTH AFRICA

Private Bag X941, Pretoria, 0001, 473 Stanza Bopape Street, Benstra Building, Arcadia Pretoria Tel: (012) 399 0026

INFORMATION MANUAL FOR THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE - 2021/2022

Prepared in terms of S14 of the Promotion of Access to Information Act of 2 of 2000 (PAIA)

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1. INTRODUCTION

1.1. The Promotion of Access to information Act, 2000 (Act 2 of 2000) gives effect to Section 32 of the Constitution of the Republic of South Africa, 1996. It deals with the right of access to any information held by the State or any information held by any other person, provided that such information is required for the exercise or protection of any rights and matters connected therewith.

1.2. Section 31(1) of the Constitution entrenches the right that everyone has access to any information held by the state. The purpose of the Promotion to Access to Information Act (**"the PAIA"**) is seen in twofold:-

1.2.1. To foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information; and

1.2.2. To promote actively a society in which the people of South Africa have effective access to information to enable them to exercise and protect all their rights more fully.

1.3. As a result, the PAIA prescribes that a public body must provide details of records held by such body in order to accommodate a request by a requester. The details of records kept by a public body are contained in a Manual. The records kept pertain to the functions of each Programme. Apart from records, also called files and/or case dockets, the Manual also contains information about the addresses of the Information Officer and the Deputy Information Officer.

1.4. The information in this Manual provides a roadmap to the Commission, which clearly demonstrates the services the Directorate provides together with the information necessary to ensure that the process of information sharing is expeditious and affirming.

2. STRUCTURE AND ORGANOGRAM

2.1. STRUCTURE

2.1.1. The Minister of South African Police is the Executive Authority of the Independent Police Investigative Directorate, (IPID). IPID is composed of four programs headed by Chief Directors with the Executive Director being the Head and the Accounting Officer of the Directorate. The four programs are:-

(i) Programme 1: Administration

(ii) Programme 2: Investigation and Information Management

(iii) Programme 3: Legal and Investigations Advisory Services

(iv) Programme 4: Compliance Monitoring and Stakeholder Management

2.1.2. In addition, Programme 2 – Investigations and Information Management is supported by Provinces responsible for the investigation of complaints arising from the Provinces. The Provinces are overseen and managed by Provincial Heads.

2.2. ORGANOGRAM

MINISTER OF SOUTH AFRICAN POLICE

EXECUTIVE DIRECTOR (Ms D.J Ntlatseng)

1.Administration	2. Investigation and Information Management	3. Legal & Investigations Advisory Services	4. Compliance Monitoring and Stakeholder Management
Chief Director Corporate Services: Ms N Netsianda	Chief Director: Investigation And Information Management:- Mr M Sesoko	Chief Director: Legal and Investigations Advisory Services:- Adv (Ms) M Moroasui	Chief Director: Monitoring & Stakeholder Management – Ms M. Molope

Executive Support	Internal Audit	Financial Management	Corporate Services	Information Communication and Technology	Human Resource Management and Development

3.2. Programme 2: Investigations & Information Management

INVESTIGATION AND INFORMATION MANAGEMENT

Provinces:- • Northern Cape • Gauteng • North West • Limpopo • Eastern Cape • Western Cape • Kwazulu Natal • Free State • Mpumalanga	Knowledge Management NSIT

3.3. Programme 3: Legal and Investigations Advisory Services

LEGAL SERVICES

Legal and Litigation Advisory Services	Investigation and Advisory Services

3.4. Programme 4: Compliance Monitoring and Stakeholder Management

COMPLIANCE MONITORING AND STAKEHOLDER MANAGEMENT

3.4. Programme 4: Compliance Monitoring and Stakeholder Management

COMPLIANCE MONITORING AND STAKEHOLDER MANAGEMENT

Compliance and Monitoring	Stakeholder Management

4. MANDATE OF THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE

4.1. Section 206(6) of the Constitution provides that, on receipt of a complaint lodged by a Provincial Executive, an Independent Police Complaints Body established by national legislation must investigate any alleged misconduct of, or offence committed by a member of the police service in the Province.

4.2. As a result, the Independent Police Investigative Directorate was established in terms of Section 3(1) of the Independent Police Investigative Directorate Act, 2011 *(Act No 1 of 2011),* ("the IPID Act").

4.3. In addition to the provisions of Section 206(6) of the Constitution, Section 28 of the IPID Act makes provision for investigation of the following crimes allegedly committed by members of the South African Police Service and Metro Police Service:-

4.3.1. any deaths in police custody;
4.3.2. deaths as result of police actions;
4.3.3. any complaint relating to a discharge of an official firearm by any police officer;
4.3.4. rape by a police officer, whether the police officer is on or off duty;
4.3.5. rape of any person while that person is in police custody;
4.3.6. any complaint of torture or assault against a police officer in the execution of his or her duties;
4.3.7. corruption matters within the police initiated by the Executive Director on his or her own, or after the receipt of a complaint from a member of the public, or referred to the Directorate by the Minister, an MEC or the Secretary, as the case may be; and
4.3.8. any other matter referred to it as a result of a decision by the Executive Director, or if so requested by the Minister, an MEC or the Secretary as the case may be in the prescribed manner.

4.4. Further, Section 28 (2) of the IPID Act provides that the Independent Police Investigative Directorate may investigate matters relating to systematic corruption involving the police.

5. FUNCTIONS OF THE IPID PROGRAMMES

PROGRAMME 1: ADMINISTRATION	• Provides strategic leadership, management and support services to the Department
PROGRAMME 2: INVESTIGATION AND INFORMATION MANAGEMENT	• Coordinates and facilitates the Department's investigation process through the development of policy and strategic frameworks that guides and report on investigations.
PROGRAMME 3: LEGAL AND INVESTIGATIONS ADVISORY SERVICES	• Provides overall legal advice, guidance and support. • Manages the legal obligations of the Department and ensure Constitutional, Legislative as well as Regulatory compliance by the Department.
PROGRAMME 4: COMPLIANCE MONITORING AND STAKEHOLDER MANAGEMENT	• Safeguards the principles of cooperative governance and stakeholder relations. • Monitors and evaluates the relevance and appropriateness of recommendations to SAPS, MPS and NPA in terms of the IPID Act, No 1 of 2011.

6. GUIDE BY THE HUMAN RIGHTS COMMISSION – SECTION 10

6.1. The South African Human Rights Commission updates and publishes a guide compiled in terms of Section 10 of the PAIA. The guide informs and guides people seeking access to information on the :-

6.1.1. Objects of PAIA and how to exercise their rights;

6.1.2. The contact details of the Information Officer and Deputy Information Officer of every public body and the assistance available from those bodies;

6.1.3. How to access records of public bodies; and

6.1.4. The legal remedies that are available when there is non - compliance with the PAIA

6.2. The guide is available at the offices of the South African Human Rights Commission. All enquiries to obtain access to this guide must be directed at the office of the South African human Rights Commission. The contact details of the PAIA Unit at the South African Human Rights Commission are:

The South African Human Rights Commission – the Research and Documentation Department	
Postal Address	Private Bag X 2700 HOUGHTON 2041
Physical Address	Braampark Forum 3, 33 Hoofd Street, Braamfontein 2017
Telephone	+27 11 877 3600
Fax	+27 11 403 0684
Email	paia@sahrc.org.za
Website	www.sahrc.org.za

7. CONTACT DETAILS OF THE INFORMATION AND DEPUTY INFORMATION OFFICER

7.1. INFORMATION OFFICER

The Executive Director

Ms D.J Ntlatseng

Independent Police Investigative Directorate

Private Bag X 941

PRETORIA

0001

Telephone: +27 12 399 0026

Facsimile: +27 86 614 1698

E-mail: dntlatseng@ipid.gov.za

Website: www.ipid.gov.za

7.2 DEPUTY INFORMATION OFFICER

The Chief Director: Legal and Investigations Advisory Services
Adv (Ms) M Moroasui
Independent Police Investigative Directorate
Private Bag X 941
PRETORIA
0001
Telephone: +27 12 399 0051
Email: mmoroasui@ipid.gov.za

7.3 PHYSICAL ADDRESS

Independent Police Investigative Directorate
Benstra Building
473 Stanza Bopape Street, Arcadia
Pretoria
Switchboard Telephone: +27 12 399 0000

8. ACCESS TO RECORDS IN THE POSSESSION OF IPID

8.1. It is important to note that the IPID's core business is the investigation of complaints laid against members of the police or metro police. Access to the investigation docket is available upon request directed at the Information officer or the Deputy Information officer.

8.2. A copy of the docket may be made available to the requester upon payment of the request fee in the sum of R35, and applicable access fees to cover the costs for searching and photocopying irrespective of whether the information sought is in a hard copy format, compact disc, stiffy drive, cassette recording and email.

8.3. A request fee is not payable to a requester seeking his/ her own information unless the information relates to a third party.

8.4. A copy of the docket may be made available only when investigation is complete and there is no imminent risk or prejudice to its release.

8.5. The records will be made available in compliance with laws applicable to the perusal of such records such as:

8.5.1. The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

8.5.2. The Protection of Information Act, 1982 (Act No. 84 of 1982);

8.5.3. The Protection of Personal Information Act, 2013 (Act 4 of 2013);

8.5.4. The National Archives and Records of South Africa Act, 1996 (Act No. 43 of 1996).

8.6. **DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS HELD BY IPID IN TERMS OF SECTION 14(1)(d)**

PROGRAMME 1: Administration		➢ Some of these records may subject to the provisions of the Protection of Personal Information Act be made available upon request and completion of the request on the prescribed "*Form A*" attached to this manual and directed to the Information officer at tmahibila@ipid.gov.za and/ or the Deputy Information officer at mmoroasui@ipid.gov.za. ➢ Alternatively, by posting the request to: Independent Police Investigative Directorate Private Bag X 941 PRETORIA 0001 Telephone:+27 12 399 0051 Switchboard Telephone: +27 12 399 0000
Corporate Governance		
➢ Risks	➢ Strategic risk register ➢ Operational risk register ➢ Register with information declared supporting documents.	
➢ Financial disclosures	➢ Report on SMS disclosures and MMS declarations on conflict of interest.	
Information Communication Technology		
➢ ICT Governance	➢ ICTGC Committee appointment letters. ➢ ICT Governance Charter	
➢ ICT	➢ Minutes of ICTGC Committee Meetings ➢ Strategic Plan ➢ ICT Implementation Plan ➢ Operational Plan ➢ ICT Reports ➢ ICT Policies	

Financial Management	➢ Payroll corticates ➢ Payment batches (BAS and Persal) ➢ Suspense Account Reports ➢ Petty Cash Reports ➢ Finance policies ➢ Tax reconciliation reports (EMP201 & EMP501) ➢ Debtors Statement Reports ➢ Financial Statements	
Human Resource Management & Development ➢ Human Resource Development	➢ Human resource Development:- Annual Training plan ➢ Annual Training Report ➢ Workplace Skills plan ➢ Bursary awards – award letters, bursary contacts, payment stubs, bursary results ➢ Skills programme, List of implemented training programs, list of employees who attended training ➢ Internship recruitment and selection, ➢ Skills development levy payment: Invoice, Financial Statements (SETA) ➢ Discretionary grant funded projects (DG Agreements, invoices, proof of payments) ➢ Internship, Learnership and bursary policies ➢ Training Budget and expenditure	

➢ Service Delivery	➢ Service Delivery commitment charter ➢ Service Delivery Improvement plan ➢ Complaints & Compliments mechanism(Complaints and complements received)	
➢ Performance Management & Development System	➢ Performance Agreements ➢ Performance Assessment Results ➢ Performance Assessment Review minutes ➢ Incentives/ Performance rewards implemented ➢ Performance Management Policy	
➢ Employee Health and Wellness	➢ Pillar Documents ➢ Wellness files and profiles ➢ Disability Information ➢ Special Programs Information	
➢ Human Resource Planning	➢ Policies on HR matters, recruitment & selection, leave, retention, skills development, social matters, performance management , etc ➢ Human Resource Plan ➢ Employment Equity Plan ➢ Employment Equity Targets ➢ Job evaluation results ➢ Job profiles or descriptions	

	➢ Establishment matters or Structure ➢ Delegation of powers or authority	
➢ Human Resource Administration	➢ Vacancy status, Appointments, Advertisements ➢ Selection panels ➢ Shortlisting minutes (scores and criteria) ➢ Submission for appointments ➢ Personal records and appointment records	
➢ Conditions of Service	➢ Leave and Housing files ➢ Leave records, records on payment of unused leave ➢ Acting allowance approvals and acting in higher positions approval ➢ Termination of service records, transfers and movement of personnel ➢ Exit benefit records	
Integrity Strengthening	➢ Investigation reports ➢ Search reports ➢ Lifestyle audit investigation reports ➢ Alcohol and drug testing reports	
Auxiliary Services		
➢ Transport (Departmental vehicles)	➢ Trip requests and authorisations ➢ License renewals ➢ Petrol invoices	

➢ Facilities (Accommodation & Telephone services)	➢ Office space requests ➢ Communication file with the Department of Public Works records ➢ Funding records ➢ Accommodation and service charge invoices ➢ Telephone installation requests ➢ Telephone invoices	
➢ Registry	➢ Mail register (incoming & outgoing mail)	
Labour Relations	➢ Misconduct files ➢ Grievance and Dispute files ➢ Bargaining Chamber files, minutes of the DBC meetings and correspondence (between the GPSSBC, Labour and Employer)	
Internal Audit		
➢ Audit Committee	➢ Appointment letters ➢ Audit Committee Charter ➢ Minutes of the Audit Committee Meetings	
➢ Internal Audit	➢ Internal Audit Manual ➢ Audit Plans ➢ Audit Charter	
Security Management	➢ Access Control records ➢ CCTV footage ➢ Investigation reports	

	➢ Security inspection reports ➢ Strategic Plan	
Strategy and Performance Monitoring	➢ Annual Performance Plan ➢ Annual report	
PROGRAMME 2: INVESTIGATION AND INFORMATION MANAGEMENT		
➢ Investigation Dockets	➢ Dockets on Section 28(1)(a) to S28(1)(h) of the IPID Act ➢ Dockets on S28(2) of the IPID Act	
➢ Statistics	➢ Received files, finalised investigations, and closed files	
PROGRAMME 3: LEGAL AND INVESTIGATIONS ADVISORY SERVICES		
➢ Litigation Services	➢ Litigation claims (received and closed) ➢ Contingent Liability records ➢ SOP ➢ Litigation manual ➢ Regulatory, Legislation and Policies	
➢ Legal Investigations & Advisory Services	➢ Policing powers records ➢ SOP	

PROGRAMME 4: COMPLIANCE AND STAKEHOLDER MANAGEMENT ➢ Compliance Monitoring	➢ Manual on PAIA ➢ S7(4) Report to the National Prosecuting Authority ➢ S7(4) Report to the Minister of Police ➢ S7(5) Report to the Minister of Police ➢ S7(5) Report to the Civilian Secretary for Police ➢ S7(6) Report to the National and Provincial Commissioner for Police ➢ S7(7) Report to the Civilian Secretary for Police ➢ Recommendation Reports to the Metro Police Services ➢ Recommendation report by Investigators to the South African Police and Metro Police ➢ Referral reports to the National Prosecuting Authority	

8.7. **DESCRIPTION OF RECORDS OF CATEGORIES AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a)**	
Strategy and Performance monitoring ➢ Strategic Plan ➢ Annual Performance Plan	➢ These records do not require a request for access and are available from the IPID website www.ipid.gov.za under documents

➢ Annual Report **Communication** ➢ Press releases from April 2018 ➢ The leaflets, newsletters and booklets issued by the Department	➢ In the event that a person has no access to the above website a request may be directed to the Information officer at tmahibila@ipid.gov.za and/ or Deputy Information officer at mmoroasui@ipid.gov.za; or ➢ May be collected from the IPID offices at:- Benstra Building 473 Stanza Bopape Street, Arcadia Pretoria Switchboard Telephone: +27 12 399 0000

8.8. **DESCRIPTION OF CATEGORIES OF RECORDS AVAILABLE FOR INSPECTION, PURCHASING AND COPYING - SECTION 15(1)(a)(i); 15(1)(a)(ii) AND S15(1)(a)(iii)**

Subject	Category	
Corporate Governance ➢ Risks	➢ Strategic risk register ➢ Operational risk register ➢ Register with information declared supporting documents	➢ These records are available for inspection, purchasing and copying subject to the provisions of the Protection of Personal Information Act and the exclusions listed on Chapter 4 of the Act upon request and can be accessed by lodging request on the prescribed Form "A" attached to this manual and directed to the Information officer at tmahibila@ipid.gov.za and/ or Deputy Information officer at mmoroasui@ipid.gov.za.
➢ Financial disclosures	➢ Report on SMS disclosures and MMS declarations on conflict of interest.	➢ Alternatively, by posting the request to: Independent Police Investigative Directorate Private Bag X 941 PRETORIA 0001 Telephone:+27 12 399 0051 Switchboard Telephone: +27 12 399 0000
Information Communication Technology ➢ ICT Governance	➢ ICTGC Committee appointment letters.	

	➢ ICT Governance Charter ➢ Minutes of ICTGC Committee Meetings.	
➢ ICT	➢ Strategic Plan ➢ ICT Implementation Plan ➢ Operational Plan ➢ ICT Reports ➢ ICT Policies	
Financial Management	➢ Payroll corticates ➢ Payment batches (BAS and Persal) ➢ Suspense Account Reports ➢ Petty Cash Reports ➢ Finance policies ➢ Tax reconciliation reports (EMP201 & EMP501) ➢ Debtors Statement Reports ➢ Financial Statements	
Human Resource Management & Development		
➢ Human Resource Development	➢ Human resource Development:- Annual Training plan ➢ Annual Training Report ➢ Workplace Skills plan	

	➢ Bursary awards – award letters, bursary contacts, payment stubs, bursary results ➢ Skills programme, List of implemented training programs, list of employees who attended training ➢ Internship recruitment and selection, ➢ Skills development levy payment: Invoice, Financial Statements (SETA) ➢ Discretionary grant funded projects (DG Agreements, invoices, proof of payments) ➢ Internship, Learnership and bursary policies ➢ Training Budget and expenditure	
➢ Service Delivery	➢ Service Delivery commitment charter ➢ Service Delivery Improvement plan ➢ Complaints & Compliments mechanism(Complaints and complements received)	

➢ Performance Management & Development System	➢ Performance Agreements ➢ Performance Assessment Results ➢ Performance Assessment Review minutes ➢ Incentives/ Performance rewards implemented	
➢ Employee Health and Wellness	➢ Performance Management Policy ➢ Pillar Documents ➢ Wellness files and profiles ➢ Disability Information ➢ Special Programs Information	
➢ Human Resource Planning	➢ Policies on HR matters, recruitment & selection, leave, retention, skills development, social matters, performance management , etc ➢ Human Resource Plan ➢ Employment Equity Plan ➢ Employment Equity Targets ➢ Job evaluation results ➢ Job profiles or descriptions	

	Establishment matters or Structure ➢ Delegation of powers or authority	
➢ Human Resource Administration	➢ Vacancy status, Appointments, Advertisements ➢ Selection panels ➢ Shortlisting minutes (scores and criteria) ➢ Submission for appointments ➢ Personal records and appointment records	
➢ Conditions of Service	➢ Leave and Housing files ➢ Leave records, records on payment of unused leave ➢ Acting allowance approvals and acting in higher positions approval ➢ Termination of service records, transfers and movement of personnel ➢ Exit benefit records	
Integrity Strengthening	➢ Investigation reports ➢ Search reports ➢ Lifestyle audit investigation reports	

	➢ Alcohol and drug testing reports	
Auxiliary Services ➢ Transport (Departmental vehicles)	➢ Trip requests and authorisations ➢ License renewals ➢ Petrol invoices	
➢ Facilities (Accommodation & Telephone services)	➢ Office space requests ➢ Communication file with the Department of Public Works records ➢ Funding records ➢ Accommodation and service charge invoices ➢ Telephone installation requests ➢ Telephone invoices	
➢ Registry	➢ Mail register (incoming & outgoing mail)	
Labour Relations	➢ Misconduct files ➢ Grievance and Dispute files ➢ Bargaining Chamber files, minutes of the DBC meetings and correspondence (between the GPSSBC, Labour and Employer)	

Internal Audit		
➢ Audit Committee	➢ Appointment letters ➢ Audit Committee Charter ➢ Minutes of the Audit Committee Meetings	
➢ Internal Audit	➢ Internal Audit Manual ➢ Audit Plans ➢ Audit Charter	
Security Management	➢ Access Control records ➢ CCTV footage ➢ Investigation reports ➢ Security inspection reports.	
Strategy and Performance Monitoring	➢ Strategic Plan ➢ Annual Performance Plan ➢ Annual report	
PROGRAMME 2: INVESTIGATION AND INFORMATION MANAGEMENT		
➢ Investigation Dockets	➢ Dockets on Section 28(1)(a) to S28(1)(h) of the IPID Act	

➢ Statistics	➢ Dockets on S28(2) of the IPID Act ➢ Received files, finalised investigations, and closed files	
PROGRAMME 3: LEGAL SERVICES		
➢ Litigation Services	➢ Litigation claims (received and closed) ➢ Contingent Liability records ➢ SOP ➢ Litigation manual	
➢ Legal Investigations & Advisory Services	➢ Regulatory, Legislation and Policies ➢ Policing powers records ➢ SOP ➢ Manual on PAIA	
PROGRAMME 4: COMPLIANCE AND STAKEHOLDER MANAGEMENT		
➢ Compliance Monitoring	➢ S7(4) Report to the National Prosecuting Authority ➢ S7(4) Report to the Minister of Police ➢ S7(5) Report to the Minister of Police	

	➢ S7(5) Report to the Civilian Secretary for Police ➢ S7(6) Report to the National and Provincial Commissioner for Police ➢ S7(7) Report to the Civilian Secretary for Police ➢ Recommendation Reports to the Metro Police Services ➢ Recommendation report by Investigators to the South African Police and Metro Police ➢ Referral reports to the National Prosecuting Authority	
8.9. **DESCRIPTION OF CATEGORY OF RECORDS AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)**		

Strategy and Perfomance monitoring (a) Strategic Plan (b) Annual Performance Plan (c) Annual Report **Communication** a) Press releases b) The leaflets, newsletters and booklets issued by the Department **Finance** a) Financial reports	➢ These records are available for inspection, and copying upon request and completion of the request on the prescribed Form "A" attached to this manual and directed to the Information officer at the following email addresses mmoroasui@ipid.gov.za; nvacu@ipid.gov.za and fmdhluli@ipid.gov.za ➢ Alternatively, by posting the request to: Independent Police Investigative Directorate Private Bag X 941 PRETORIA 0001 Telephone:+27 12 399 0051 Facsimile: +27 86 614 1698 Switchboard Telephone: +27 12 399 0000

9. SERVICES AVAILABLE TO THE PUBLIC

9.1. IPID is obliged to investigate any complaint on alleged misconduct of, or offence committed by a member of the police service. Members of the public may lodge a complaint against members of the police and / or metro police for any offence or misconduct stated in paragraph 4.3 above.

9.2. The Directorate commits to assist members of the public who have difficulty in completing the prescribed Form "A" and permitted to lodge their requests by telephone.

9.3. Members of the public who are not able to read and write may lodge their request for information orally and will be assisted by the Deputy Information officer to lodge their request.

10. FORM OF REQUEST

10.1. Section 18(1) of the PAIA provides that a request for access must be in the prescribed form "*A*" addressed to the Information Officer of the public body at his or her address or fax number or electronic mail address.

10.2. Section 18(2) provides that the prescribed form must at least contain the following information:-

10.2.1 to provide sufficient particulars to enable an official of the public body concerned to identify -

10.2.1.1 the record or records requested; and

10.2.1.2 the requester;

10.2.2 to indicate which applicable form of access referred to in Section 29 (2) is required;

10.2.3 to state whether the record concerned is preferred in a particular language;

10.2.4 to specify a postal address or fax number of the requester in the Republic;

10.2.5 if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and

10.2.6 if the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the information officer.

11. REQUEST PROCEDURE

11.1 Personal Requester

A personal requester is anyone who seeks information pertaining to herself / himself is exempted from paying the request fees. Notwithstanding, he is required to pay access fees for the reasonable time spent in searching, preparing and reproducing the record.

11.2 Requester

Any requester that is, anyone who seeks information pertaining to other people or where he has no direct right or interest in the information sought. Such a requester is required to pay both the request and access fees for the reasonable time spent in searching, preparing and reproducing the record.

11.3 Telephonic, Oral and Formal Requests

11.3.1 Telephonic requests are in certain circumstances not forbidden and such requests may be directed to the Information Officer / Deputy Information Officer at the telephone number provided on this Manual.

11.3.2 The requester will still be required to complete the prescribed form A with the assistance of the Deputy Information officer.

11.3.3 An individual or requester who because of illiteracy or a disability is unable to make a request for access to a record of a public body may make an oral request. The Information Officer and/ or Deputy Information officer will reduce that oral request into writing in the prescribed form and provide a copy thereof to the requester.

11.3.4 All formal requests must be on Form "A" attached to this Manual. If necessary the Information Officer and /or Deputy Information Officer may assist a requester to complete the request from.

11.3.5 A requester must indicate the manner or form of access required such as whether copies are required or whether he requests to inspect the record and whether the record must be emailed/ mailed or to be collected.

11.3.6 The Information Officer and/ or Deputy Information Officer must within thirty (30) days of the request after receipt of the request fee where applicable and access fee decide whether to grant or refuse the request.

11.3.7 The fees for requesting and searching for a record, including the making of copies of the record, are imposed by Regulations under by PAIA. The prescribed fee schedule is attached to this manual as Annexure "B".

11.3.8 All applicable fees must be paid at the inception of the request and/ or as directed by the Information Officer and/ or Deputy Information Officer

12. PAYMENT OF FEES IN TERMS OF THE PAIA

12.1 A personal requester that is, anyone who seeks information pertaining to herself / himself is exempted from paying the request fees. Notwithstanding, he is required to pay access fees for the reasonable time spent in searching, preparing and reproducing the record.

12.2 The request fee payable by a requester to any public body is R35 as prescribed by the Regulations to the PAIA. In addition, the requestor will be required to pay access fees for the reasonable time spent in searching, preparing and reproducing or copying the record sought.

13. PAYMENT METHOD

13.1. All payments shall be made in the form of cash payable by deposit or electronic funds transfer (EFT) into the bank account of the Department. The banking details of the Department are as follows:-

ABSA bank

Account no: 1044190075

Branch code: 632005

Reference: Surname and Initials of requester (Applicant)

IMPORTANT: No request may be processed unless the request and access fees where applicable have been paid - Section 22(1) of the Act.

14. A DECISION TO GRANT OR REFUSE ACCESS - SECTION 25 AND S26

The Information Officer and/ or Deputy Information Officer must **within thirty (30) days** of request decide whether to grant or refuse the request and notify the requestor of the decision.

13.1 Extension of time period

13.1.1 The Information Officer and/ or Deputy Information Officer may extend the period of thirty (30) days once, for a further thirty days in the following circumstances:-

13.1.1.1 Where the request is for a large number of records or requires a search through a large number of records and attending to the

request unreasonably interferes with the Directorate's activities.

13.1.1.2 The request requires a search for records from an office that is not in the same town or city as that of the Information Officer and/ or Deputy Information Officer.

13.1.1.3 Consultation is required with other Departments or other public bodies to decide upon the request.

13.1.1.4 The requester consented to the request for the extension.

13.2 **Transfer of a Request**

Where the Directorate is not in possession of the information sought and/ or the information sought is closely connected with the functions of another Department or Institution the Directorate will transfer such request to the relevant Department or Institution **within fourteen (14) days** of request and inform the requester accordingly.

15. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

Where the information sought cannot be found and/ or there is reasonable belief that the information does not exist, the Directorate will by way of an affidavit explain all steps taken to find the information and all communication conducted to search for the information. The Directorate will inform the requester that the information sought cannot be found or that there is a reasonable belief that it does not exist and attach the copy of the affidavit.

16. RECORDS THAT CONTAIN INFORMATION OF THIRD PARTIES

Where the record requested relates to a third party the Information Officer and/ or Deputy Information Officer must:-

16.1 Notification

16.1.1 As soon as possible but at least **within twenty one (21) days** of receipt of the request take all reasonable steps to inform a third party of a request that contains:-

16.1.1.1 A third party's personal information;

a. A third party's trade secrets;

b. A third party's financial, commercial, scientific or technical information and disclosure would likely cause commercial or financial harm to the third party;

c. Information supplied by the third party in confidence and the disclosure would prejudice or put the third party at a disadvantage in contractual or other negotiations or commercial competition;

d. Information supplied in confidence by a third and disclosure would amount to breach of a duty of confidence owed to the third party in terms of an agreement or reasonably prejudice the future supply of similar information which should be supplied in public interest;

e. Information about research being carried out by or on behalf of a third party that would seriously disadvantage either the third party, the agent or the research subject matter.

16.1.2 **Representation by the third party and Consent**

16.1.2.1 A third party may **within twenty one days (21) days** of notification make written or oral representations to the Information Officer and/ or Deputy Information Officer on why the request for the third party's record should be refused, and/ or give written consent for the disclosure of his information.

16.1.2.2 The Information Officer and/ or Deputy Information Officer must **within thirty (30) days** of the notice to the third party and/ or representation decide whether to grant or refuse the request for access to third party's information and must notify the third party concerned including, the requester.

17. LEGAL REMEDIES AVAILABLE FOR FAILURE TO PROVIDE INFORMATION

17.3. Internal Appeal

17.3.1. If dissatisfied with the refusal of access to information and/ or dissatisfied with the extension period and / or the fee payable a personal requester may lodge an

internal appeal **within sixty (60) days** of refusal on form "B" available at Legal and Investigations Advisory Services and/ or South African Human Rights Commission.

17.3.2. A third party may lodge an internal appeal **within thirty (30) days** of the decision or outcome of the decision or representation.

17.3.3. The internal appeal must be addressed to the Minister of South African Police through the office of the Information Officer and/ or Deputy Information Officer. The Information officer or Deputy Information Officer will refer the internal appeal to the Minister **within ten (10) days** of receipt and informs the requester that the appeal has been referred to the Minister and the date of referral.

17.4. Application to Court (Review)

A personal requester and a third party may approach court for review if still dissatisfied with the response of the Minister **within hundred and eighty (*180*) days** of the decision or outcome of the request.

18. UPDATING THE MANUAL

The Manual shall be updated within twelve (12) months after publication of this- manual and/ or when it is necessary.

19. AVAILABILITY AND ACCESSIBILITY OF THE MANUAL

The Manual shall be available on the IPID website, all IPID Offices and at the offices of the South African Human Rights Commission at the address stated in paragraph 5.2 above.

20. The manual is hereby approved by the Acting Executive Director.

MS D.J NTLATSENG
EXECUTIVE DIRECTOR

04/08/2021
DATE

ANNEXURE B

FEES FOR RECORDS OF PUBLIC BODY AS STIPULATED BY THE CURRENT REGULATIONS TO THE ACT

The fee for reproduction, referred to in section 15(3) of the Act, is as follows

		R
(a)	For every photocopy of an A4-size page or part thereof	0, 60
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-Readable form	0, 40
(c)	For a copy in a computer-readable form on –	
	(i) Stiffy disc	5, 00
	(ii) Compact disc	40, 00
(d)	(i) For transcription of visual images, for an A4-size of part thereof	22, 00
	(ii) For a copy of visual images	60, 00
(e)	(i) For transcription of an audio record, for an A4-size page or part thereof	12, 00
	(ii) For a copy of an audio record	17, 00

The request fee payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is **R35, 00**.

The access fee payable by a requestor referred to in section 22(7) of the Act, unless exempted under section 22(8) of the Act, are as follows:

(a)	For every copy of an A4-size page or part thereof	R0,60
(b)	For every printed copy of the A4-size page or part thereof in a computer or in electronic or machine-readable format	R0,40

	(i)	stiffy disc	R5,00
	(ii)	compact disc	R40,00
(c)	(i)	For transcription of visual images, for an A4-size page or part thereof	R22,00
	(ii)	For a of visual images	R60,00
(d)	(i)	For transcription of an audio record, for an A4-size page or part thereof	R12.00
	(ii)	For a copy of an audio record	R17,00

To search for the record for disclosure, R15 for each hour or part of an hour, excluding the first hour, reasonably required for search.

The actual postal fee is payable when a copy of a record must be posted to a requestor.

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

(a) Six hours as the hours to be exceeded before deposit is payable; and

(b) One third of the access fee is payable as a deposit by the requestor.

Form of request

A request for access to a record, as contemplated in section 53(1) of the Act, must be made on Form A of the Annexure. The forms can be found in Government Gazette No. 23119 dated 15 February 2002.