

**MANUAL IN TERMS OF SECTION 14(1) OF THE
PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**

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1. Preamble

The Promotion of Access to Information Act No. 2 of 2000, (“the Act”) came into operation in 2001. Section 14 of the Act requires that DUT as a public body compiles this manual giving information to the public regarding the procedure to be followed in requesting information from DUT for the purpose of exercising or protecting rights.

2. Functions of DUT

[Section 14(1)(a) of the Act refers.]

The Durban University of Technology (DUT) is a public higher education institution in terms of the Higher Education Act, No. 101 of 1997.

DUT was formed on 1 April 2002 from the Merger of Technikon Natal and M L Sultan Technikon. The Higher Education Act No. 101 of 1997 and the Standard Institutional Statute published in Government Gazette No 23065 of 27 March 2002 give effect to the governance of DUT.

The policy decisions of the Council and the Senate of DUT frame the core functions of the Institution which are teaching, research and community service.

3. Structure of DUT

[Section 14(1)(a) of the Act refers.]

See **Annexures A-1 and A-2** attached.

4. Contact Details

[Section 14(1)(b) of the Act refers.]

Physical Address:	Mansfield Road, Durban, 4001
Postal Address:	P O Box 1334, Durban, 4000
Telephone No.:	031-3732111
Fax No.:	031-373 3405
Website Address:	www.dut.ac.za
Head of Institution:	Professor R du Pre´
Information Officer:	Prof N Gawe Deputy Vice Chancellor : Institutional Support Fax No.: 031-373 2663 Email: gawen@dut.ac.za

Deputy Information Officers:

Executive Director:
Student Services & Development

Ms N Jappie
Fax No: 031-3732859
Email: naziemaj@dut.ac.za

Executive Director:
Public Affairs & Development

Ms N Mbadi
Fax No: 031-373 2475
Email: mbadinom@dut.ac.za

Executive Director : MidlandsCampuses

Prof R Ngcobo
Fax No: 0865137908
Email: reggien@dut.ac.za

Registrar

Mr D Hellinger
Fax No.: 031-373 2188
Email: davidh@dut.ac.za

Legal Advisor

Mrs L Chetty
Fax No: 031 2011552
E-mail : chettyl@dut.ac.za

5. **The Guide on how to use the Act**

[Section 14(1)(c) of the Act refers.]

The Human Rights Commission is to issue the Guide. Please direct any enquiries to:

S A Human Rights Commission: PAIA Unit
Postal Address: Private Bag 2700, Houghton, 2041
Telephone No.: 011-484 8300
Telefax No.: 011-484 1360
Website Address: www.sahrc.org.za
Email Address: PAIA@sahrc.org.za

6. **Records held by DUT**

[Section 14(1)(d) of the Act refers.]

(a) **Automatic disclosure:**

[Section 14(1)(e) of the Act refers.]

1. Student handbooks which contain names of staff members, academic rules, academic programmes and syllabus information.
2. Student academic records, on payment of a prescribed fee.
3. Library materials, on payment of a prescribed fee if not a DUT staff member or student.

4. DUT Publications, including reports, journals, newsletters.

Please note that no Section 15(a) notice describing the above has been officially published to date by the Minister of Justice.

(b) **Records that may be requested**

[Section 14(1)(d) of the Act refers.]

1. Governance records - Council, Senate, Institutional Forum, SRC, Convocation and DUT Committees.
2. Records of individual students.
3. Human Resources records - individual staff members, staff recruitment and other staff related policies.
4. Research records - undertaken by staff and/or students.
5. Financial Records - budgets, financial statements, assets register, procurement policies.

7. **Services available to members of the public from DUT**

[Section 14(1)(f) of the Act refers.]

The academic programmes offered by DUT and other allied services are contained in DUT's annual handbooks available free of charge from the Registrar's Office. Further information regarding services may be obtained from the respective sector heads of DUT.

8. **Participation in the formulation of policy or in the exercise of powers or performance of duties within DUT**

[Section 14(1)(g) of the Act refers.]

The Higher Education Act No. 101 of 1997 and DUT procedures provide for participation in the policy and decision making of DUT. Submissions may also be made in writing to the offices of the Deputy Vice Chancellor: Institutional Support or the Deputy Vice Chancellor: Academic, P O Box 1334, Durban, 4000

9. **Remedies available in respect of an act or failure to act by the DUT**

[Section 14(1)(h) of the Act refers.]

The **public** may submit a complaint in writing to the Deputy Vice Chancellor: Institutional Support.

Staff members are required to follow DUT's staff grievance procedures available from the Human Resources Department.

Students are required to follow the student grievance and appeal procedures available from the Registrar's Office.

Sections 74 to 82 of the Act provide for appeals against decisions of the DUT's Information Officer.

10. **Other Information**

[Section 14(1)(i) of the Act refers.]

For information not contained in this manual:

1. visit DUT's website www.dut.ac.za or
2. contact the Information Officer as per paragraph 4 above.

11. **Updating of this Manual**

[Section 14(2) of the Act refers.]

This manual is updated annually and was last updated in April 2008.

12. **Availability of this Manual**

[Section 14(3) of the Act refers.]

This manual is also printed in Afrikaans and isiZulu. Hard copies are available from the Information Officer as per paragraph 4 above. It is also available on www.dut.ac.za.

13. **Request Procedures**

[Section 18 of the Act refers.]

- (a) A requester must be given access to a record of DUT if:
- the requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
 - access to that records is not refused on any ground of refusal mentioned in the Act.
- (b) A request for access to a record of DUT must be made on the form prescribed by Notice 187 in Government Gazette of 15 February 2002. An example is attached to this manual as **Annexure B**. Copies are available on the websites: www.sahrc.org.za or www.doj.gov.za.
- (c) The requester must indicate if the request is for a copy of the record or if the requester wants to inspect the record. (If the record is not a document it can then be viewed in the requested form, where possible) *[s29(2) of the Act refers]*.

A requester should get access in the manner asked for, unless this would interfere unreasonably with the running of DUT or damage the record, or infringe a copyright. If for practical reasons access cannot be given in the requested form but in another way the fee must be calculated according to the way that the requester asked for it *[s29(3) and (4) of the Act refers]*.

If the requester wants a written reply and to be told about the decision in any other way, e.g. telephonically, this must be indicated by the requester *[s18(2)(e) of the Act refers]*.

If a requester is asking for information on behalf of somebody else, the capacity in which the request is being made must be indicated *[s18(2)(f) of the Act refers]*.

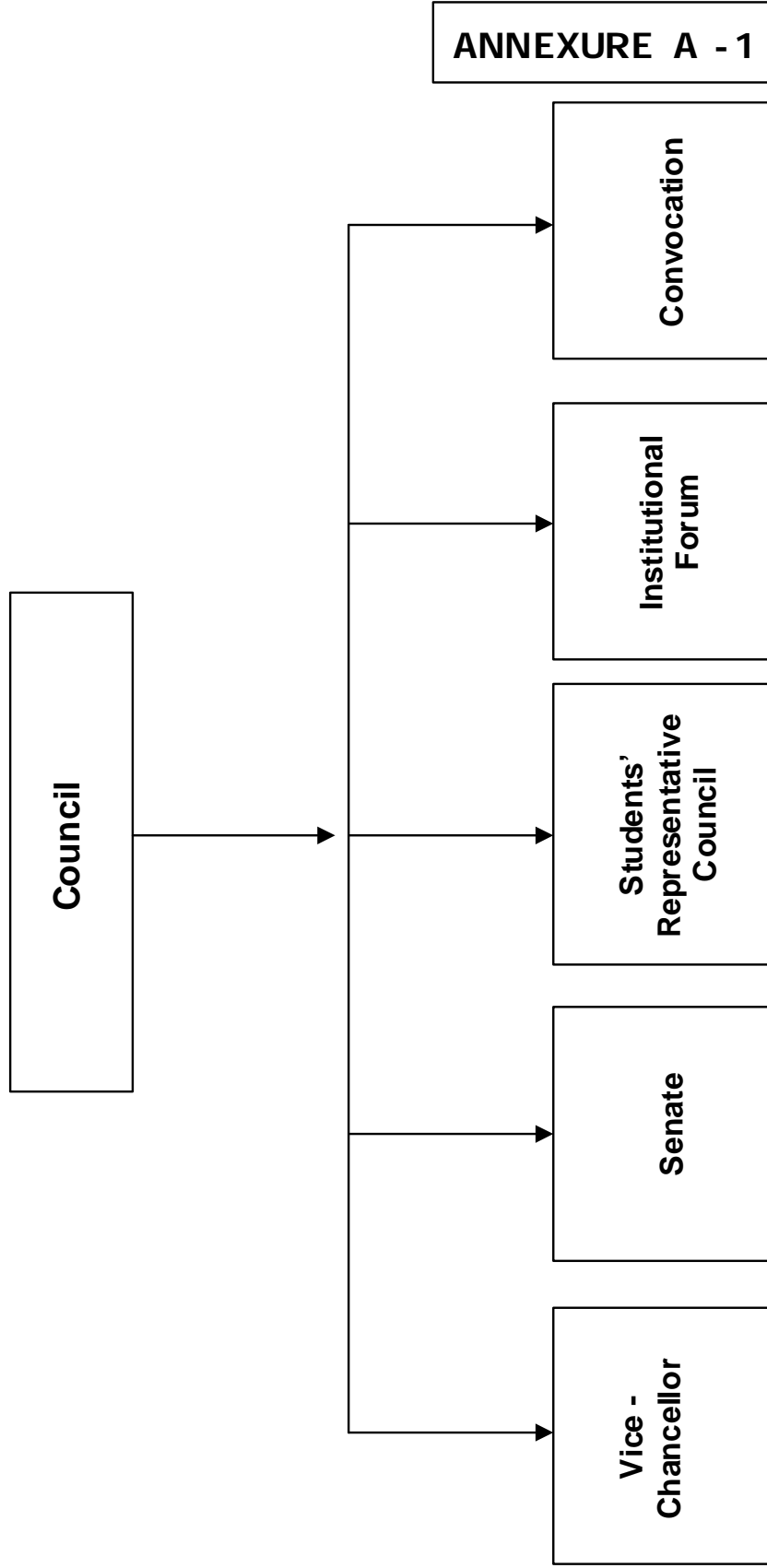
If the requester is unable to read or write, or has a disability, the requester may make the request for the record orally. The Information Officer must then fill in the form on behalf of such a requester and give him or her a copy *[s18(3) of the Act refers]*.

14. **Prescribed Fees**

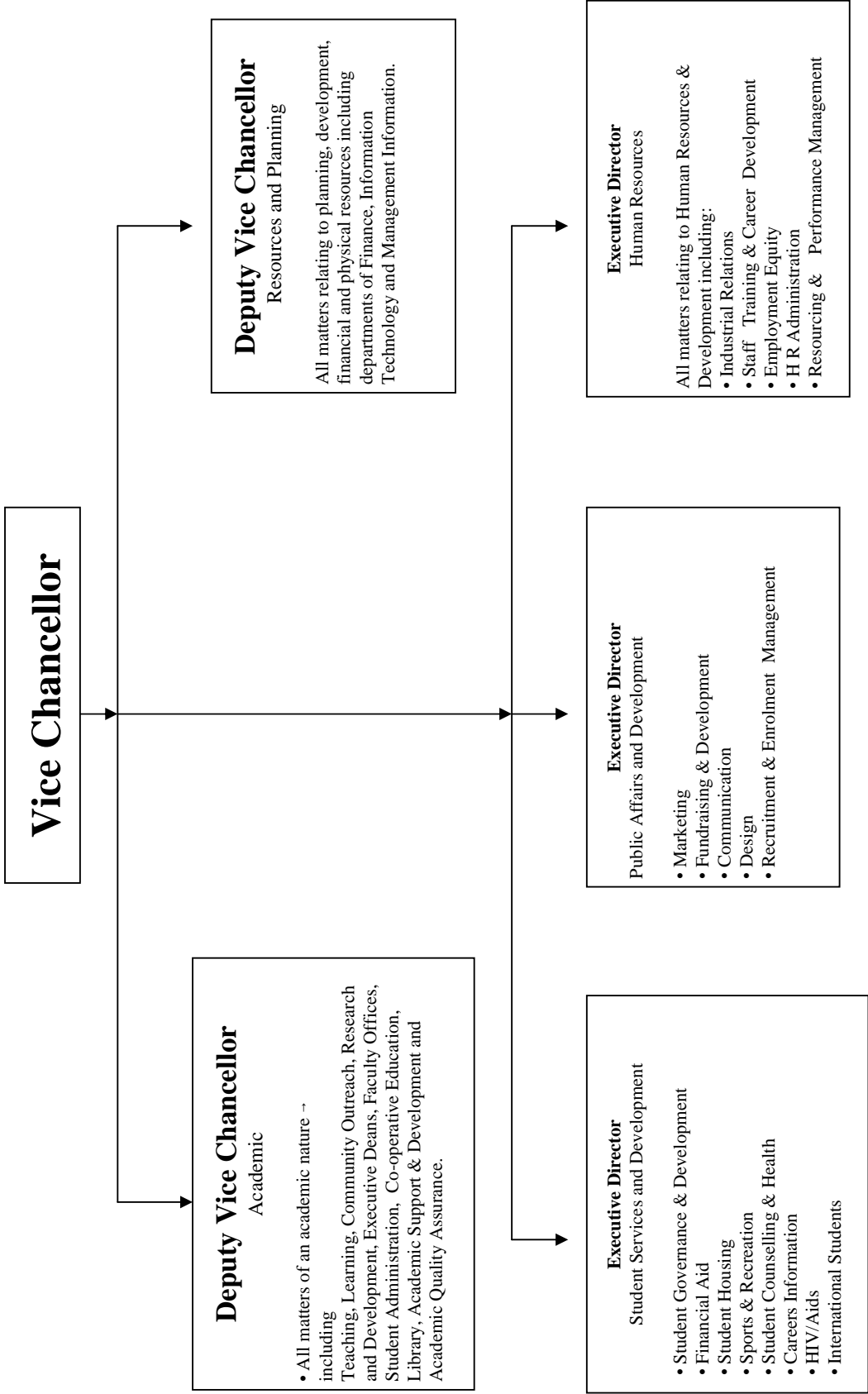
- (b) There are two types of fees being the request fee and the access fee.
- (c) A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the request fee of R35.
- (d) The Information Officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee of R35 before further processing the request.
- (e) After the Information Officer has made a decision on the request the requester must be notified of the decision in the way the requester asked to be notified.
- (f) If the request is granted a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

The prescribed fee structure is attached as **Annexure C**.

GOVERNANCE STRUCTURE



DUT EXECUTIVE MANAGEMENT STRUCTURE



ANNEXURE B : Prescribed form for access to a record of a public body

No. 24237

GOVERNMENT GAZETTE, 10 JANUARY 2003

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE
15 FEBRUARY 2002**

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 2]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

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

Full names and surname:.....Identity number:.....

Postal address:.....

Fax number:.....Telephone number:.....E-mail address:.....

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:.....Identity number:.....

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*
- (b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

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

2. Reference number, if available:.....

3. Any further particulars of record:.....

E. Fees

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

Reason for exemption from payment of fees:.....
.....

F. Form of access to record

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

<i>Disability:</i>	<i>Form in which record is required:</i>
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- Mark the appropriate box with an "X".*
- NOTES:**
- (a) Your indication as to the required form of access depends on the form in which the record is available.*
 - (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.*
 - (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

1. If the record is in written or printed form -			
	copy of record*		inspection of record
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	view the images		copy of the images* transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound -			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form -			
	printed copy of record*		printed copy of information derived from the record* copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			YES
A postal fee is payable.			NO
<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.</i>			
In which language would you prefer the record?			

G. Notice of decision regarding request for access

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

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

.....

Signed at _____ this _____ day of _____ 20 _____

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE C : Prescribed fees for public bodies

Manual on the Promotion of Access to Information Act (Act 2 of 2000)

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002

FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

		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 a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
(e)	(i) For a 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
3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

		R
1.	(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 a transcription of visual images, for an A4-size page or part thereof	22,00
	(ii) For a copy of visual images	60,00
	(e) (i) For a 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
	(f) To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
2.	For purposes of section 22(2) of the Act, the following applies:	
	(a) Six hours as the hours to be exceeded before a deposit is payable; and	
	(b) one third of the access fee is payable as a deposit by the requester.	
3.	The actual postage is payable when a copy of a record must be posted to a requester.	