



SECTION 14 MANUAL ON THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)

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UNIVERSITY OF KWAZULU-NATAL (UKZN)

SECTION 14 MANUAL ON THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)

Published by the University of KwaZulu-Natal
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Copies of this publication can be obtained from the Registrar:

University of KwaZulu-Natal

Tel: +27 (31) 260 7971
Email: registrar@ukzn.ac.za

Website: www.ukzn.ac.za

1. INTRODUCTION

The Promotion of Access to Information Act No. 2 of 2000 (PAIA), which came into effect on 9 March 2001, gives effect to the constitutional right of access to any information held by the state and any information held by any other person, provided that such information is required for the exercise or protection of any rights.

The right of access to information and specifically PAIA serves a dual purpose, namely, to:-

- create and maintain a culture of transparency and accountability within public and private bodies; and
- actively promote a society in which the people of South Africa have proper access to information thereby enabling them to exercise and protect all of their rights more fully.

The right of access to information will be determined in conjunction with the Protection of Personal Information Act 4 Of 2013, (referred to in this document as POPIA) which came into effect on 1 July 2020.

As per section 18 of POPIA, The University of KwaZulu-Natal processes varying types of personal information that is dependent upon the type of relationship entered into between the University and the stakeholder concerned, which includes but is not exclusive to: names of natural and/or juristic persons, images of natural and/or juristic persons, identity numbers, company registration numbers, staff numbers, work permit details, dates of birth, nationality, passport numbers, citizenship details, driver's license details, gender, details regarding disabilities, marital status, number of dependants, criminal convictions, contact details, age, etc.

2. STRUCTURE AND FUNCTIONS OF THE UNIVERSITY OF KWAZULU-NATAL (UKZN)

Council

The Council is the governing body of the University of KwaZulu-Natal (UKZN) whose functions are as prescribed in terms of section 27 of the Higher Education Act No. 101 of 1997, as amended (HEA).

Senate

The Senate is the body responsible for academic matters and is accountable to Council for all teaching, learning, research and academic functions of UKZN and all other functions delegated or assigned to it by Council. The functions of Senate are as prescribed in terms of section 28 of the HEA.

Committees of Council and Senate

The functions of committees of Council and Senate are as prescribed in terms of section 29 of the HEA.

Vice-Chancellor and Principal

The Vice-Chancellor and Principal is the Chief Executive Officer of the University and as such is the Information Officer in terms of PAIA. The Vice Chancellor is responsible for the day-to-day management and administration of UKZN and has all the powers necessary to perform these functions. The functions of the Vice Chancellor and Principal are as prescribed in terms of section 30 of the HEA.

Institutional Forum

The functions of the Institutional Forum are as prescribed in terms of section 31 of the HEA.

3. VISION, MISSION AND VALUES OF UKZN

Vision

To be the Premier University of African Scholarship.

Mission

A truly South African university that is academically excellent, innovative in research, critically engaged with society and demographically representative, redressing the disadvantages, inequities and imbalances of the past.

Principles and Core Values

The University aspires to be a positively transformed institution based on a clear understanding of its goals for broad and comprehensive change underpinned by shared values. These values serve as a framework for all its endeavours.

As the University community we pledge ourselves to:

1. Actively encourage and respect the right of all scholars, staff and students to engage in critical inquiry, independent research, intellectual discourse and public debate in a spirit of responsibility and accountability, in accordance with the principles of academic freedom and institutional autonomy.
2. Promote access to learning that will expand educational and employment opportunities for all.
3. Embrace our responsibility as a public institution to support and contribute to national and regional development, and the welfare and upliftment of the wider community, through the generation and

dissemination of knowledge and the production of socially-responsible graduates.

4. Conduct ourselves according to the highest ethical standards, and provide education that promotes an awareness of sound ethical practice in a diverse society.
5. Manage and run our institution in conscious awareness of the environment, and foster a culture of responsible, ethical and sustainable use of natural resources.
6. Ensure effective governance through broad and inclusive participation, democratic representation, accountability, and transparency that serves as an example that contributes to building the democratic ethos of our country.
7. Acknowledge the value of the individual by promoting the intellectual, social and personal well-being of staff and students through tolerance and respect for multilingualism, diverse cultures, religions and social values, and by fostering the realisation of each person's full potential.

4. CONTACT DETAILS OF UKZN REPRESENTATIVES

4.1 Information Officer

Name: The Vice-Chancellor & Principal
Street Address: University Road, Chiltern Hills, Westville, 3629
Postal Address: Private Bag X54001, Durban, 4000
Telephone Number: 031 – 260 2228

Electronic Mail: vc@ukzn.ac.za

4.2 Deputy Information Officers

4.2.1 Name: The Registrar
Street Address: University Road, Chiltern Hills, Westville, 3629
Postal Address: Private Bag X54001, Durban, 4000
Telephone Number: 031 – 260 7971

Electronic Mail: registrar@ukzn.ac.za

4.2.2 Name: Director: Legal Services
Street Address: Vice Chancellor's House, University Road, Chiltern Hills, Westville, 3629
Postal Address: Private Bag X54001, Durban, 4000
Telephone Number: 031 – 260 2810

Electronic Mail: legalservices@ukzn.ac.za

5. GUIDE ON HOW TO USE PAIA

The South African Human Rights Commission (SAHRC) has published the guide on how to use PAIA as prescribed in Section 10 of PAIA. The guide is available at the offices of the SAHRC. Please direct any queries to:-

The South African Human Rights Commission: PAIA Unit
Research and Documentation Department

Postal Address: Private Bag 2700
Houghton
2041

Physical Address: 33 Hoofd Street
Braampark Forum 3
Braamfontein
2198

Telephone: +27 011 877 3694/3805

Website: www.sahrc.org.za

Electronic Mail: PAIA@sahrc.org.za

6. ACCESS TO RECORDS HELD BY UKZN

6.1 Automatic Disclosure

UKZN has not, as section 15 (2) of PAIA requires, officially published a list of categories of records that are automatically available (i.e. records that can be obtained without the need to follow the PAIA request process). However, a variety of records, reports and documents can be accessed on the UKZN website (www.ukzn.ac.za). The UKZN website contains, amongst others, the following information that is automatically available (voluntarily disclosed):

- a) Reports;
- b) Forms;
- c) College Handbooks;
- d) Rules for Students;
- e) Students Fee Guide;
- f) Legislation applicable from time to time;
- g) Marketing material;
- h) Posters;
- i) News Articles;
- j) Speeches;
- k) Media releases;
- l) Information of UKZN Colleges, Schools, Disciplines and Programmes offered;
- m) Any other literature intended for public viewing which may be published.

6.2 Records that may be requested

UKZN holds the following records and categories of records on each of the subjects identified below, which may be requested via the PAIA request procedure, namely:-

6.2.1 Council

- (a) Agendas
- (b) Minutes of meetings
- (c) List of members

6.2.2 Senate

- (a) Agendas
- (b) Minutes of meetings
- (c) List of members

6.2.3 University Executive Management Committee (EMC)

- (a) Agendas
- (b) Notes of meetings
- (c) List of members

6.2.4 The institution holds similar records and categories of records in respect of Senate and Council Sub-Committees and the Institutional Forum. For further details kindly contact the Deputy Information Officers.

6.2.5 Student Matters

- (a) Rules for students
- (b) Academic records
- (c) Completed application forms
- (d) Student profiles and statistics
- (e) Student bodies and associations
- (f) Student files
- (g) Examination papers, scripts and statistics

6.2.6 Administrative / Academic Matters

- (a) Membership lists of School or College Boards and Committees
- (b) School or College Board meeting agendas and minutes
- (c) School or College meeting agendas and minutes
- (d) Admission requirements and policies
- (e) Internal procedures and guidelines
- (f) University policies
- (g) University and College Rules
- (h) Convocation roll

6.2.7 Personnel

- (a) General conditions of service
- (b) Personnel policies and procedures
- (c) Employment equity information

- (d) Staff records
- (e) Employee lists
- (f) Union membership

6.2.8 Publications

- (a) Monographs
- (b) Journals
- (c) College Handbooks/ Academic Calendar/s that are not available on the website
- (d) University Newsletters
- (e) Pamphlets
- (f) Hosted in University libraries

6.2.9 Other Records

Any other record such as property, assets, correspondence, operational, contractual, financial, accounting, compliance, research, scientific and technical records.

6.3 Request Procedure

6.3.1 A requester must complete the application form that has been prescribed as Form A *Request for Access to Record of a Public Body* attached as Annexure A to this Manual and submit the form to the Deputy Information Officer at the address mentioned below:

Name: The Registrar
Street Address: University Road, Chiltern Hills, Westville, 3629
Postal Address: Private Bag X54001, Durban, 4000
Telephone Number: 031 – 260 7971

Electronic Mail: registrar@ukzn.ac.za

- 6.3.2 Upon a requester complying with the procedural requirements in PAIA relating to the request for access to a record, access to that record shall be given unless it is refused on any ground of refusal mentioned in PAIA.
- 6.3.3 The requester must indicate whether the request is for a copy of the record or whether s/he wants to come in and look at the record at the offices of the Deputy Information Officers. Alternatively, if the record is not a document, it can be viewed in the requested form, where possible.
- 6.3.4 If a requester is asking for the information on behalf of somebody else, the capacity in which the requester is making the request must be indicated.
- 6.3.5 If a requester is unable to read or write, or has a disability, s/he can make the request for the record orally. The information officer or the deputy information officer must complete the form on behalf of such requester and must give him/her a copy.

6.3.6 As per sections 23 and 24 of POPIA: The requester may request from the University details pertaining to the personal information of the requester, that may be held by the University, including information pertaining to the identity of all third parties or categories of third parties who have or have had access to the personal information of the requester. Note that such a request may attract a prescribed fee (if any) for the utilisation of University resources and the information requested may be provided within a reasonable time, in a reasonable manner and format and in a form that is generally understandable.

Should the request attract a fee as described above, the requester will be provided with an estimate of the fee and the University may require that the requester pay such fee prior to any further action being taken by the University.

Note that all requests for personal information will be assessed by the University and the University may refuse to disclose all or part of the personal information of the requester, held by the University.

6.3.7 Requests for the correction or deletion of personal information must be sent to the Registrar at the address mentioned below:

Name: The Registrar
Street Address: University Road, Chiltern Hills, Westville, 3629
Postal Address: Private Bag X54001, Durban, 4000
Telephone Number: 031 – 260 7971

Electronic Mail: registrar@ukzn.ac.za

Where a request for the correction or deletion of personal information cannot be acceded to, note will be made of the request for correction or deletion against the record of personal information of the requester, that is held by the University.

6.3.8 In instances where personal information is requested by parties external to the University and where the University is not obligated to provide such information through the operation of law, in terms of Part 3 of POPIA, (The Conditions of Lawful Processing), the requesting party must provide the following details (note that this is not an exclusive list and further details may be required to further assess the request) along with the request for personal information (note that without such information, the request will not be able to proceed to the assessment stage):

- The purpose for which the information is being requested;
- The exact personal information that is being requested;
- The retention period of the personal information should it be furnished;

- The security measures that will be implemented to safe-guard the personal information should it be furnished;
- The manner in which the personal information will be retained i.e. In electronic or paper-based formats or both;
- The transit of the personal information i.e. Will the personal information remain within the borders of South Africa or will the personal information be transmitted, in any format outside of the borders of South Africa;
- The recipients of the personal information i.e. Will the requester forward the personal information to other parties and if so, on what basis and in what format (electronic or paper-based)?"

6.4 Fees payable for Request and Notification of Decision on Access

- 6.4.1 There are two types of fees payable in terms of PAIA, namely, the request fee and the access fee.
- 6.4.2 A requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Such a requester is called a personal requester. Every other requester must pay the prescribed request and access fee as stipulated in Annexure A hereto.
- 6.4.3 The Information Officer or Deputy Information Officer will notify the requester (other than a personal requester) of the amount to be levied for access to the record, and may require the requester to pay the prescribed fees before the request is processed and access is granted.
- 6.4.4 Once a decision has been made by the Information Officer or Deputy Information Officer, the requester will be notified of such decision in the manner in which the requester has chosen to be notified.
- 6.4.5 The full list of prescribed fees to be paid when records are requested from a public body appears at Annexure B to this Manual.

7. DESCRIPTION OF THE SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THOSE SERVICES

A comprehensive list of services provided by UKZN is contained in its general prospectus, undergraduate prospectus, postgraduate prospectus and College handbooks, all of which are available free of charge from the Registrar's Office, the details of which appear in clause 4 above. Alternatively these services can be viewed by visiting the University's web site at www.ukzn.ac.za.

8. PARTICIPATION IN POLICY OR DECISION-MAKING BODIES OF UKZN

- 8.1 Students and staff participate in policy and decision making processes of UKZN in accordance with the provisions of the HEA, the UKZN Statute and

in terms of the internal procedures as agreed with student and staff representative bodies from time to time.

- 8.2 Other interested persons may submit their comments or proposals in writing to the Registrar at the address stated in paragraph 4 above.

9. A DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY UKZN

- 9.1 A student or member of the public may lodge a complaint in writing to the Registrar.

- 9.2 The University's internal grievance procedure/s may be utilised by staff members.

- 9.3 If the complaint is in respect of an act, or a failure to act in terms of PAIA, the complainant may take such steps as are provided for in Sections 74 to 82 of PAIA.

10. OTHER INFORMATION

For any other information not contained in this manual, kindly contact the Registrar, the contact details of which are given in paragraph 4 above.

Alternatively visit the University's web site at www.ukzn.ac.za.

This manual is also available in Afrikaans and isiZulu at www.ukzn.ac.za.

This manual will be updated annually.

ANNEXURE A

**FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

Section 18(1) of the Promotion of Access to Information Act No. 2 of 2000
[Regulation 6]

FOR DEPARTMENTAL USE	
Request received by _____	Reference number: _____
_____ (state rank and full name 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 Deputy Information Officer:

The Registrar
University of KwaZulu-Natal
University Road
Chiltern Hills
Westville
3629

Postal Address: Private Bag X54001, Durban, 4000

Telephone Number: 031 – 260 7971

Electronic Mail: registrar@ukzn.ac.za

B. Particulars of person requesting access to the record

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

Full names: _____

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: _____

Name of organization: _____

D. Particulars of record

- (a) *Provide full particulars of the record to which access is requested, including any reference number or date 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 page and attach it to this form. **The requester must sign all the additional pages or attachments to this form.***

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 for such exemption.

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 below, state your disability and indicate in which form the record is required.

Disability: _____	Form in which record is required: _____
_____	_____
_____	_____

Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request for access in the specified form may depend 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:

<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images –

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

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
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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? Postage is payable.					YES	NO
In which language would you prefer the record? _____						
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.						

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 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 _____ (place) on this _____ day of _____ (month) 20____ (year)

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B**FEES PAYABLE IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 IN RESPECT OF PUBLIC BODY**

- | | | |
|--------|---|-------|
| 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. | |