



DEPARTMENT OF HOME AFFAIRS

Manual

in terms of section 14

of the

**Promotion of Access to Information Act,
2000
(Act No. 2 of 2000)**

*"Accessing records and services
of the Department"*



Department of Home Affairs

Access to information Manual

First issue

January 2008

Prepared by the Chief Directorate: Legal Services
Department of Home Affairs

TABLE OF CONTENTS

Contents

Page

SECTION A

INTRODUCTORY PROVISIONS

i.	Introduction	5
ii.	Definitions	6

PART 1

1. STRUCTURE AND FUNCTIONS OF THE DEPARTMENT

1.1	Organisational Structure	8
1.2	Functions of the Department	10

PART 2

2. SERVICES RENDERED BY THE DEPARTMENT TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THEM

2.1	Services rendered by the Department.....	13
2.2	How to access services rendered by the Department.....	14

PART 3

3. CONTACT DETAILS INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

3.1	Contact details of information officer.....	14
3.2	Contact details of deputy information officers.....	15

PART 4

4. PUBLIC PARTICIPATION IN THE POLICY, LEGISLATIVE PROCESSES AND PERFORMANCE OF DUTIES OF THE DEPARTMENT

4.1	Public participation in the policy and legislative processes of the Department.....	15
4.2	Performance of duties of the Department.....	16

Contents**Page****PART 5****5. DESCRIPTION OF RECORDS HELD BY THE DEPARTMENT**

5.1	Civic Services Records.....	16
5.2	Immigration Records.....	16
5.3	Miscellaneous.....	16

PART 6**6. RECORDS AVAILABLE AUTOMATICALLY**

6.1	About services rendered.....	17
6.2	Other Records.....	17

PART 7**7. HOW TO ACCESS RECORDS OF THE DEPARTMENT: MANNER & PROCEDURE FOR LODGING A REQUEST FOR ACCESS**

7.1	Prescribed form and manner for lodging a request for access.....	17
7.2	Assistance from the information officer.....	18
7.3	Assistance from the Human Rights Commission.....	18

PART 8**8. DECISION TO GRANT OR REFUSE ACCESS AND NOTICE TO THE REQUESTER**

8.1	Right of access to records of the Department.....	18
8.2	Decision by the information officer.....	19
8.3	Fees.....	19
8.4	Grounds for refusal.....	19
8.5	Mandatory disclosure in public interest.....	21
8.6	Application of the Act.....	21
8.7	Notice to third party.....	22
8.8	Notice to the requester.....	22
8.9	Extension of period to deal with request.....	22
8.10	Deemed refusal of request.....	23
8.11	Forms of access.....	22

Contents**Page****PART 9****9. REMEDIES:
IN RESPECT OF AN ACT OR FAILURE TO ACT BY THE DEPARTMENT**

9.1	Internal Appeal.....	23
9.2	Application to Court.....	24

PART 10**10. THE GUIDE IN TERMS OF SECTION 10 OF THE ACT
HOW TO USE THE ACT**

10.1	Description of the Guide.....	24
10.2	How to gain access to the Guide.....	25

SECTION B**MISCELLANEOUS**

1.	Availability of the manual.....	26
2.	Other information as may be prescribed.....	26

SECTION C**ANNEXURES:
REQUEST FORM, NOTICE OF INTERNAL APPEAL FORM, TABLE OF FEES**

1.	Request form.....	27
2.	Notice of Internal Appeal form.....	31
3.	Table of fees.....	34