CONTROL SHEET OR FINALISATION STEPS

REQUEST DIRECTED IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000)

Particulars of Personal or Ordinary Requester

Name: …….. Request no.: ……..
Address: …….. Personal (P) or
Tel: …….. Ordinary (O) requester ……
File no.: …….. E- Mail : ……

Section	Completed	Details	Letter	Date	Finalised by	Yes/No	Amount R	Receipt no.	Act days*
18		**Form A Request Form Received** Due time for finalisation – section 25(2) and 87 (90/60/30 days)							30
		File opened with Annexure 1 to 6 enclosed							
32		**Transfer to computer : Form A, Annexure 2 and 3 particulars**							
18		**Acknowledge receipt Form A posted/handed over** (Attach receipt for request fee, - section 22)	1						
19(2)		**Faulty Form A sent for correction**	2						
19		**Received corrected Form A/new due times for finalisation.** Section 25(2) and 87 (90/60/30 days)							30
20(1) 20(2)		**Transfer request to right institution/department sent to**: ……	3						14
20(5)		**Notice of transfer to requester**	4						14
21		**Keeping of records (1 year)**							365
22(1)		**Request fee for ordinary requester if not asked for in Letter 1**	5						
22(1)		**Request fee received**							
22(2)		**Access fee : Deposit of 1/3rd search time + 1/3rd of reproduction (for Ordinary Requesters)**	6						
22(2)		**1/3rd Deposit received**							
22(4)		**Access fee : Deposit returned as result of refusal**							
22(6)		**Access fee for reproduction (where deposit is not required). Payable by P and O requesters**	6						
23(1)		**Record do not exist/not found. Notice and affidavit on Annexure 6**	7						
23(4)		**Record found and request granted** (section. 25(2)	8						
23(4)		**Record found and request not granted** (Chapter 4)	9						

*The 30 day finalisation period in section 25(1) must be read in terms of section 87 as 90 days and 60 days during the first and second years after the Act became operative on 9 March 2001.

TIME SCHEDULE OR DUE TIMES

Nature of Request
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……
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Reminder date: Act days min ± 25%	10 days after date of receipt	14 days after date of receipt	21 days after date of receipt	30 days after date of receipt	60 days after date of receipt	90 days after date of receipt	Longer than 90 days	Access date

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24(1)		**Access postponed by Information Officer (IO) for reasonable time due to section 24(1) circumstances (maximum 90 days) change due time** (If requester direct representations against it, deal according to section 24(3).)	10						90									
25(2)		**Access fully granted. No third party involved.**	11						30									
25(3)		**Access fully refused** (take 90 days for appeal court and court application period of section 41(4) (a) and (b) and section 29(9) into consideration.)	12						90									
26(1)		**One-time 30 days maximum extension for finalisation** (Apply only from 9 March 2003. See section 87 about 90/60 days as transition leniency.)	13						30									
27		**Refused request as result of non-reaction by IO within *30/60/90 days** – No letter.							30									
28(1)		**Separate – partly granted/refused.** Also take section 25(2) and (3) into consideration.	14						30									
29		**Form (Format) of access – granted as requested?** Yes/No (If "No", sent letter 11. See section 25(2).)																
30(1)		**Health records about physical/ mental condition of requester.** Nomination of practitioner requested. Yes/No	15															
30(3)		**Health records – Access granted**	16						30									
31		**Language of Access : Granted as requested?** Yes/No (If "No", sent letter 11)																
33		· **Access refused on the ground of which section(s) in Chapter 4 ……** (See section 34 to 45 as well as Annexure A – Information on checklist about Grounds for Refusal. Obtain legal opinion beforehand	12						30									
46		**Access granted on the grounds of section 46** Yes/No																
47		**Third party involved – Notices** If sections 34, 35, 36, 37 or 43 of par. 1 relates to request – · Is a third party(s) involved in terms of section 47(1)? Yes/No																
47(2)		· Which date was third party in terms of section 47(2) and (3) notified, by means of letter 18(21 days to react).	18						21									
		· Has an answer been received from the third party within 21 days? Yes/No If Yes, date ……																
48		**Representations by third party against access directed or permission for access granted?** Yes/No																
		· Oral or written representations/ permission……																
		· representations/permission of third party submitted to IO on ……																
		· Decision of IO after input of third party (section 49) : Access granted or refused or partly……																

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49		**Third Party : Notice about decision. If decided to grant access, notify third party.** (NB : It must be within 30 days after notice – date in Letter 18, sent in terms of section 47. (The applicable information in par. 1(a) and (2) of section 48 must be included, especially with regard to periods and internal appeals.)	19						30 days after date of Letter 18									
49(4)		· **Access granted to requester, notice of arrangements** (because a third party was involved access may only be granted after periods for internal appeal and court of 30 days each respectively, have expired and provided no appeal or court applications have been made. That is 60 days after letter to third party).	11						60 days after date of letter 19									

NOTA BENE : SECTIONS 50 TO 73 IS NOT APPLICABLE TO PUBLIC BODIES, IT IS FOR PRIVATE BODIES

INTERNAL APPEAL CASES TO RELEVANT AUTHORITY(R/A(SG)) : THE IO DEALS WITH SECTIONS 74 AND 75(1), (3) AND (4)										THE OFFICE OF THE MEC DEALS WITH SECTIONS 75(2), 76 AND 77								
74		**Internal appeal cases for consideration by the Relevant Authority (R/A(SG)) – The Head: Education, Western Cape Education Department in terms of section 74** It is appeals against decision of the IO with regard to **access refused** (section 74(1)(a)) or decision with regard to **fees** (section 22) **postponement** (section 26) form of access (section 29) and a **third party against a request that has been granted** (section 74(2)).																
75(1)		**Methods of handling internal appeals** (see section 75) IO receive – · **Completed Form C** application – within 30/60 days for third party and requester respectively (see section 75(1)(a).							30 or 60									
75(3)		· **Appeal** fee collected by IO (Only refusal cases). Payable in terms of section 75(3)(a) Yes/No																
75(3)		· **Appeal fee requested per letter** ……../. Fee paid. Yes/No																
75(3)		· **Exemption of Appeal Fees** (section 22(3)(b)) by provding appeal details of authority ……..																
75(4)		· **IO submits application for appeal to R/A(SG)** (within 10 working days - section 75(4) in terms of procedure in section 75(4(a) and (b) per memo).																

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NOTA BENE : THE RELEVANT AUTHORITY (R/A(SG))DEALS WITH SECTIONS 75(2), 76 AND 77 FUNCTIONS																		
75(2)		· **Case lodged late** Yes/No Form C dated ……., received on ……																
75(2)		· **Case lodged late approved** by R/A(SG) (section 75(2)? Yes/No Date ……..																
75(2)		·If **case lodged late** not approved, R/A(SG) Letter ……																
76		**Relevant Authority : Notice to third party/requester** ·If third party is involved and R/A(SG) considers access in terms of section 34, 35, 36, 37 or 43, then third party must be notified (see section 76(1) to (6). R/A(SG)'s Letter ……							21									
		The requester must be notified if the R/A(SG) considers an internal appeal from a third party against the granting of a request. (See 76(7) and (8)) per R/A(SG)'s Letter ……)							30									
77		**Decision about internal appeal and notice by R/A(SG)** · Did requester direct representations in terms of section 76(a) within 21 days against decision of R/A(SG)? Yes/No ☐ If yes, date representations received ……. Representations favourably considered. Yes/No ☐							21									
77(3)		· **R/A(SG) must in terms of section 77(3) inform third party** of his or her decision within 5 working days after aforementioned date. Inform third party whether decision of IO has been confirmed or replaced with new decision, per R/A(SG)'s Letter ……..							5									
77(3)		**Appeal successful?** **R/A(SG) informs the requester** (appellant) in terms of section 77(3) within 5 working days (after representations of third party has been received) whether decision of IO has been confirmed or replaced with new decision, per R/A(SG)'s Letter ……							5									
78		**Court applications directed**																
The R/A(SG) informs the IO per memo about his or her appeal decision and return departmental file of requester. The IO carries decision over to request register.																		