



FREE STATE LEGISLATURE

MANUAL

**PUBLISHED IN TERMS OF SECTION 14
OF THE PROMOTION OF ACCESS TO
INFORMATION ACT 2 OF 2000**

PROMOTION TO ACCESS TO INFORMATION DRAFT MANUAL

1	SUMMARY	Promotion to Access To information Act Manual			
2	ACCOUNTABLE OFFICER:	Mr. Steven Mabalane Acting Secretary			
3.	LEGAL ADVISOR	Ms. Connie Sefo Director: Legal Services			
4	APPLIES TO:	All Free State Provincial Legislature policies and related procedural documents			
5	CONSULTED:	The Secretariat			
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A. STRUCTURE AND FUNCTIONS OF THE FREE STATE PROVINCIAL PARLIAMENT

1. The Free State Provincial Parliament ('the Provincial Parliament') is the provincial legislature of the Free State Province.
2. In terms of section 114 of the Constitution of the Republic of South Africa, 1996 ('the Constitution'), the Provincial Parliament is responsible for the making of laws for the Free State Province, and to have oversight of the provincial government.
3. In terms of section 118 of the Constitution, the Provincial Parliament must facilitate public involvement in its processes.
4. The Provincial Parliament is a public body in terms of section 1 of the Promotion of Access to Information Act, 2000 ('the PAIA').

B. CONTACT DETAILS FOR INFORMATION OFFICERS

5. The Information Officer of the Provincial Legislature is Mr Steven Mabalane (Acting Secretary).
6. The Information Officer can be reached at 051 407 1100 or at ModipaD@fsl.gov.za
7. The Deputy Information Officer for the Provincial Legislature is Ms. Connie Sefo (Director: Legal Services).
8. The deputy information officer can be reached at 051 407 1100 or at ConnieS@fsl.gov.za.
9. The postal address of the Provincial Parliament is PO Box X20561, Bloemfontein, 9300.
10. The physical address of the Provincial Parliament is 41 Charlotte Maxeke Street, Bloemfontein 9300.

C. GUIDE ON HOW TO REQUEST INFORMATION IN TERMS OF THE PAIA

11. The South African Human Rights Commission has published a guide on how to request information in terms of the PAIA.
12. This guide can be accessed at www.sahrc.org.za → Understanding PAIA (at the bottom of the webpage) → SAHRC section 10 guide.

D. RECORDS OF THE PROVINCIAL LEGISLATURE

13. Among others, the Provincial Legislature has records in the following categories of matters:
 - (a) **Parliamentary papers**

Including order papers, announcements, tablings and committee reports, question papers, Hansard and minutes of proceedings.
 - (b) **Publications**

General information concerning the Provincial Legislature and its work.
 - (c) **Members' interests**
 - (i) Members of the Provincial Parliament must declare their interests annually.
 - (ii) Register of Member's Disclosure of Interest must be made to the Registrar of Members' Interests of the Provincial Legislature.
 - (d) **Bills/ Acts of Parliament**

Various versions of Bills (draft laws) and passed pieces of legislation
 - (e) **Documents produced by the administration**
 - (i) The administration of the Provincial Parliament provides support to members to enable their work as public office bearers.
 - (ii) To this end, the administration produces various documents related to its functions.

E. RECORDS THAT ARE AUTOMATICALLY AVAILABLE

14. Any information disclosed or discussed in any committee of the Provincial Parliament, where those proceedings were open to the public, or in House proceedings of the Provincial Parliament, is automatically available, and need not be requested in terms of the PAIA, provided that the requester can receive the information in a digital form.
15. Information concerning the following matters is readily available from the Free State Legislature's website at www.fsl.gov.za:
 - (a) Public education, education workshops, public participation, petitions, educational material;
 - (b) Visiting the Provincial Legislature;
 - (c) News, media releases and media partner registration;
 - (d) Vacancies and online applications for vacancies;
 - (e) Tenders and how to do business with the Provincial Parliament;
 - (f) The administration's organisational structure, code of conduct, directory of staff;
 - (g) General information about the functions and work of the Provincial Legislature;
 - (h) Vision, mission and values, political composition, history, symbols, Commonwealth Parliamentary Association, work of the National Council of Provinces;
 - ~~✗~~ (i) Member profiles, member constituencies, code of conduct, register of members' interests;
 - (j) Legislative process, parliamentary calendar, papers of the House, State of the Nation and State of the Province speeches, standing rules, videos;
 - (k) Membership of standing committees, committee documents; and

- (l) Legislation, Bills tracking, National Council of Provinces legislation, Hansard, publications, provincial gazettes, departments' annual reports.

F. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THESE SERVICES

16. The Directorate: Public Participation and Education facilitates public involvement and initiates participation programmes. These include school outreach programmes, Youth Parliament and many other initiatives.
17. The Directorate: Public Participation can be contacted at (051) 407 1100. **See on www.fsl.gov.za.**

G. PUBLIC PARTICIPATION

18. The people of the Free State are encouraged to become involved in the proceedings of the Provincial Parliament.
19. You can either become involved in the Provincial Parliament by observing the proceedings in open debate in the House, or by actively participating in the law-making process by making submissions on draft legislation during public involvement processes.
20. Provincial legislation also empowers the people of the Free State to petition the Provincial Parliament on certain matters.
21. See on fsl.gov.za.

H. HOW TO GET ACCESS TO DOCUMENTS OF THE PROVINCIAL PARLIAMENT

22. Step 1: Preliminary steps
- Make sure that the record you require is in fact a record in the possession or under control of the Provincial Legislature.
 - If the record you require is automatically available, as provided for in paragraph 15 above, make your request, clearly describing the record you require, to the Information Officer.

- Check the Provincial Legislature's website, at www.fsl.gov.za, to see whether the record you require is on the website.

Step 2: Request form

- If you have not succeeded in obtaining the record you require after having completed step 1 above, a request form must be completed and submitted to the Provincial Legislature. The request form can be obtained from the Deputy Information Officer/ attached to this manual/ FSL website.
- The request form must be submitted to the Information Officer.
- If you encounter problems with completing the request form, you may call upon the Deputy Information Officer for assistance.
- If you make a request on behalf of another person, be sure to attach a copy of the mandate by that other person to you to act on that person's behalf.

Step 3: Fees

- There are two fees that may be payable under the PAIA:
 - (a) A request fee: a requester who seeks access to a record containing personal information about that requester, is not required to pay the request fee. The required fee must accompany any other request. In terms of Government Notice No. R. 223, 2001, the request fee is R35.00; and
 - (b) An access fee: if the request is granted a further access fee must be paid for the reproduction of the records, including the time for searching and preparing the records for disclosure. These fees are set out in Government Notice No. R 223, 2001.
- A copy of the fees, as set out in Government Notice No. R 223, 2001 can be obtained from the Deputy Information Officer.

Step 4: Processing of the request

- In terms of the PAIA, the Information Officer has 30 days within which to allow or refuse the request, failing which the request is deemed to have been refused.

- The Information Officer will inform the requester of the outcome of the request.

- Access to a record will usually be granted where the requester complied with the requirements of the PAIA, and:
 - (a) The request is made on the prescribed form which was completed properly;
 - (b) Sufficient proof of authority is submitted where the request is made on behalf of another person;
 - (c) A proper description of the record requested is provided;
 - (d) The necessary fees are paid; and
 - (e) There are no grounds for refusing the request as provided for in the PAIA.

I. REMEDIES ON REFUSAL TO DISCLOSE RECORD

23. A person that is dissatisfied by a refusal by the Provincial Parliament to disclose a record or records may approach the courts for relief.

J. APPROVAL

24. Approved by the Acting Secretary on 15 October 2024

Signed:



Steven Mabalane