



agriculture

Department:
Agriculture
REPUBLIC OF SOUTH AFRICA

**PAIA MANUAL
FOR
THE DEPARTMENT OF AGRICULTURE**
*In terms of section 14 of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)
(First edition)*

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1. INTRODUCTION AND DISCLAIMER

INTRODUCTION

The Promotion of Access to Information Act, 2 of 2000, generally known by its acronym "PAIA", was promulgated by Government to give effect to the Constitutional right of access to information held by the state or by private bodies. PAIA prescribes how members of the public must exercise this right and how public and private bodies must respond to such requests, including when requests may or may not be refused.

This manual aims to provide information about the Department of Agriculture (DOA) to the public, as contemplated in section 14 of PAIA, in order to facilitate the accessing of records held by the DOA. DOA is a public body as defined in PAIA.

This manual further contains information relating to the Protection of Personal Information Act, 4 of 2013 (POPIA). POPIA amended PAIA, which amendments came into effect on 1 July 2021. When a request for personal information is considered, these two Acts (PAIA and POPIA) must always be read together.

It is important to note that the information requested must exist in the form of a "record", for example a physical document, a digital document, a map, a photograph, a digital recording, etc. PAIA cannot be used to request "information" which is not contained or recorded in some or other existing "record" as defined in PAIA.

PAIA can also not be used to request reasons for administrative actions taken by administrators of DOA. Requests for reasons in terms of the Promotion of Administrative Justice Act, 3 of 2000 ("PAJA") must also not be combined with PAIA requests, as it delays finalisation of both requests. Requests for reasons for

administrative actions must be submitted separately (even if it relates to the same matter) in accordance with the provisions of PAJA, and will be processed by the DOA in accordance with the provisions of that Act.

DISCLAIMER

All reasonable efforts have been made to ensure the correctness of the information contained in this manual, however, the DOA accepts no liability for information which may be incorrect or outdated. This manual will, however, be reviewed on a regular basis and any errors or shortcomings will be addressed as soon as possible. The contents of this manual are subject to PAIA, POPIA and all other laws which regulate the provision of access to records and information held by the state, including the fees prescribed by such laws. If there is any contradiction between this manual and the provisions of any law (for example PAIA, POPIA, any other Act of Parliament, a regulation, or a government notice), the provisions of such law shall prevail.

2. MANDATE, VISION AND MISSION OF THE DEPARTMENT OF AGRICULTURE

2.1 Mandate

The DOA derives its mandate from sections 24 and 27 of the Constitution of the Republic of South Africa, 1996 in that sections 24(b)(iii) (environmental clause) and 27(1)(b) (health care, food, water and social security clause) cover the agriculture value chains - from inputs, production and value adding to retailing. In terms of part A of schedule 4 to the constitution, Agriculture is a functional area of concurrent national and provincial legislature competence.

2.2 Vision

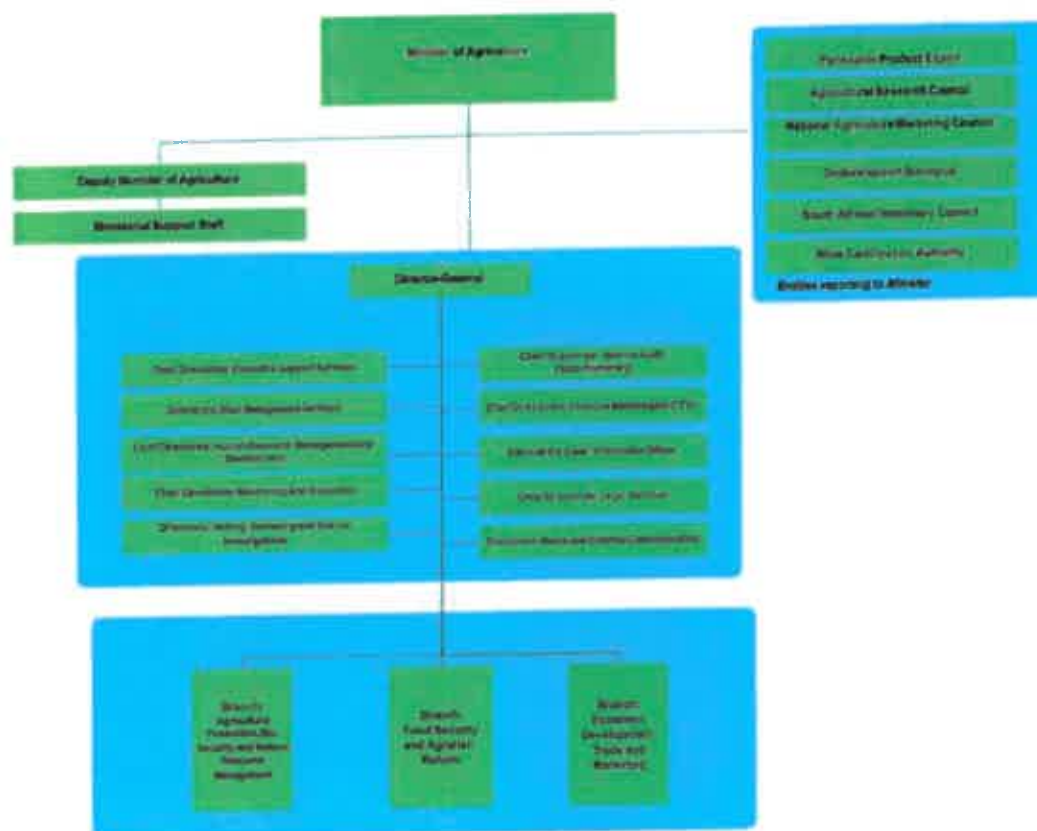
The vision of the DOA is a dynamic and sustainable agricultural sector for a food-secure South Africa.

2.3 Mission

The mission of the DOA is to enable inclusive economic growth, competitiveness and market access through collaborative partnerships, agricultural and digital innovation, research and transformed legislation.

3 STRUCTURE AND FUNCTIONS OF THE DOA

The DOA is structured to fulfil the mandate, vision and mission outlined above. The high-level structure of the DOA, showing the different branches, is shown below, followed by a description of the functions of each branch.



Each branch is headed by a Deputy Director-General (DDG), and it is also these

DDGs that have been designated as Deputy Information Officers (DIOs) by the Director-General (DG), who is the DoA's Information Officer in terms of the definition of "Information Officer" in section 1 of PAIA. Some Chief Directorates and Directorates report directly to the DG. Decisions relating to records held by these Chief Directorates and Directorates will be made by the DG.

The branches of the DOA are:

1. Agricultural Production, Biosecurity and National Resources Management

1.1 Functions:

- 1.1.1 Ensure compliance with regulatory frameworks for food.
- 1.1.2 Develop policy, norms and standards to support plant production and plant health.
- 1.1.3 Promote livestock production, game farming and livestock development.
- 1.1.4 Facilitate the development of infrastructure and the sustainable use of natural resources and integrate, coordinate and implement disaster management policies and frameworks with special emphasis on mitigation of disasters in rural and agricultural areas.
- 1.1.5 Manage the implementation of the Genetically Modified Organisms (GMO) legislation and other related processes to minimize the potential impact of Genetically Modified Organisms on human, animal, plant health and the environment.
- 1.1.6 Facilitate the mainstreaming of rural women, youth and people with disabilities in Branch initiatives.

2 Food Security and Agrarian Reform

2.1 Functions:

- 2.1.1 Provide national frameworks to promote sustainable household and food security programmes.
- 2.1.2 Develop and provide strategic support to farmers and cooperatives.
- 2.1.3 Facilitate the provision of DOA education and training in support of sustainable growth and equitable participation in the sector.
- 2.1.4 Provide national extension support services.
- 2.1.5 Provide sound development finance services for development of DOA programmes.
- 2.1.6 Facilitate the mainstreaming of rural women, youth, people with disabilities and vulnerable groups (i.e. farm workers, communities, etc) in Branch initiatives.

3 Economic Development, Trade and Marketing

3.1 Functions:

- 3.1.1 Promotes, facilitates, coordinates and supports international relations and international trade through the development and implementation of appropriate policies and programmes.
- 3.1.2 Facilitates the establishment and support of cooperatives, rural enterprises and facilities.
- 3.1.3 Ensures the conversion/transformation of primary agriculture products commodities into value added products and ensures domestic and international market access.
- 3.1.4 Provides economic and statistical services to monitor the economic performance of the sector.
- 3.1.5 Facilitates the development and implementation of development finance policies and strategies for the agricultural sector.

3.1.6 Manages transfers to the National Agricultural Marketing Council.

4 Office of the DG

4.1 Functions:

4.1.1 The components in the Office of the DG mainly, with a few exceptions, provide services to the DOA internally and not to the public. Services rendered to the DOA by these components are:

- (a) Human resource management and development services
- (b) Information and communication technology (ICT) management services
- (c) Legal services
- (d) Security and facilities management services
- (e) Communication services
- (f) Monitoring and evaluation services
- (g) Financial and supply chain management services
- (h) Risk management services
- (i) Executive support services
- (j) Internal Audit

PUBLIC ENTITIES:

There are a number of public entities that also report to the Minister of Agriculture, however, these entities are separate public bodies for the purposes of PAIA. Requests for access to records held by these entities must be addressed directly to the Information Officers or DIOs of such entities. These entities are:

- The Agricultural Research Council
- The National Agricultural Marketing Council
- Onderstepoort Biological Products
- The Perishable Products Export Control Board

4 CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

4.1 In terms of PAIA, the DG of the DOA is the DOA's Information Officer. The DG has designated all DDGs, the Chief Director: Legal Services and certain other officials in Legal Services as DIOs for the DOA. The Legal Services officials have limited delegated powers. The DDGs designated as DIOs have the delegated powers to decide whether or not requests for access to Departmental records should be granted. As indicated above, the DG takes decisions on records held in components forming part of the Office of the DG.

4.2 The contact details of the **DG (Information Officer)** and the **DIOs** of the DOA are:

Information Officer:

The Director-General: **Mr Mooketsa Ramasodi**

(Executive Assistant: Ms Harriet Mabokela)

Tel: 012 319 7300

e-mail: EA.DG@nda.gov.za)

Deputy Information Officers:

The Deputy Director-General: Agricultural Production, Biosecurity and Natural Resources Management: **Mr D Serage**

Tel: 012 319 6471

e-mail: SerageD@nda.gov.za

The Deputy Director-General: Food Security and Agrarian Reform: **Ms L Botsheleng**
(Acting)

Tel: 012 319 7328

e-mail: LeboB@nda.gov.za

The Deputy Director-General: Economic Development, Trade and Marketing: **Ms K Komape**

Tel: 012 319 6047

e-mail: Kwenak@nda.gov.za

The Chief Director: Legal Services: **Ms K Nagiah**

Tel: 012 312 9736

e-mail: KanthiN@nda.gov.za

Postal Address of the DOA:

Department of Agriculture
Private Bag X250
Pretoria
0001

Physical Address*: of the DOA:

Agriculture Place
20 Steve Biko Street
Arcadia
Pretoria

Website address of the DOA: www.nda.gov.za

GPS Coordinates: Agriculture Place: -25.73668 South; 28.20425 East

Main switchboard: 012 319 6000

Note that due to the size of DOA, the DOA is housed in several buildings across Pretoria and in other cities and towns, but the above-mentioned address is the address of the National Office of the DOA.

If a requester knows in which branch of the DOA the records which he or she requests

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are held, the requester must submit the request directly to the relevant DIO above, for example a request for a record relating to the subdivision of agricultural land, must be submitted to the Deputy Director-General: Agricultural Production, Biosecurity and Natural Resources Management.

If a requester is uncertain which DIO to refer his or her request to, he or she may refer it to the Director-General or to the Chief Director: Legal Services, at the contact particulars indicated above, or to Mr Gerrit van Rensburg, Tel: 012 312 9355; email: GerritV@nda.gov.za.

Requests can also be posted to the DIOs or to Mr van Rensburg at the postal address of the DoA indicated above, or delivered by hand or by courier to Agriculture Place, 20 Steve Biko Street, Arcadia, Pretoria, marked for the attention of the relevant DIO or Mr van Rensburg.

Note that the DOA prefers that requests be submitted by email, as this facilitates swifter attention to the request.

GUIDE ON HOW TO USE PAIA PUBLISHED BY THE INFORMATION REGULATOR AND HOW TO OBTAIN ACCESS TO THE GUIDE

The Information Regulator of South Africa has published the Guide prescribed by section 10 of PAIA. The purpose of the Guide is to provide information that is needed by any person who wishes to exercise any right contemplated in PAIA or POPIA. The Guide provides useful information in addition to the information contained in this Manual.

Members of the public can inspect or make copies, during normal working hours, of the Guide which is available as follows:

- At the DOA's National Office at Agriculture Place, 20 Steve Biko Street, Arcadia, Pretoria.
- From the Government Gazette.

- Upon request from the Information Regulator.
- From the website of the Information Regulator at <https://inforegulator.org.za> and the website of the DOA at www.nda.gov.za.

Note that fees may be payable if copies of the Guide or parts thereof are requested.

5. DESCRIPTION OF THE SUBJECTS THAT THE DOA HOLDS RECORDS ON, AND THE CATEGORIES OF RECORDS HELD ON EACH SUBJECT

Below is a list of the subjects that the DOA holds records on and the categories of records under each subject:

5.1 STRATEGIC DOCUMENTS:

- Annual reports of the DOA
- Strategic Plans of the DOA
- Annual Performance Plans of the DOA

5.2 OFFICE OF THE DIRECTOR-GENERAL

- Ministerial/DG tasks
- Correspondence
- Audit Reports
- Forensic investigation reports
- Monitoring and Evaluation (M&E) Reports
- Facilities Management records
- Security records
- Health and Safety records
- Legislation administered by the DOA
- Court documents in relation to litigation involving the DOA

5.3 HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT

- Human Resource Plan
- HR Policies and Procedures
- Employee records
- Departmental Structure and Staff Establishment
- Advertised posts
- Learning and Development e.g. Skills Development and Training Plans
- Bursary contracts
- Employment Equity Plan and Statistics
- Grievance investigation reports

5.4 FINANCIAL SERVICES AND SUPPLY CHAIN MANAGEMENT

- Financial Policies and Procedures
- Budgets
- Accounting records
- Expenditure reports
- Annual Financial Statements
- Demand Management Plans
- Procurement Plans
- Bid documents
- Terms of Reference for inviting bids/tenders
- Contracts with suppliers/service providers
- Quotations
- Tenders
- Purchase orders
- Payments

5.5 LINE FUNCTION BRANCHES



- Policies
- Tariffs for various commodities
- Market information on grains, horticulture and livestock
- Market research of the various commodities
- Market research on Red Meat, Ostriches, Wool, Mohair, Honey, Goats. Hides, Skin and Leather
- Market research on wheat, sorghum, oilseeds, soya beans, cotton, potatoes, sugar, dry beans and chicory
- Market research on Fresh Produce Markets
- Agricultural information services
- Production and resource economics
- Farmer settlement
- Agricultural finance and co-operative development
- Blended Finance
- International Relations
- Land Use and Soil Management
- Food security and quality assurance
- Plant health
- Marketing
- Genetic resources
- Animal health
- Engineering services
- Agricultural statistics
- International trade
- Plant production systems
- Business and entrepreneurial development
- Agricultural risk and disaster management
- Animal and aqua production systems
- Programme planning
- Research and technology development

- Food security and rural development
- Water use and irrigation development
- Agricultural product inspection services
- Records relating to the Grootfontein Agricultural College
- Biosafety
- Permit conditions
- Aquaculture bench-marking survey
- Impact of rising feed ingredient prices on aqua feeds and aquaculture production
- Catfish feed handbook
- Registers
- Company files
- Framework for aquaculture research management
- Minutes of task team meetings
- Monthly/bi-annual statistics
- Appeal documents
- Various agreements/contracts

6. AUTOMATICALLY AVAILABLE RECORDS

“Automatically available records” means records of the DOA which are available without a person having to request such records in terms of PAIA. These are records which are available for inspection, for sale, or for making copies. A list of automatically available records is to be published in the *Gazette* in terms of section 15 of PAIA. The new DOA has not had a section 15 notice published yet, but will request the Minister of Justice and Constitutional Development to do so in due course.

A large number of records are automatically available on the DOA’s website. Members of the public are invited to visit the website for a view of the latest documents available before submitting a formal PAIA request.

7. REQUEST PROCEDURE AND FEES

Anybody wanting access to records of the DOA which are not automatically available must do the following:

- Complete the prescribed request form, attached to this manual as **Annexure A**.
- Describe the records that you are seeking access to as fully as you can. This will assist the DOA in finding the records more easily. If you have the reference number under which the DOA handled the relevant matter, provide the reference number, as well as the name of the official who dealt with the matter if you know it.
- Pay the prescribed **request fee** (currently R100*) at any office of the DOA or into the DOA's bank account, unless you are of the view that you are exempt.**
- The request fee (and any other fees payable in terms of PAIA, if applicable) must be paid into the following account, if not paid in cash at a DOA Office:

Bank: Standard Bank

Branch: Tshwane Mid City

Branch Code: 010145

Branch Code (electronic payments): 051001

Account holder: Department of Agriculture

Account Number: 011 278 196

Account Type: Business Current Account

Account Name: DOA Miscellaneous Deposits

Reference number: Contact any of the following officials of the DOA before making a payment to obtain a reference number:

1. Musa.Hlongwane at Musa.Hlongwane@nda.gov.za
2. Lehlohonolo Nkosi at Lehlohonolo.Nkosi@nda.gov.za

3. Gerrit van Rensburg at **GerritV@nda.gov.za**

- Attach your receipt or other proof of payment of the request fee to your completed request form, and deliver or send the request form to the relevant DIO or other officials at the addresses indicated in paragraph 4 above.
- If you do not know under which DIO's control the relevant records fall, submit your request form to the Office of the DG or the officials indicated in paragraph 4 above.
- If your request is granted, the relevant DIO will inform you of the **access fee** to be paid (this is also prescribed and will vary depending on the form of the records (e.g. paper (currently R1.50* per A4 page) or USBs), unless you are exempted.** The access fee must also be paid into the above-mentioned account.
- Once you have paid all the prescribed fees, the records will be provided to you, if the decision is to grant you access.
- If third parties must be given notice of the request and especially if the third party objects to the disclosure of the records, the above process will take longer.
- If your request is refused in totality or partially, or you object against the fees payable, you may lodge an internal appeal in the form of **Annexure B** to the manual.

** These fees are subject to change at any time by the Minister of Justice and Constitutional Development, and if changed, the new fees shall be charged notwithstanding the fees indicated in this Manual.*

*** Persons who have an income less than the prescribed threshold are exempt from paying any fees. The threshold may change from time to time, but at the time of publication of this manual it is R14 712 per year (after permissible deductions such as PAYE and UIF have been made) in respect of single persons and R27 192 per year (after permissible deductions SUCH as PAYE and UIF have been made) in respect of married persons or life partners (Government Notice No. R. 991 of 14 October 2005).*



8. SERVICES OFFERED BY THE DOA TO MEMBERS OF THE PUBLIC:

Some of the services rendered by the DOA to the public are set out in the first column of the table below. The services are available as set out in the second column of the table. The list is not exhaustive. Kindly visit the DOA's website at www.nda.gov.za or contact the DOA at the switchboard number provided in paragraph 4 above to obtain more information on the DOA's services. It should be noted that some of the services and products offered by the DOA are subject to the availability of funds appropriated by Parliament. Requests for services or products by the DOA will therefore be evaluated and it may not always be possible to render the service or provide the product immediately or within the specific financial year or at all.

SERVICES PROVIDED	HOW TO GAIN ACCESS TO SERVICES
BRANCH: AGRICULTURAL PRODUCTION, BIOSECURITY AND NATURAL RESOURCE MANAGEMENT	
Issue permits for the import of animals for various purposes	Visit the DOA's website or contact the DOA at the telephone numbers, email addresses or telephone numbers indicated in paragraph 4 above.
Authorise the importation of plants and propagating material	As above
Register Plant Breeder's rights	As above
Register animal identification marks	As above
Issue licenses for the exhibition or training for exhibition of any animal or the use of any animal for safeguarding	As above
Register fertilizers, farm feeds, agricultural remedies and stock remedies	As above
Process applications for the subdivision of agricultural land and issue approvals if applications are successful	As above

CHIEF DIRECTORATE: HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT	
Provide information on posts advertised	By calling the official indicated as contact person on the advertisement
Confirmation of employment	By contacting the Directorate: Human Resource Administration
Bursaries for employees and prospective employees (matriculants and persons currently studying at relevant tertiary institutions in fields which will be specified from time to time) (Note that the awarding of bursaries is subject to qualifying criteria and availability of funds, and is solely within the DOA's discretion.)	• By attending career exhibition/open days at tertiary institutions and rural schools • By downloading bursary applications from the DOA's internet website • By requesting bursary application forms from any office of the DOA • By responding to bursary opportunities advertised in the national and local media.
Internship programmes for unemployed youth and graduates (Note that the awarding of internships is subject to qualifying criteria and availability of funds, and is solely within the Department's discretion.)	• By responding to internship opportunities advertised in the national and local media • By responding to advertisements posted on notice boards at DOA offices • All applications for internships must be on Z83 forms, available from any of the DOA's offices
BRANCH: FINANCIAL SERVICES	
None	
BRANCH: ECONOMIC DEVELOPMENT, TRADE AND MARKETING	
International Trade	The information is available on the website
OTHER SERVICES	
Others services and how to gain access to them are published on the DOA's website. The DOA can also be contacted for further information.	

9. ARRANGEMENTS FOR PERSONS TO PARTICIPATE IN THE FORMULATION OF POLICY, EXERCISE OF POWERS OR PERFORMANCE OF DUTIES

Interested persons may participate in the formulation of policy, the exercise of powers

or performance of duties by the DOA in various ways, e.g. through consultation, making representations, and serving as members of certain statutory bodies under the auspices of the DOA.

The following are the more general mechanisms for such participation:

- During the formulation of major new policies, the DOA often establishes reference groups or groups of stakeholders which are consulted on a regular basis and which actively participate in the formulation of policy.
- All Bills (new legislation) are published in the *Gazette* for public comment before it is considered by Parliament.
- Major new policies are normally published in the *Gazette* for public comments before the policies are implemented.
- Various offices of the DOA from time to time hold public participation/consultation sessions on various issues, such as draft new policies, regulations and/or Bills. Please watch the press for details. Identified interest groups will receive invitations.
- The Minister of Agriculture from time to time appoint Ministerial Task Teams for specified purposes, which Task Teams often contain experts on the relevant subject-matter from the private sector.

Apart from the above general mechanisms, the following prescribed mechanisms also exist:

- The Genetically Modified Organisms Act, 15 of 1997 established the Executive Council for Genetically Modified Organisms, the members of which may include two members of the public/interest groups. This Council advises the Minister of Agriculture on all aspects of the development, production, use, application and release of genetically modified organisms and ensures that all activities relating to the development, production, use, application and release of genetically modified organisms are performed in accordance with the provisions of the GMO Act.
- Other statutory councils and boards (e.g. appeal boards – see paragraph

11) established by the Minister or DOA also include members of the public with the necessary expertise on the subject matter.

10. RECOURSE IN RESPECT OF AN ACT OR FAILURE TO ACT BY OFFICIALS OF THE DOA

10.1 Some of the Acts administered by the DOA make provision for formal appeals or objections against decisions of the relevant administrators in terms of such Acts, such as:

- The Plant Breeders' Rights Act, 15 of 1976
- The Plant Improvement Act, 52 of 1976
- The Animal Improvement Act, 62 of 1998
- The Genetically Modified Organisms Act, 15 of 1997
- The Subdivision of Agricultural Land Act, 70 of 1970
- The Animal Diseases Act, 35 of 1984

10.2 The appeal and objection processes and forms to be completed are contained in the above legislation or the regulations made in terms thereof. Where an Act does not make provision for an appeal or objection, an aggrieved person may take any administrative action taken in terms of an Act by an administrator of the DOA on review to a court with the necessary jurisdiction in terms of the Promotion of Administrative Justice Act, 2 of 2000.

10.3 There are a number of ways in which general queries and complaints can be brought to the DOA's attention:

10.3.1 The first option is to try and resolve the matter directly with the official that you have been dealing with. If he or she does not address your query or complaint to

your satisfaction, you may raise the matter with his or her supervisor or the head of the relevant office.

10.3.2 If that also fails, you can address a written complaint to the Office of the DG.

10.4 Members of the public that are dissatisfied with the way their matters have been handled by the DOA may also lodge a complaint with the Public Protector.

11. PROCESSING OF PERSONAL INFORMATION

11.1 Purpose of processing personal information of data subjects by the DOA

11.1.1 The DOA processes personal information of data subjects under its care in the following ways:

- (a) Fulfilling or executing its statutory duties and powers under the various pieces of legislation administered by the DOA;
- (b) Staff administration and job applicants;
- (c) Keeping of accounts and records;
- (d) Procurement processes;
- (e) Recording of information relating to visitors to any premises of the DOA;
- (f) Complying with other relevant legislation such as the Public Finance Management Act, 1 Of 1999, Treasury Regulations, Treasury Instruction Notes, Public Service Act, 1994, Public Service Regulations, PAIA, POPIA and all relevant policies, directives, determinations, collective agreements and the law in general.

11.2 Categories of Data Subjects and their Personal Information

Categories of data subjects	Personal Information that may be processed

Employees; Committee/Council/Board members; Bursary holders	Gender; pregnancy; marital status; race; age; language; education information (qualifications); financial information; employment history; ID numbers; physical and postal addresses; contact details (contact number(s); fax number; e-mail address); criminal record; well-being and family members; medical information; nationality; ethnic or social origin; physical or mental health; disability; biometric information of the person; employment history; professional affiliation and references.
Contracted Service Providers	Names of contact persons; name of entity, names of directors and shareholders; physical and postal addresses and contact details (contact number(s); fax number, e-mail address); financial information; registration number; founding documents; tax related information; authorized signatories; broad-based black empowerment (BBB-EE) status; affiliates entities; business strategies.
Intermediaries/Advisors/Consultants	Names of contact persons; Name of entity; Physical and Postal Addresses and contact details (contact number(s); fax number; e-mail address; Registration number.

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Clients: Natural persons (persons making use of the services/products of the DOA)	Names and Surname; contact details (contact number(s); fax number; e-mail address); Residential; Business and/or Postal Addresses; Unique identifier/Identity number; financial information (e.g. grants or claims provided or paid by the DOA; rent paid by lessees; fees paid for services); and confidential correspondence.
Clients: Responsible parties/Juristic Persons (making use of the services of products of the DOA) / Public Entities	Names of contact persons; Name of Legal Entity; Physical and Postal Addresses; contact details (contact number(s); fax number; e-mail address; Registration Number; financial information (e.g. grants or claims provided or paid by the DOA; fees paid for services, permits); and confidential correspondence.

11.3 Recipients or categories of recipients to whom the personal information may be supplied by the DOA:

11.3.1 The DOA may supply the personal information of data subjects to the employees of the DOA, as part of executing its statutory mandate.

11.3.1.1 The DOA may supply the personal information of data subjects to Service Providers who render the following services –

11.3.1.2 Capturing and organising of personal information;

11.3.1.3 Storing of personal information;

- 11.3.1.4 Sending of e-mails and other correspondence to the public;
- 11.3.1.5 Conducting due diligence checks;
- 11.3.1.6 Conducting criminal checks;
- 11.3.1.7 Conducting qualification verifications;
- 11.3.1.8 Skills auditing;
- 11.3.1.9 Forensic investigations and any other investigation relating to the activities of the DOA;
- 11.3.1.10 Auditing;
- 11.3.1.11 Administration of the Pension Fund and medical aids;
- 11.3.1.12 ICT Infrastructure or any other ICT services; and
- 11.3.1.13 Monitoring, evaluating and/or assessing the success of the DOA's projects and services.

11.3 The DOA may also supply the personal information of data subjects to –

- 11.4.1 any regulatory authority; tribunal or arbitrator, in respect of any matter or part thereof that falls under their jurisdiction;
- 11.4.2 law enforcement agencies, such as the South African Police Service, Special Investigating Unit and National Prosecuting Authority, for criminal or other investigations;
- 11.4.3 the State Attorney, Chief State Law Adviser, private attorneys, advocates or legal advisors for purposes of providing legal advice to the DOA or to represent the DOA in any legal proceedings;
- 11.4.4 requesters in terms of PAIA, but subject to the provisions of PAIA; and
- 11.4.5 to Courts, including any Special Master appointed by a Court.

12 TRANSBORDER FLOWS OF PERSONAL INFORMATION

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12.1 The DOA has not planned transborder flow of personal information, however, should it become necessary to transfer personal information to another country for any lawful purposes, the DOA will make sure that anyone to whom it passes personal information is subject to a law, binding corporate rules or a binding agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the DOA is obliged under POPIA.

12.2 Any transfer of personal information cross border shall be with the data subject's consent, however, should it not be reasonably practicable to obtain a data subject's consent, the DOA shall transfer the information if –

12.2.1 it will be to the data subject's benefit; and

12.2.2 the data subject would have given consent should it have been reasonably practicable to obtain such consent.

13. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

13.1 The DOA continuously establishes and maintains appropriate, reasonable technical and organizational measures to prevent –

13.1.1 loss of, damage to or unauthorized destruction of personal information; and

13.1.2 unlawful access to or processing of personal information.

- 13.2 The DOA has taken reasonable measures, as contained in paragraph 14.3 below, to-
- 13.2.1 identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;
 - 13.2.2 establish and maintain appropriate safeguards against the risks identified;
 - 13.2.3 regularly verify that the safeguards are effectively implemented; and
 - 13.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.
- 13.3 Measures taken by the DOA include, amongst others –
- 13.3.1 Access control;
 - 13.3.2 User Account Management (use of passwords; regular change of passwords)
 - 13.3.3 Data encryption in respect of external communication;
 - 13.3.4 Defensive measures;
 - 13.3.5 Robust Monitoring, Auditing and Reporting capabilities;
 - 13.3.6 Data Backups;
 - 13.3.7 Anti-virus and Anti-Malware Solutions;
 - 13.3.8 Awareness and Vigilance; and

AM

13.3.9 Agreements are concluded with Operators to implement security controls.

14. AVAILABILITY OF THE MANUAL

14.1 This Manual will eventually be made available in at least three official languages. A copy will be available –

14.1.1 on the website of the DOA at <https://www.nda.gov.za>;

14.1.2 at the National Office of the DOA for public inspection during normal business hours; and

14.1.3 to any person upon request and upon payment of the prescribed fee per A4 page. The fee is prescribed by the Minister of Justice and Constitutional Development.

15. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

15.1 Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.

15.2 Requesters also have the right to receive a response in the form of an affidavit or affirmation where records do not exist.

16. DISPOSAL OF RECORDS

16.1 The DOA reserves the right to lawfully dispose of certain records in terms of authorities obtained from the National Archives and Records Service.

16.2 Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

16.3 In accordance with section 24(1) of POPIA, the DOA may, upon receipt of a request from a data subject –

16.3.1 correct or delete personal information about the data subject in its possession on under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully;

16.3.2 destroy or delete a record of personal information about a data subject that the DOA is no longer authorized to retain in terms of section 14 of POPIA.

17. UPDATING OF THE MANUAL

17.1 The DOA will, if necessary, update and publish this Manual annually.



MR MOOKETSA RAMASODI
DIRECTOR-GENERAL AND INFORMATION OFFICER
DEPARTMENT OF AGRICULTURE
DATE 25-05-2020

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

Fax number:

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD (Mark the applicable box with an "X")			
Record is in written or printed form			
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <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>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	A request fee must be paid before the request will be considered.
b)	You will be notified of the amount of the access fee to be paid.
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 exemption
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

B

INTERNAL APPEAL FORM

FORM 4

[Regulation 9]

Reference Number:

PARTICULARS OF PUBLIC BODY				
Name of Public Body				
Name and Surname of Information Officer:				
PARTICULARS OF COMPLAINANT WHO LODGES THE INTERNAL APPEAL				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				
Is the internal appeal lodged on behalf of another person?		Yes	☐	No ☐
If answer is "yes", capacity in which an internal appeal on behalf of another person is lodged: <i>(Proof of the capacity in which appeal is lodged, if applicable, must be attached.)</i>				
PARTICULARS OF PERSON ON WHOSE BEHALF THE INTERNAL APPEAL IS LODGED <i>(If lodged by a third party)</i>				
Full Names				
Identity Number				
Postal Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
E-Mail Address				

DECISION AGAINST WHICH THE INTERNAL APPEAL IS LODGED <i>(mark the appropriate box with an "X")</i>	
Refusal of request for access	
Decision regarding fees prescribed in terms of section 22 of the Act	
Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act	
Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester	
Decision to grant request for access	
GROUND(S) FOR APPEAL <i>(If the provided space is inadequate, please continue on a separate page and attach it to this form. all the additional pages must be signed)</i>	
State the grounds on which the internal appeal is based:	
State any other information that may be relevant in considering the appeal:	

You will be notified in writing of the decision on your internal appeal. Please indicate your preferred manner of notification:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Appellant/Third party

FOR OFFICIAL USE
OFFICIAL RECORD OF INTERNAL APPEAL

Appeal received by: <i>(state rank, name and surname of Information Officer)</i>				
Date received:				
Appeal accompanied by the reasons for the information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer:				Yes ☐ No ☐
OUTCOME OF APPEAL				
Refusal of request for access. Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Fees (Sec 22). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Extension (Sec 26(1)). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Access (Sec 29(3)). Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		
Request for access granted. Confirmed?	Yes	☐	New decision <i>(if not confirmed)</i>	
	No	☐		

Signed at _____ this _____ day of _____ 20 _____

Relevant Authority _____