

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

33 Hoofd Street
Braampark, Forum 3
Braamfontein
2017


Private Bag X 2700
Houghton
2041

Tel.: 011 877 3600
Fax: 011 403 0668

**ANNEXURE 3****INFORMATION SHEET: Compulsory**

Name of Public Body: Department of Arts and Culture. National Archives and Records Service of South Africa
Location of Public Body: 24 Hamilton Street, Arcadia, Pretoria
Municipality Type and Location:
Contact details of DIO: Ms Mandy Gilder
Fax: 012 325 4536
Tel: 012 441 3200 or 012 441 3202
Email : mandyg@dac.gov.za
Department in which DIO is based: Department of Arts and Culture
Alternative Contact Details for PAIA functionary: 082 386 6990
Contact Details for PA of Information Officer:
Reporting Period: 1 April 2018 – 31 March 2019

SIGNATORIES: Compulsory

Signature IO	Signature DIO	Date
		16/05/2019

Transforming society. Securing rights. Restoring dignity.

Chairperson: B C Majola; **Deputy Chairperson:** D P S Jana; **Commissioners (Full-Time):** M S Ameerma; A H Gaum; A M Makwella; B Malatji; **Commissioners (Part-Time):** A C Nissen, J B Sibanyoni; **Chief Executive Officer:** T Thipanyane

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APRIL 2018 – MARCH 2019

Report in terms of section 32 of PAIA

Reporting period: 01 April 2018 to 31 March 2019	Total Number	Comments
(a) number of PAIA requests received	36	
(b) number of requests granted in full	14	
(c) number of requests granted despite there being a ground of refusal, but granted in the public interest	0	
(d) number of requests: (Note: 3 parts to be completed)		All 4 refusals due to the fact that the requests dealt with information currently forming part of ongoing National Prosecuting Authority investigations on possible criminal activity
(i) refused in full	4	
(ii) refused partially	17	Mostly redactions in terms of Section 34 and Section 44 of the Act
(iii) number of times a provision of PAIA was relied on to refuse a request in full / partially	21	
	2	

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<p>(e) number of instances where the 30 day period to deal with a request was extended</p>		
<p>(f) number of internal appeals: (Note: 2 parts to be completed) (i) lodged with the relevant authority</p>	0	
<p>(ii) number of cases where requests were granted as a result of an internal appeal</p>	0	
<p>(g) number of internal appeals lodged on account of a deemed refusal</p>	0	
<p>(h) number of applications to court on the grounds that an internal appeal was dismissed by the relevant authority failing to give notice of its decision in the timeframes stated in section 77 (3)</p>	0	
<p>Comments including those relating to implementation, application, requests or areas of PAIA in respect of which reforms are recommended</p>	<p>The National Archives is in the unique position that it is the custodian of records that it has not created. This causes 2 main problems: 1) Records created and classified by another organ of state has to be declassified by that organ (in terms of MISS) before it can be released and 2) Although the National Archives has physical control of the records it is not privy to the general policies of the creating organ of state. In order to provide consistent and logical replies to requesters it is necessary to consult with all the roleplayers before any decisions on access can be made. However it has been found that in practice most roleplayers would not treat the requests as important as the records are with the archives and they</p>	

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feel that they have no further any
responsibility towards the records.
The result in both cases is a long delay
in dealing with requests