



To get the information you want, you have to follow the correct procedure. This means using the right forms [available on the South African Human Rights Commission (SAHRC) website].

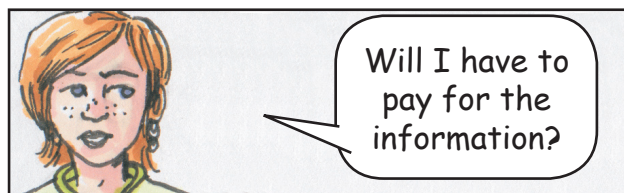
As of October 2001, every public body must have an Information Officer and Deputy Information Officer. These officers must provide you with reasonable assistance. This means that they must help members of the public to access information they seek.

To help you find the information you seek, both public and private bodies must publish a manual detailing what records they keep. These manuals also contain contact details of the information officer and of every deputy information officer.



Public and private bodies have 30 days to respond to your request. If your request is refused, you must be told why in writing. You must also be told which section of the Act was used to refuse your request.

In addition, you must be told that you may appeal the decision internally (in the case of government departments) or apply to court. You must also be told how much time you have to submit your appeal.



There are nominal fees that may be charged for the information that you request. If you are unable to pay the fees, you can apply to be exempted from payment.

How can the South African Human Rights Commission (SAHRC) help you?

The SAHRC promotes, protects and monitors human rights in South Africa. It also has a specific responsibility to promote and monitor the implementation of PAIA. The SAHRC can:

- Assist you in requesting information from both public and private bodies
- Assist in the process of requesting information
- Follow up on complaints made to the SAHRC regarding the denial of the right of access to information
- Assist public and private bodies to implement the Act
- Provide information, education and training about PAIA.

For more detailed information on PAIA, contact the PAIA Unit at the SAHRC.

South African Human Rights Commission

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Corner of York and St. Andrews Streets, Parktown,
JOHANNESBURG

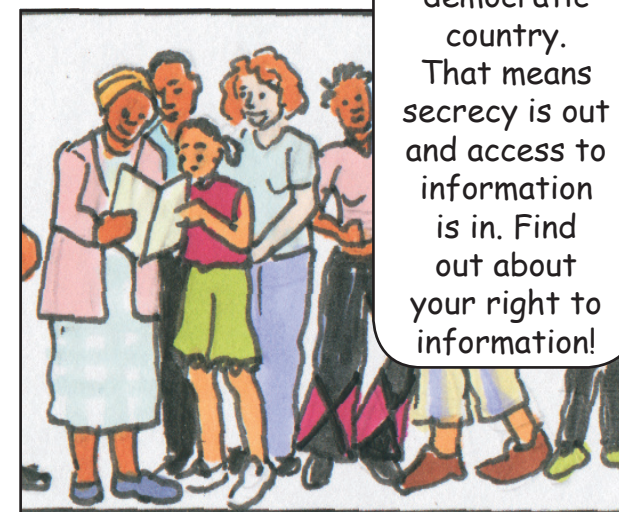
☎ (011) 484 8300
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Access to information

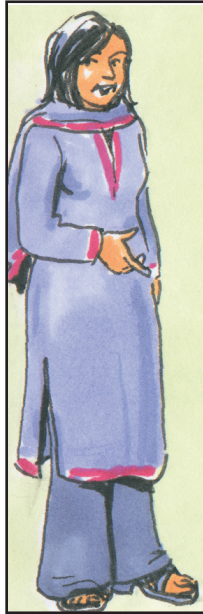
Your right



We live in a democratic country. That means secrecy is out and access to information is in. Find out about your right to information!

The Promotion of Access to Information Act (PAIA) 2000

Accountable government means we have the right to information



Bad governments thrive on secrecy— this allows inefficiency, wastefulness and corruption to thrive. Good governments thrive on **openness, the free flow of information** and **citizens who are informed** and able to challenge government and its institutions. Informed people make for a dynamic democracy!

Access to information is a human right protected by Section 32 of our Constitution. In addition, the Promotion of Access to Information Act (PAIA) protects and upholds the rights of people to access information.

We all need to know this Act and what it means to us!

**Let us keep democracy strong
— let us stay informed!**

The Promotion of Access to Information Act (PAIA) 2000

What is PAIA all about?



The Act is there to:

- Protect our Constitutional right to access information
- Enhance the transparency, accountability and effectiveness of government.



Who can I ask for information?

There are two distinct groups that you may request information from: public bodies and private bodies.

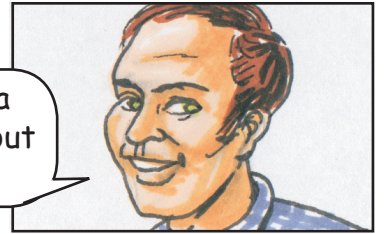
Public bodies include:

- Any government department at national, provincial and local level e.g. Dept of Health, Dept of Education, any municipality
- Any institution performing a public function/ duty for the benefit of the community e.g. universities, schools, hospitals, parastatals.

Private bodies are companies, professions, trades and closed corporations.

Public bodies are obliged to give you any information you ask for, with some exceptions. Private bodies are obliged to give you only that information which is needed to exercise one of your rights.

So I can ask a public body about anything?



Yes, you can ask for any information, although access to certain information may be refused. Public bodies are not allowed to give out the following information:

- Personal or commercial information about a third party
- Financial, technical or scientific information about a third party
- Information which may affect court or police proceedings (e.g. police dockets in bail proceedings)
- Certain South African Revenue Services information.

However, there is something called the public interest override. It is a clause in the Act that states that any of the above information must be disclosed if the disclosure would be in the public interest. This may include:

- Where it would reveal evidence of a failure to comply with the law
- Where it would reveal a public safety or environmental risk
- Any matter where the public interest clearly outweighs the harm that might be done in disclosing such a matter.

Public bodies *should* give information such as the following to you:

- Personal information about yourself
- Details about the official functions of a public official or body
- Any evidence of violations of the law
- Any record that is already publicly available.