

# Manual

**In terms of Section 14 of  
the Promotion of Access  
to Information Act, 2000  
(Act No 2 of 2000)**



# Table of Contents

1. INTRODUCTION.....	3
2. DEFINITIONS.....	4
3. THE MANDATE, FUNCTIONS AND STRUCTURE OF THE DEPARTMENT OF HEALTH .....	7
3.1. Mandate of the Department .....	7
3.2. The functions of the Department.....	7
3.3. The Structure of the Department of Health .....	14
4. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER OF THE DEPARTMENT.....	16
5. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT.....	17
6. ACCESS TO RECORDS HELD BY THE DEPARTMENT .....	18
6.1. Records that are available automatically.....	18
6.2. The request procedures.....	18
7. SERVICES AVAILABLE TO THE PUBLIC.....	23
8. PUBLIC PARTICIPATION IN THE POLICY AND LEGISLATIVE PROCESSES AND PERFORMANCE OF DUTIES OF THE DEPARTMENT .....	24
8.1. Public participation in the policy and legislative processes of the Department.....	24
8.2. Invitations for inputs on draft legislation .....	24
9. DECISION TO GRANT OR REFUSE ACCESS AND NOTICE TO THE REQUESTER.....	25
10. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THE ACT ARE NOT COMPLIED WITH.....	29
10.1. Internal Appeal .....	29
10.2. Application to court.....	30
11. MISCELLANEOUS.....	31
13. ANNEXURES .....	32
13.1. Annexure A.....	32
13.2. Annexure B.....	37
13.3. Annexure C .....	42
Table of Fees .....	42



## 2. DEFINITIONS

In this manual, unless the context otherwise indicates—

"**access fee**" means a fee payable by a requester for reproduction of the records requested;

"**Deputy Information Officer**" means a person designated, in writing, by the

correspondence that would reveal the contents of the original correspondence; the name of an individual where it appears with other personal information relating to the individual or where the disclosure of the name itself would reveal information about the individual;

"

"**the Regulations**" means Regulations to the Act, published by Government Notice No. R. 187 of 15 February 2002; and

"**third party**", in relation to a request for access to a record of the Department, means any person, other than the requester concerned and Health.

### **3. THE MANDATE, FUNCTIONS AND STRUCTURE OF THE DEPARTMENT OF HEALTH**

#### **3.1. Mandate of the Department**

- x Increasing Life Expectancy.
- x Decreasing Maternal and Child mortality.
- x Combating HIV and AIDS and decreasing the burden of diseases from Tuberculosis.
- x Strengthening Health System Effectiveness.

#### **3.2. The functions of the Department**

The Department eo 7(t)12(m)

Functions:

1. The development of a policy framework and monitor the implementation and management of the HIV/AIDS programmes.
2. The development of a policy framework and monitor the implementation and management of the National TB Control Program.
3. The development of a policy framework and monitor the implementation and management of the Women's, Maternal and Reproductive Health Programmes.

### **BRANCH 3: PRIMARY HEALTH CARE**

Purpose: Ensure a world class district health system, centered on primary health care, is operating in every district in South Africa.

Functions:

1. The development and maintaining of a district health policy framework to support and enable provinces to build and maintain their district health systems.
2. The development of a policy framework to oversee the implementation and control of non-communicable diseases, mental health and oral and eye health.
3. The development of a framework to oversee the implementation and control of communicable diseases.
4. The collaboration with stakeholders to develop and maintain a policy framework to reduce, treat and manage violence and trauma.
5. The development of a policy framework to promote nutrition and reduce the burden on the curative health system.
6. The development of a policy framework to facilitate the implementation of quality norms and standards of health and development of children and young people, whereby all are protected, respected and nurtured to live their life to its full potential, while ensuring that their needs and rights are fulfilled.

### **BRANCH 4: HOSPITALS, TERTIARY HEALTH SERVICE AND HUMAN RESOURCE DEVELOPMENT**

Purpose: To develop a policy framework to manage secondary and tertiary health services and ensure the health system has the volume and quality of clinical, technical and managerial workforce required.



Functions:

1. The development of a policy framework that supports and enable provinces to build and maintain their hospitals.
2. The ensuring of an adequate infrastructure in the health system.
3. Act as the custodian of nursing skills and capacity in the system to ensure that nurses are used effectively and appropriately.
4. To ensure that the health system has the volume and quality of clinical, technical and managerial workforce that it needs.
5. To ensure that there are appropriate pharmaceutical policies and adequate health technology in the health system.

#### **BRANCH 5: HEALTH REGULATIONS AND COMPLIANCE**

Purpose: To develop a policy framework that ensures that the public and patients are well protected via high quality and well enforced regulation.

Functions:

1. To develop regulations for Food, Pharmaceuticals, Trade and Products to ensure compliance with that policy.
2. To ensure that public health entities are operating to their operational and financial mandates.
3. The promotion of a healthy, safe and satisfactory work environment, and a healthy, active and productive worker.
4. The definition of quality standards for the health system and development of the capacity to enable institutions and individuals to meet them.

#### **BRANCH 6: CHIEF FINANCIAL OFFICER**

Purpose: To manage and facilitate the provision of financial management services.

Functions: To manage and provide:

1. Management accounting services,
2. Financial administration and accounting services,
3. Supply chain and asset management services, and
4. Oversee Conditional Grants.





x **Hazardous Substances Act, 1973 (Act No.**



### 3.3. The Structure of the Department of Health

OFFICE / BRANCH	CHIEF DIRECTORATES / DIRECTORATES
Office of the Director-General	<ul style="list-style-type: none"> <li>x Chief Operating Officer Policy Coordination and Integrated Planning; Provincial Finance Management Support; Health Information, Research and Monitoring and Evaluation</li> <li>x Corporate Services; Information Technology; Security Services; Chief Directorate: Human Resource Management and Development; Chief Directorate: Legal Service and Parliamentary Affairs; Chief Directorate: Communications and Stakeholders Management; and Support Services.</li> <li>x Health International Development and Support.</li> <li>x Internal Audit and Risk Management.</li> <li>x Health Sector Bargaining.</li> </ul>
<b>BRANCH 1: NATIONAL HEALTH INSURANCE (NHI)</b>	<ul style="list-style-type: none"> <li>Chief Directorate: Health Financing and Pricing.</li> <li>Chief Directorate: Sector-Wide Procurement.</li> <li>Chief Directorate: Revenue Collection.</li> </ul>
<b>BRANCH 2: HIV/AIDS, TB, MATERNAL AND CHILD HEALTH</b>	<ul style="list-style-type: none"> <li>HIV/AIDS.</li> <li>Tuberculosis.</li> <li>Maternal Health.</li> <li>Child, Youth and School health.</li> </ul>
<b>BRANCH 3: PRIMARY HEALTH CARE</b>	<ul style="list-style-type: none"> <li>District Health Service and Environmental Health.</li> <li>Non Communicable Diseases.</li> <li>Communicable Diseases.</li> <li>Violence, Trauma and Emergency Medical Services.</li> <li>Health Promotion and Nutrition.</li> </ul>

OFFICE / BRANCH	CHIEF DIRECTORATES / DIRECTORATES
<b>BRANCH 4: HOSPITALS, TERTIARY HEALTH SERVICE AND HUMAN RESOURCE DEVELOPMENT</b>	Chief Directorate: Tertiary Health Care Planning and Policy; Office of Nursing Services; Human Resource for Health Planning, Development and Management; and Pharmaceutical and Health Technology Policy.
<b>BRANCH 5: HEALTH REGULATIONS AND COMPLIANCE</b>	Food Control, Pharmaceutical, Trade and Products Regulations; Public Entities Management; Occupational Health and Compensation Commissioner for Occupation Diseases; and Office of Standards and Compliance.
<b>BRANCH 6: CHIEF FINANCIAL OFFICER</b>	Chief Directorate: Management Accounting and Management of Conditional Grants Chief Directorate: Financial Administration and Accounting; and Chief Directorate: Supply Chain and Asset Management.

#### 4. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER OF THE DEPARTMENT

##### 4.1. INFORMATION OFFICER

Director-General: Health	POSTAL ADDRESS	TELEPHONE	FAX NUMBER
	Private Bag X828 PRETORIA, 0001	012 – 395 9150	012 395 8422

##### 4.2. DEPUTY INFORMATION OFFICER

Mr G J Wissing: Director: Legal Services	POSTAL ADDRESS	TELEPHONE	FAX NUMBER
	Private Bag X828 Pretoria 0001 Email: wissing@health.gov.za	012 395-8457	086 632 8511

#### General information:

Street address:

Civitas Building  
Cnr Thabo Sehume and Struben Streets  
Pretoria  
0001

Website: [www.doh.gov.za](http://www.doh.gov.za)

The function of the Deputy Information Officer of the Department is to ensure transparent, accountable, professional and efficient client services in managing requests for access to information as prescribed in the PAIA and to provide guidance relating to the accessibility of records kept by the Department in terms of the PAIA.



## **5. GUIDE OF SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT**

A guide on how to use the Act is available in all official languages from the South African Human Rights Commission.

### **Enquiries regarding this guide should be addressed to:**

South African Human Rights Commission:  
Promotion of Access to Information Unit

### **Postal address:**

Private Bag 2700  
Houghton  
2041

Telephone: 011-





- (d) if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the information officer.



**x Banking details for application**

<b>Account name</b>	Department of Health
<b>Bank</b>	ABSA
<b>Account number</b>	4053643510
<b>Branch code</b>	632005
<b>Reference</b>	PAIA/ and the requester's name
	<b><i>Please fax / e-mail proof of payment to: Fax No: 086 632 8511</i></b>

## **7. SERVICES AVAILABLE TO THE PUBLIC**

The Department develops policies to regulate the public health sector to ensure that South Africa has a health service that meets international requirements and standards.

The Department also renders a laboratory service to the public through its forensic laboratories. The Radiation Control Unit is responsible for inspections of radiation equipment ensuring that the industry complies with norms and standards.





9.



- (d) The Act does **not** apply to a record of the department if the record is requested for purposes of criminal or civil proceedings after the commencement of the proceedings.

**x Notice to third party**

If the information officer receives a request for access to a record held by the Department that contains -

- (a) personal information of a third party;
- (b) information that was obtained for purposes of enforcing collection of revenue;
- (c) trade secrets of a third party;
- (d) information supplied in confidence by a third party; and
- (e) research information of a third party,

he or she must take all reasonable steps to inform the third party concerned about the request in order to afford that third party an opportunity

- (i) must indicate reasons for refusal, including the ground(s) for refusal, in the Act, relied on to refuse the request; and
- (ii) must inform the requester of his right to lodge an appeal against the decision.

*xf-E7e 66.quQ q s04JTJ E7 6(,)2( -E7 a( )-c( )-c(57e 66.s 66.s 5)4(i)6( <</MCID 926 526 0 T  
seq,10(u10( )2(h)MC /P <</MCID 91)6(i) 0*



## **10.2. Application to court**

A requester who has been unsuccessful in an internal appeal may, within 30 days of receipt of notice of the decision on his or her appeal, apply to court for appropriate relief.









Full names and surname	
Identity number:	
Postal address:	
Telephone number	
Fax number	
Email address	
Capacity in which request is made, when made on behalf of another person	

**C. Particulars of person on whose behalf request is made**

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname	
Identity number	

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 therefore.

Reason for exemption from payment of fees:


**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
-------------	-----------------------------------

Mark the appropriate box with an "X".

**NOTES:**

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

	listen to the soundtrack (audio cassette)		transcription of soundtrack (written or printed document)
--	----------------------------------------------	--	--------------------------------------------------------------

<b>4. If record is held on computer or in an electronic or machine-readable form -</b>			
	printed copy of record		printed copy of information derived from the record
			copy in computer readable form ( compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? <b>A postal fee is payable.+</b>	YES	NO

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.

In which language would you prefer the record?

**G. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

## **13.2. Annexure B**

### **FORM B: NOTICE OF INTERNAL APPEAL**

**FORM B**  
**NOTICE OF INTERNAL APPEAL**

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

.....

.....

.....Fax number:.....

Telephone number:.....E-mail address:.....

Capacity in which an internal appeal on behalf of another person is lodged:.....

.....

**C. Particulars of requester**

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal

Full names and surname:.....

.....

Identity number:.....

**D. The decision against which the internal appeal is lodged**

Mark the decision against which the internal appeal is lodged with an <b>X</b> in the appropriate box:	
<input type="checkbox"/>	Refusal of request for access
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 22 of the Act





.AT Q 0.003 2 0 348 1 9.9Tdj ET Q 72 cs 0 0.360.89 0.737 scn 66.847 T5 Tm23..16 7e f\* BT /CS0 cs 0 scn /T

### 13.3. Annexure C

#### Table of Fees

## FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.
  
2. The fees for the reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60

