



**PROMOTION OF ACCESS TO INFORMATION ACT
MANUAL IN TERMS OF Section 14**

in respect of

**THE FINANCE AND ACCOUNTING SERVICES SETA
("FASSET")**

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INTRODUCTION

This Manual is published by Fasset, the Financial and Accounting Services Sector Education and Training Authority.

This Manual is published in terms of Section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The provision of any information in addition to that specifically required in terms of Section 14 of the Act does not create any contractual right or entitlement to receive such information, other than in terms of the Act.

OVERVIEW OF THE PUBLIC BODY

1 BACKGROUND TO FASSET

Fasset is defined in the Act as a public body, which encompass any department of state or administration in the national or provincial sphere of government or any other function or institution thereof which exercises a power or performs a duty in terms of the Constitution or exercises a public power or performs a public function in terms of any legislation.

Fasset supports the constitutional right of access to information and we are committed to provide any requester access to our records in accordance with the provisions of the Act.

Fasset has been established as an implementation agent for the National Skills Development Strategy, as indicated in the Skills Development Act No. 97 of 1998 and as more fully set out below.

2 FUNCTIONS AND COMPOSITION OF FASSET [Section 14(1)(a)]

• Functions of Fasset

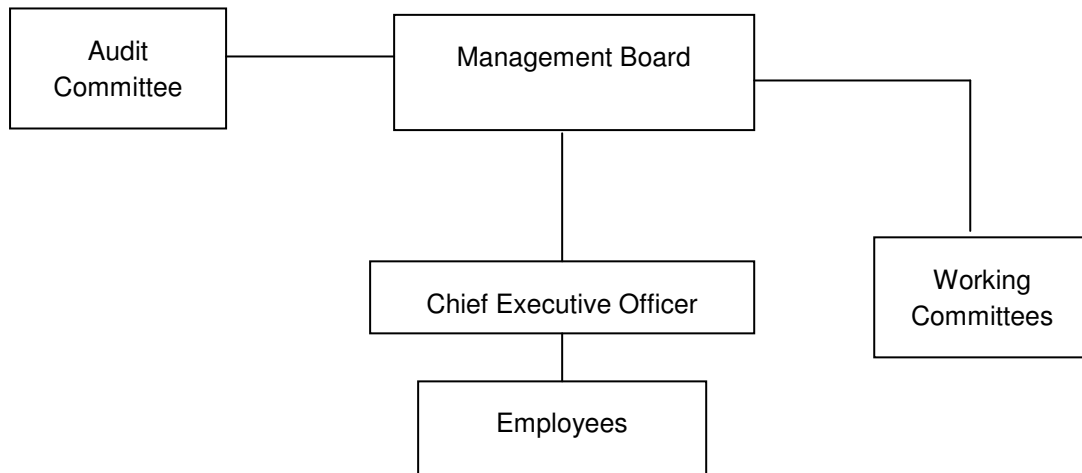
Fasset is a Sector Education & Training Authority established in terms of section 9 (1) of the Skills Development Act. The functions of Fasset (as defined in the Skills Development Act) are *inter alia* to:-

- develop a sector skills plan within the framework of the national skills development strategy;
- implement its sector skills plan by establishing learnerships, approving workplace skills plans, allocating grants as well as monitoring education training in the sector;
- promote learnerships by identifying workplaces for practical work experience, supporting the development of learning materials, improving the facilitation of learning and assisting in the conclusion of learnership agreements;
- register learnership agreements;
- obtain accreditation from the South African Qualifications Authority;
- collect and disburse the skills development levies in its sector;

- liaise with the National Skills Authority on the national skills development policy, the national skills development strategy as well as its sector skills plan;
- report to the Director-General of Labour on its income and expenditure as well as the implementation of its sector skills plan;
- appoint staff necessary for the performance of its functions; and
- perform any other duties imposed by the Skills Development Act and the Skills Development Levies Act or consistent with the purposes thereof.

Fasset has all such powers as are necessary to enable it to perform its duties as set out above and any other powers conferred upon it by virtue of the Skills Development Act.

- **Schematic diagram of Fasset**



- **Composition of Fasset**

The Management Board of Fasset consists of members representing:-

- organised labour;
- organised employers, including small businesses;
- relevant government departments; and
- appropriate professional bodies.

3 VISION AND MISSION

- **Vision**

To influence the effective operation of the labour market, through effective skills development, so as to ensure the appropriate supply of competent labour necessary to compete in the global economy.

- **Mission**

- To improve the competence of employees and potential employees, thereby enhancing productivity in the sector;
- To increase the level of investment in education and training in this sector and to optimise the return of this investment;
- To encourage employers and employees to adopt a culture of life-long learning;
- To ensure the quality of training and education in the sector and to support the development of standards in line with the NQF and to actively promote these standards;
- To expand the provision of education and training in the sector through sound partnerships with public and private providers of education and training;
- To enhance co-operation between the public and private sectors;
- To support the objectives of the Employment Equity Act of 1998;
- To enhance access to learning opportunities in the sector;
- To position the sector as the 'sector of career choice' for prospective learners and new entrants into the labour market.

4 **SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC** [Section 14(1)(f)]

- **Nature of services**

Fasset's services include:-

- implementing its sector skills plan by establishing learnerships, approving workplace skills plans and allocating grants;
- promoting learnerships, facilitating the development of learning materials and improving the facilitation of learning;
- registering learnership agreements;
- collecting and disbursing the skills development levies in its sector; and
- quality assurance in respect of learnerships and training in the sector.

These services are not available to members of the public but rather to employers and workers falling within Fasset's designated economic sector.

- **How to gain access to these services**

Provided that a member of the public falls within the definition of an employer or worker in Fasset's designated economic sector (as defined in the Skills Development Act), he/she may gain access to these services by submitting a request to the Information Officer of Fasset at the above address.

5 **ARRANGEMENT FOR PUBLIC PARTICIPATION IN POLICY FORMULATION** [Section 14(1)(g)]

The Skills Development Act and the Constitution of Fasset provide for participation of workers and employers in Fasset's designated economic sector only. Persons falling within this group may attend general meetings of Fasset, may elect the management

board of Fasset and stand for election to such board in accordance with Fasset's constitution and the Skills Development Act.

6 **CONTACT DETAILS** [Section 14(1)(b)]

Name of Public Body	Fasset
Designated Information Officer	Cheryl James
Email address	fasset@fasset.org.za
Postal address	P O Box 6801 Cresta 2118
Street address	Building 3, Ground Floor, 299 Pendoring Road, Blackheath
Phone number	+27 11 476-8570 or the call centre on 086 101-0001
Fax number	+27 11 476-5756
Internet Website	www.fasset.org.za

THE PROVISIONS OF THE ACT

7 **AVAILABILITY OF THIS MANUAL** [Section 14(3)]

A copy of this Manual is available –

- on our website www.fasset.org.za
- by sending a request for a copy to the Fasset Information Officer by email, post or fax;
- and for public inspection at our office and the office of the South African Human Rights Commission (“SAHRC”) at the address set out below; and
- from the Government Printers.

There is no charge for inspecting a copy of this Manual on the website or at our offices. However we reserve the right to require payment for copies of this Manual in accordance with the same charges that apply to records. These charges are set out in **Schedule 1** annexed to this Manual.

8 **UPDATING OF MANUAL** [Section 14(2)]

This Manual will be updated and published, if necessary, at intervals of not more than 1 (one) year, as prescribed in Section 14(2) of the Act.

9 **HOW TO ACCESS THE GUIDE DESCRIBED IN SECTION 10 OF THE ACT** [Section 14(1)(c)]

The Guide is in the process of being compiled by the Human Rights Commission and is expected to be completed in August 2003. After such date the Guide will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: +27 11 484-8300

Fax: +27 11 484-0582

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za

10 **HOW TO REQUEST ACCESS TO RECORDS HELD BY FASSET** [Section 18]

- **Records that may be requested**

The records to be requested by a requester means any recorded information regardless of its form or medium which is in the possession or under the control of Fasset, whether or not it was created by Fasset or not.

Fasset is committed to openness and transparency. However simply because your request falls within the category of records that may be requested does not mean that Fasset is obliged to provide you with the record/s you have requested. Fasset is obliged to consider its own rights and responsibilities and those of third persons in deciding whether to provide you information you have requested.

- **Requests generally**

A requester shall be given access to a record held by Fasset if the following requirements set out in the Act are met. These requirements are:

- that the requester complies with all the procedural requirements set out in the Act relating to a request, and
- that access to that requested record is not refused in terms of any ground for refusal set out in the Act.

Fasset will not consider the identity of a requestor or why the requestor wants information, in making its decisions to allow the requestor access to information or not. Instead Fasset will make its decision based on whether the requestor has a right to the information.

In particular, the right of a requester to access information in terms of this Act is not affected by any reasons given by that requester for requiring access. In addition, the Information Officer's belief as to what the reasons for the request may be are

not considered in deciding the requestor's right to access information in terms of the Act.

- **How to Request a Record**

- Requests for access to records held by Fasset must be made on the prescribed request form in terms of Section 18. This prescribed form is attached to this Manual as **Schedule 2**. The forms may also be obtained from the SAHRC at the contact details indicated above (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za under "regulations").
- Requests for access to records must be made to the Information Officer at the address, fax number or electronic mail address provided for above.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.
- The requester should also indicate which form of access is required, such as a copy or inspection of a written or printed record; a copy or view of an image; a transcription or listening to a sound recording; a print-out or copy of a record stored by way of computer or a copy of any other record.
- The requestor must indicate if he or she wishes to be informed of Fasset's decision regarding such request in a particular manner (post, fax electronic mail etc) and state the necessary particulars to be so informed. If no details are given Fasset will use its discretion and will usually respond by fax or electronic mail.
- The requester must also state whether the record concerned is preferred in a particular language.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

Should an individual be unable to make a request for access to a record of Fasset because of illiteracy or disability, he or she may make such a request orally. The Information Officer of Fasset must then reduce the oral request to writing in the prescribed form and supply the requester with a copy thereof.

11 **REMEDIES AVAILABLE FOR NON-COMPLIANCE** [Section 14(2)]

Fasset does not have an internal appeal procedure relevant to the Act. Accordingly, a dispute regarding the Act may be resolved by approaching the relevant court directly.

12 **OTHER INFORMATION AS MAY BE PRESCRIBED IN THE ACT** [Section 14(1)(i)]

There is currently no information available from the Minister of Justice and Constitutional Development in terms of section 92 to be inserted here.

13 **SECTION 15(2) NOTICE** [Section 14(1)(e)]

Fasset has not yet published a notice in terms of Section 15(2) of the Act. As and when this notice is published, this Manual will be updated to incorporate the notice.

14 **PRESCRIBED FEES FOR REQUESTING AND ACCESSING RECORDS** [Section 22]

The Act sets out two types of fees, namely a **request fee** and an **access fee**, they are required to be paid prior to Fasset evaluating the request for information and then accessing and retrieving the record/s.

These fees are set out in Schedule 1.

- **Request Fees**

- A personal requester, being a natural person (human being) who requests access to a record containing personal information about him or herself is not required to pay the request fee. Any other requester, who is not a personal requester, will be required to pay such fee.
- The requestor (other than a personal requester) can include this request fee with his or her request. If the requestor is not sure of the request fee or chooses not to send it, he or she may still submit the request and the Information Officer must advise the requestor of the prescribed fee. This will be done through the contact address given and may delay the request process. No invoice will be issued.
- The request fee (other than for a personal requester) must be paid before Fasset will process the request. Fasset may also ask for a deposit in certain circumstances, which will be refunded if the request is refused.
- If you disagree with the Information Officer's decision that you must pay a request fee and/or you disagree with the amount of the request fee you are entitled to apply to court to remove the obligation to pay the request fee or vary the amount of the request fee
- The Information Officer must notify the requester of his/her decision in the manner and at the address specified by the requester.

- **Access Fees**

- In the event that the Information Officer grants the request, a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours to prepare and search for the requested record.
- As with the request fee, the requestor may pay the access fee before a decision is made and if your request is refused, the fee will be refunded. If the requestor is not sure of the access fee or chooses not to send it, the Information Officer must advise you of the prescribed access fee. This will be done through the contact address you give and may delay the request process. No invoice will be issued.
- The access fee (including for a personal requester) must be paid before Fasset will search for and extract the record requested.
- If you disagree with the Information Officer's decision that you must pay an access fee and/or you disagree with the amount of the access fee you are entitled to apply to court to remove the obligation to pay the access fee or vary the amount of the access fee
- The Information Officer must notify the requester of his/her decision in the manner and at the address specified by the requester.

15 RECORDS HELD BY FASSET [S14(1)(d)]

Fasset maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Certain of the records stipulated below are available on the Fasset Internet website and if you have Internet access you are encouraged to consider the Internet website before submitting a request.

15.1 Internal records

The following are records pertaining to Fasset's own affairs and is of limited use to persons outside of Fasset (examples include internal telephone lists, contact lists, address lists, requisitions, directives, contracts and the like) and include:

- Constitution of Fasset
- Financial records
- Operational records
- Marketing records;
- Internal correspondence;
- Statutory records;
- Internal policies and procedures;
- Records held by officials of the public body.

15.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of Fasset and receives or is entitled to receive any remuneration and any other person who assist in carrying out or conducting any work or services of Fasset. This includes, without limitation, members of the Management Board and Executive Committee, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to Fasset by its personnel;
- Any records a third party has provided to Fasset about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

15.3 Work-related records

Work-related information includes the following:

- Any records a third party has provided to the public body; and
- Records generated by or within Fasset pertaining to work or services, including transactional records.

15.4 **Other Parties**

Records are kept in respect of other parties, including without limitation, employers, workers, contractors, suppliers, departments, divisions and service providers. Alternatively, such other parties may possess records which can be said to belong to Fasset. The following records fall under this category:

- Personnel, work or service related records which are held by another party as opposed to being held by Fasset; and
- Records held by Fasset pertaining to other parties, including financial records, correspondence, contractual records, workplace records, Employment Equity plans, other records provided by the other party, and records third parties have provided about their contractors/suppliers.

15.5 **Other Records**

Further records are held including:-

- Research information belonging to Fasset or carried out on behalf of a third party.

SCHEDULE 1

FEES IN RESPECT OF PUBLIC BODIES**Part ii of Notice 187 in the Government Gazette on the 15 February 2002**

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 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
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,40
c) For a copy in a computer-readable form on -	
i) stiffy disc	5,00
ii) compact disc	40,00
d) (i) For a transcription of visual images, or an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
e) (i) For a transcription of an audio record, or an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00

3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00.

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(1)(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-	

- | | | |
|--|---------------|------|
| | readable form | 0,40 |
|--|---------------|------|
- (c) For a copy in a computer-readable form on -
- | | | |
|------|--------------|-------|
| (i) | stiffy disc | 5,00 |
| (ii) | compact disc | 40,00 |
- (d) (i) For a transcription of visual images,
for an A4-size page or part thereof 22,00
- (ii) For a copy of visual images 60,00
- (e) (i) For a transcription of an audio record,
for an A4-size page or part thereof 12,00
- (ii) For a copy of an audio record 17,00
- (f) To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
- (2) For purposes of section 22(2) of the Act, the following applies:
- (a) Six hours as the hours to be exceeded before a deposit is payable;
and
- (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

SCHEDULE 2

**PRESCRIBED FORMS FOR ACCESS TO INFORMATION
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

<p>FOR DEPARTMENTAL USE</p> <p style="text-align: right;">Reference number:</p> <p>Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at (place).</p> <p>Request fee (if any): R</p> <p>Deposit (if any): R</p> <p>Access fee: R</p> <p>SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER</p>	
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A. Particulars of public body

Name of Public Body	Fasset
Designated Information Officer	Cheryl James
Designated Deputy Information Officer (if any)	Not applicable
Email address of Information Officer/ Deputy Information Officer	fasset@fasset.org.za
Postal address	P O Box 6801 Cresta 2118
Street address	Building 3, Ground Floor, 299 Pendoring Road, Blackheath
Phone number	+27 11 476-8570 or the call centre on 086 101-0001
Fax number	+27 11 476-5756

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be recorded below.*
- (b) *Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: Identity number: Postal address:

Fax number: Telephone number: E-mail 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:

D. Particulars of record

- (a) *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.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

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:
<p>NOTES:</p> <p><i>(a) Your indication as to the required form of access depends on the form in which the record is available.</i></p> <p><i>(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.</i></p> <p><i>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i></p>	

Mark the appropriate box with an "X".

1. If the record is in written or printed form -			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound-			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form -

	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (magnetic or optical disc)
--	-------------------------	--	--	--	---

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

YES

NO

A postal fee is payable.

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.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____

this _____ day of _____ 20__

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE"