

UNIVERSITY OF THE WESTERN CAPE

***MANUAL FOR ACCESS TO A RECORD OF THE UNIVERSITY OF THE
WESTERN CAPE IN TERMS OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, ACT NO 2 OF 2000.***

CONTENTS OF MANUAL

- 1. INTRODUCTION AND SCOPE OF THE APPLICATION**
- 2. THE UNIVERSITY'S STRUCTURES AND THEIR FUNCTIONS**
- 3. INFORMATION OFFICERS AND DEPUTY INFORMATION OFFICERS:
CONTACT DETAILS**
- 4. APPLICATION FORM**
- 5. FEES PAYABLE**
- 6. PROCEDURES FOR APPLYING FOR ACCESS TO INFORMATION**
- 7. TIME LIMITS FOR DEALING WITH REQUESTS**
- 8. REFUSAL TO GRANT ACCESS TO INFORMATION**
- 9. DESCRIPTION OF THE SUBJECTS ON WHICH THE UNIVERSITY HOLDS
RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT**
- 10. CATEGORIES OF RECORDS WHICH REQUIRE NO FORMAL REQUEST FOR
ACCESS (SECTION 15)**
- 11. DESCRIPTION OF THE UNIVERSITY'S SERVICES AVAILABLE TO THE
PUBLIC AND HOW TO GAIN ACCESS**
- 12. PARTICIPATION IN POLICY OR DECISION MAKING BODIES OF THE
UNIVERSITY (SECTION 14{G})**
- 13. REMEDIES AVAILABLE I R O AN ACT OR FAILURE TO ACT BY THE
UNIVERSITY**
- 14. OTHER INFORMATION AVAILABLE AS PRESCIBED BY THE ACT.**

1. INTRODUCTION AND SCOPE OF THE APPLICATION

Section 32 (1) of the Constitution of the Republic of South Africa, Act 108 of 1996, states that –

“Everyone has the right of access to

- (a) any information held by the state; and
- (b) any information that is held by another person and that it is required for the exercise or protection of any rights.”

Subsection (2) states that national legislation must be enacted to give effect to this right.

It is against this background that the Promotion of Access to Information Act, Act 2 of 2000 (hereinafter referred to as “the Act”) was promulgated on 7 July 2000. The Act came into operation on 15 September 2000.

The stated objective of the Act is to promote a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, as well as to actively promote a society in which the people of South Africa have effective access to information to enable them fully and thoroughly exercise and protect their rights.

Section 11 determines that a requester must be given access to the record of a public body if the requester complies with all the procedural requirements of the Act relating to a request for that record, and if access to that record is not denied on any grounds of refusal as stated in the Act.

A requester’s right to access is further not affected by any reasons the requester gives for requesting access or the information officer’s belief as to what the requester’s reasons are for requesting access.

Section 3 of the Act determines that the Act is applicable to the record of a public and a private body regardless of when it was created. Tertiary institutions are designated by the Act as public bodies.

“Record” is defined in the Act as any recorded information, regardless of form or medium, in the possession or under the control of that public or private body, respectively, and whether or not that private or public body created it, respectively.

The Act is applicable to the exclusion of any other provision of other legislation that prohibits or restricts the disclosure of a record of a public or private body and which is materially inconsistent with an object, or specific provision of the Act.

2. THE UNIVERSITY’S STRUCTURES AND THEIR FUNCTIONS

2.1 *Council*

2.1.1 Functions:

As prescribed in terms of Section 27 of the Higher Education Act, Act 101 of 1997, as amended.

2.1.2 Composition:

As prescribed in terms of S7.2 of the Statute of the University of the Western Cape Notice No. 427 of 4 May 2005.

2.2 *Senate*

2.2.1 Functions:

As prescribed in terms of Section 28 of the Higher Education Act, Act 102 of 1997, as amended.

2.2.2 Composition:
As prescribed in terms of S8.2 of the Statute of the University of the Western Cape Notice No.427 4 May 2005

2.3 *Institutional Forum*

2.3.1 Functions:
As prescribed in terms of Section 31 of the Higher Education Act, Act 101 of 1997, as amended.

2.3.2 Composition:
As prescribed in terms of S9.2 of the Statute of the University of the Western Cape Notice No. 427 of 4 May 2005.

2.4 *Committees of Council and Senate*

2.4.1 Functions:
As prescribed in terms of Section 29 of the Higher Education Act, Act 101 of 1997, as amended.

2.4.2 Composition:
As prescribed in terms of S 10 of the Statute of the University of the Western Cape Notice No.427 of 4 May 2005) and the institutional rules of the university.

2.5 *Rector*

2.5.1 Functions
As prescribed in terms of Section 30 of the Higher Education Act, Act 101 of 1997 as amended and Sections 6.1-6.4 of the Statute of the University of the Western Cape Notice No. 427 of 4 May 2005.

2.6 *Institutional Forum*

2.6.1 Functions:
As prescribed in terms of Section 31 of the Higher Education Act, Act 101 of 1997, as amended.

2.6.2 Composition:
As prescribed in terms of S11.4 of the Statute of the University of the Western Cape Notice No. 427 of 4 May 2005.

3. CONTACT DETAILS OF INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

3.1 Information Officer

3.1.1 Name: Prof T Pretorius - Rector
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535.
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9592220
Facsimile No: 021-9592973
Electronic mail: paia_rfa@uwc.ac.za

3.2 Deputy Information Officers

3.2.1 Name Ms N Lawton-Misra - Registrar
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535.
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9592102
Facsimile No: 021-9593126
Electronic mail: paia_rfa@uwc.ac.za

- 3.2.2 Name: Prof V Lawack– Vice-Rector: Academic**
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9592142
Facsimile No: 021-9593352
Electronic mail: paia_rfa@uwc.ac.za
- 3.2.3 Name: Prof F Swanepoel– Vice-Rector: Research and Innovation**
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9593245
Facsimile No: 021-9592073
Electronic mail: ipaia_rfa@uwc.ac.za
- 3.2.4 Name: Prof P Dube – Vice-Rector: Student, Development and Support**
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9593590
Facsimile No: 021-9593593
Electronic mail: paia_rfa@uwc.ac.za
- 3.2.5 Name: Mr M Regal – Executive Director: Finance**
Street Address: University of the Western Cape, Robert Sobukwe Road
Bellville, 7535
Postal Address: Private Bag X17, Bellville, 7535
Telephone No: 021-9592694
Facsimile No: 021- 9593345
Electronic mail: paia_rfa@uwc.ac.za
- 3.2.6 Name: Ms A Glaeser – Executive Director: Human Resources**
Street Address: University of the Western Cape, Robert Sobukwe Road,
Bellville, 7535
Postal Address Private Bag X17, Bellville, 7535.
Telephone No: 021-9593333
Facsimile No: 021-9591513
Electronic mail: paia_rfa@uwc.ac.za

4. APPLICATION FORM

Any person wishing to make an application for access to a record of the University of the Western Cape in terms of the provisions of the Act, should do so on the prescribed form (**Form LS226**) which is available from the Registrar’s Office at the following address:

The Registrar
University of the Western Cape
Private Bag X17
Bellville, 7535
Telephone No. 021-9593900
Facsimile No. 021-9593126
Electronic mail: paia_rfa@uwc.ac.za

The application form must be completed in full and must be accompanied by the prescribed fees outlined below.

5. FEES PAYABLE

5.1 Application fee

Each application must be accompanied by an **application fee of R35-00** (thirty five rand) and is non-refundable. In addition, the University is entitled to charge an **access fee** depending on the nature and volume of the information and the format in which it is to be supplied. For this purpose the university may request a **deposit fee** once the application has been granted to offset the access fee. It is most likely that the deposit fee may not cover the access fee in which case the applicant will be requested to settle the balance timeously. On the other hand, when an overpayment has been made, the University will reimburse the applicant. Fifty (50) % of the access fee is payable as deposit by the requester and is available on request.

The following fees are currently payable for access fees and may change over time (fees are inclusive of VAT).

5.2 Fees for Reproduction

| | |
|--|--------|
| For every photocopy of an A4-size page or part thereof (black and white) | R5,00 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form (black and white) | R5,00 |
| For a copy in a computer-readable form on a stiffy disc (each) | R10,00 |
| For a copy in a computer-readable form on a compact disc | R40,00 |
| For a transcription of visual images per A4-size page or part thereof | R20,00 |
| For a copy of visual images | R60,00 |
| For a transcription of an audio record per A4-size page or part thereof | R20,00 |
| For a copy of an audio record per 60 minute cassette | R20,00 |

5.3 Access fees payable if not exempted under Section 22(8) of the Act

| | |
|---|--------|
| For every photocopy of an A4-size page or part thereof (black and white) | R5,00 |
| For every printed copy of an A4-size or part thereof held on a computer or in electronic or machine-readable form (black and white) | R5,00 |
| For a copy on a computer-readable form on a stiffy disc (each) | R10,00 |
| For a copy on a computer-readable form on a compact disc (each) | R40,00 |
| For a transcription of visual images on A4-size page or part thereof | R20,00 |
| For a copy of visual images | R60,00 |
| For a transcription of an audio record on an A4-size page or part thereof | R20,00 |
| For a copy of an audio record | R20,00 |
| To search for a record for disclosure, excluding the first hour, reasonably required for such search, per hour or part thereof | R20,00 |

5.4 Payment of Fees

Fees payable must be deposited against the following **account number**:

BANK: ABSA BANK
BRANCH CODE: 56081047
ACCOUNT NO: 4050893930
ENTITY/REF NO: 121007

Alternatively, the fees can be paid at the University cashiers in cash, by cheque or postal order on the Ground Floor, Central Administration Building between 08:30 – 16:30 Mondays to Fridays.

Payments made by mail should be addressed to:

The Registrar,
Deputy Information Officer
University of the Western Cape
Private bag X17
Bellville 7535.

No cash should be included and cheques must be made payable to the University of the Western Cape.

6. PROCEDURE FOR THE APPLICATION FOR ACCESS TO INFORMATION

A requester must submit the completed application form (Annexure A) together with the required fee by hand, by mail or by facsimile to the University's Deputy Information Officer (see par.3.2.1 for full address). If payment is made via the bank, please attach a copy of the deposit slip.

Please note that an application may be rejected if it does not comply with the provision of the Act.

7. TIME LIMITS FOR DEALING WITH REQUESTS

It is required of the University to notify a requester whether the request has been granted or denied within 90 days of receipt of a request in the first twelve months of the Act coming into effect. In the following twelve months, the 90-day period becomes 60 days and thereafter it becomes 30 days.

Should the University not respond within the prescribed time limits, a requester may deduce that the University refuses to grant access to the required information. The requester may in such event bring an application to court. Please note that the University is not required to provide for an appeal process.

8. REFUSAL TO GRANT ACCESS TO INFORMATION

The University may legitimately refuse to grant access to information in terms of Sections 33 to 45 of the Act. A requester may, in terms of Sections 78 to 82 of the Act, lodge an application to court for access to information.

9. DESCRIPTION OF THE SUBJECTS ON WHICH THE INSTITUTION HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

9.1 Council

- 9.1.1 Agendas and minutes of meetings
- 9.1.2 List of members
- 9.1.3 Standing Orders of committees reporting to Council
- 9.1.4 Appointment and remuneration of Executive Members

9.2 Executive of Committee of Council

- 9.2.1 Agendas and minutes of meetings
- 9.2.2 List of members
- 9.2.3 Standing orders of committees reporting to Council

9.3 Senate

- 9.3.1 Agendas and minutes of meetings
- 9.3.2 List of members

9.4 Executive Committee of Senate

- 9.4.1 Agendas and minutes of meetings
- 9.4.2 List of members

9.5 Institutional Forum

- 9.5.1 Agendas and minutes of meetings
- 9.5.2 List of members

9.6 Management Committee

- 9.6.1 Agendas and minutes
- 9.6.2 List of members

9.7 Student Related matters

- 9.7.1 Academic records
- 9.7.2 Student files
- 9.7.3 Financial records
- 9.7.4 Student profiles and statistics
- 9.7.5 Student disciplinary records
- 9.7.6 Student unions, bodies and associations

9.8 Financial Matters

- 9.8.1 Financial records
- 9.8.2 Audit reports
- 9.8.3 Finance Committee of Council agendas and minutes
- 9.8.4 List of members of the Finance Committee of Council

9.9 Human Resources

- 9.9.1 Appointment and remuneration of staff
- 9.9.2 Conditions of employment
- 9.9.3 HR policies and procedures
- 9.9.4 Employment equity policy and plans
- 9.9.5 Human Resources Committee of Council agendas and minutes
- 9.9.6 Staff disciplinary records

9.10 Academic Matters

- 9.10.1 Faculty Board agendas and minutes of meetings
- 9.10.2 Departmental agendas and minutes of meetings
- 9.10.3 Faculty Yearbooks (admission criteria, promotion rules, syllabi and curriculum information).
- 9.10.4 Internal administrative procedures and guidelines

10. CATEGORIES OF RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS THERTO (SECTION 15)

- 10.1 Website
- 10.2 General yearbooks, Faculty Yearbooks and University Prospectus.
- 10.3 Annual Reports

11. DESCRIPTION OF THE UNIVERSITY'S SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC AND HOW TO GAIN ACCESS TO THESE SERVICES

Access to the university's services is normally limited to its staff and students. However, requests for access to certain services, such as visitations to the Cape Flats Nature Reserve, should be directed to: Pro Vice Chancellor: Institutional Advancement

University of the Western Cape
Private Bag X17
Bellville, 7535
Fax: (021) 959-3115
Tel: (021) 959-2625

12. PARTICIPATION IN POLICY OR DECISION MAKING BODIES OF THE UNIVERSITY {SECTION 14(g)}

12.1 Students and staff may participate in policy and decision making processes of the University in accordance with the provisions of the Higher Education Act, Act 101 of 1997, as amended, as well as in terms of those internal procedures as agreed with students and staff representative bodies from time to time.

12.2 Other interested persons may submit their comments and proposals in writing to the Registrar at the address stated in paragraph 4 above.

13. A DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE UNIVERSITY

13.1 A student or member of the public may lodge a complaint in writing with the Registrar.

13.2 The staff members may utilize the University's internal Grievance Procedure.

13.3 If the complaint is in respect of an act or a failure to act in terms of the Promotion of Access to Information Act, Act 2 of 2000, the complainant may take such steps as provided for in section 74 to 82 of the Act.

14. OTHER INFORMATION

For any other information not contained in this manual, kindly contact the Information Officer, a Deputy Information Officer or the Registrar. The contact details of which are given in par. 5.1 above. Alternatively visit our website at <http://www.uwc.ac.za> . This manual is also available in Afrikaans and Xhosa at the same website.

This manual will be updated annually.

ANNEXURE A

*UNIVERSITY OF THE WESTERN CAPE***APPLICATION FOR ACCESS TO A RECORD**

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

A: Particulars of the institution

The Registrar
 Deputy Information Officer
 University of the Western Cape
 Private Bag X17
 BELLVILLE
 7535

TEL: 021-9592111
 FAX: 021-9593126
 E-mail: paia_rfa@uwc.ac.za

PLEASE NOTE: Requests for information in terms of the Promotion of Access to Information Act, Act No. 2 of 2000, will only be processed if the attached application form has been completed in full, signed by the relevant requestor and the applicable fees have been paid.

| FOR OFFICE USE ONLY | | | |
|--|---|-------------|--|
| Reference number: | | | |
| Request received by: (name of information officer) | | | |
| On (date) | | at: | |
| Request fee: | R | Receipt nr: | |
| Deposit: | R | Receipt nr: | |
| Access fee: | R | Receipt nr: | |
| Signature of Information Officer: | | | |

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and / or fax number in the Republic, to which the information is to be sent, must be given.
- (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: _____

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 for exemption.

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

Disability: _____

Form in which record is required: _____

Mark the appropriate box with a **X**.
NOTES:
 (a) Compliance with your request for access in the specified form may depend 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.

1. If the record is in written or printed form:

| | | | |
|--|------------------|--|----------------------|
| | Copy of record * | | Inspection of record |
|--|------------------|--|----------------------|

2. If record consists of visual images –
 (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

| | | | | | |
|--|-----------------|--|---------------------|--|---------------------------|
| | View the images | | Copy of the images* | | Transcription of images * |
|--|-----------------|--|---------------------|--|---------------------------|

3. If record consists of recorded words or information, which can be reproduced in

| | | | |
|--|--|--|---|
| | Listen to the soundtrack (audio cassette) | | Transcription of soundtrack* (written or printed document) |
|--|--|--|---|

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

| | | | | | |
|--|-------------------------|--|--|--|--|
| | Printed copy or record* | | Printed copy of information derived from the record* | | Copy in computer readable form* (Compact disc or USB) |
|--|-------------------------|--|--|--|--|

| | | |
|---|-----|----|
| *If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable. | 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 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