



Council for Geoscience

PROMOTION OF ACCESS TO INFORMATION MANUAL

The Council for Geoscience (CGS) Manual compiled in terms of
Section 14 of the Promotion of Access to Information Act, 2000 (PAIA)

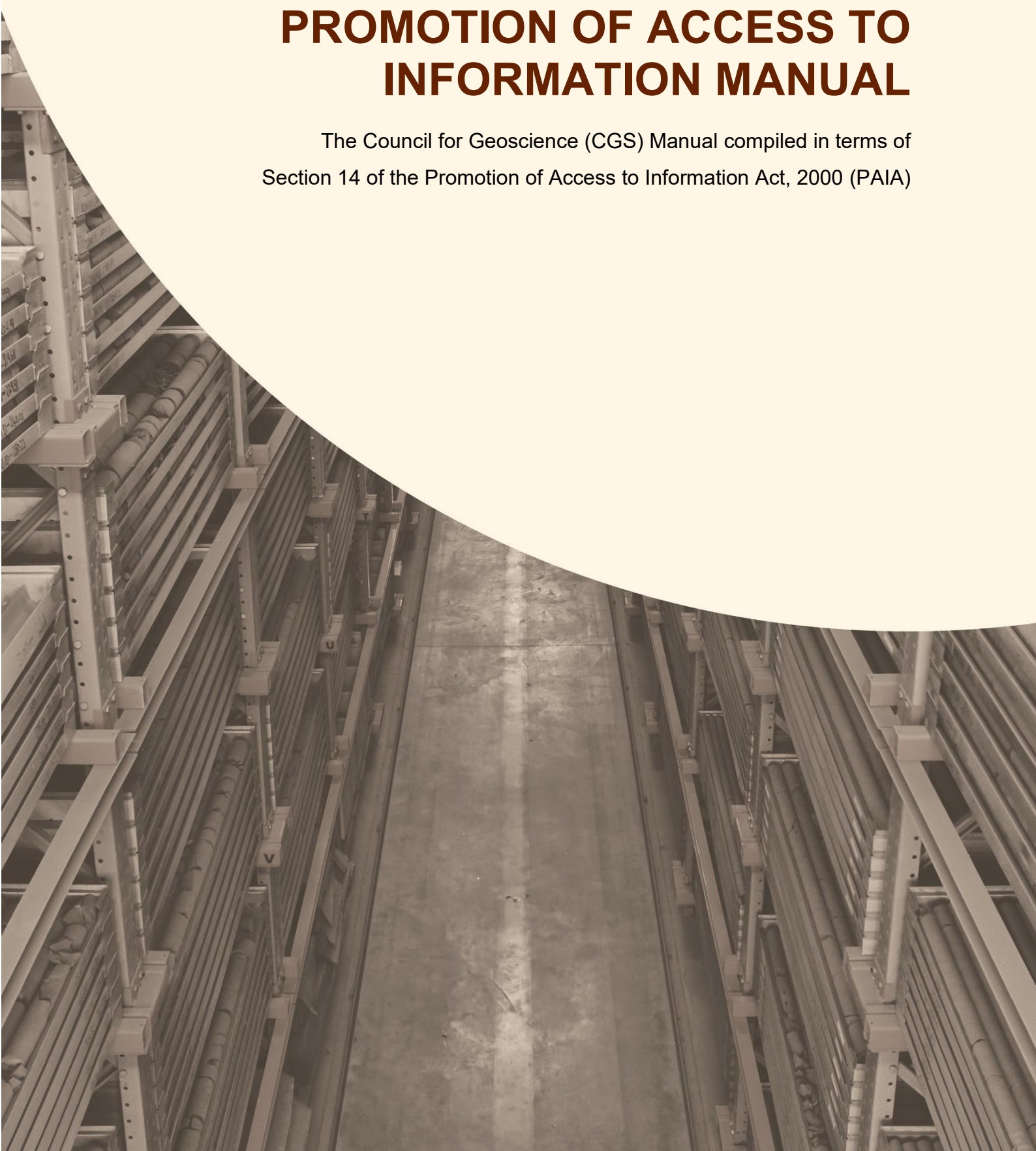


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1. DEFINITIONS

In this manual, unless the context requires otherwise:

“Access fee” means a fee prescribed for the purposes of reproduction, for search and preparation, and for time reasonably required in excess of the hours prescribed to search for and to prepare the record for disclosure.

“Court” means:

- (a) the Constitutional Court acting in terms of Section 167(6)(a) of the Constitution of the Republic of South Africa, 1996; or
- (b) (i) a High Court or another court of similar status; or
 - (ii) a Magistrate’s Court, either generally or in respect of a specified class of decisions in terms of PAIA. It is designated by the Minister by notice in the Gazette and presided over by a magistrate or an additional magistrate designated in terms of Section 91A of PAIA, within whose area of jurisdiction.

“CGS” means the Council for Geoscience.

“Deputy Information Officer” means the official duly authorised by the Information Officer to ensure that the requirements of PAIA are administered in a fair, objective, and unbiased manner.

“Information Officer”, in relation to the CGS, means the Chief Executive Officer.

“Internal appeal” means a formal request to review a decision made by a public body regarding access to information under PAIA.

“Official”, in relation to a public body or private body, means:

- (a) any person in the employ (permanent or temporary and full-time or part-time) of the public or private body, as the case may be, including the head of the body, in his or her capacity as such; or
- (b) a member of the public or private body, in his or her capacity as such.

“PAIA” means the Promotion of Access to Information Act, 2 of 2000.

“Person” means a natural or a juristic person.

“Personal information” means information about an identifiable individual, including but not limited to:

- (a) information relating to race, gender, sex, pregnancy, marital status, national, ethnic, or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, and birth of the individual;

- (b) information relating to the education or the medical, criminal, or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) the address, fingerprints, or blood type of the individual;
- (d) the views or opinions of another individual about the individual.

“Personal requester” means a requester seeking access to a record containing personal information about the requester.

“Public body” means:

- (a) any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere; or
- (b) any other functionary or institution when –
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any other legislation.

“Record” means any recorded information:

- (a) regardless of the form or medium;
- (b) in the possession or under the control of that public or private body respectively; and
- (c) whether or not it was created by that public or private body, respectively.

“Regulations”, in terms of the Promotion of Access to Information Act, means regulations regarding the promotion of access to information published in the Government Notice No. 187 of 15 February 2002 (Government Gazette No. 23119).

“Requester” means:

- (i) any person (other than a public body contemplated in the definition of “public body”, paragraph (a) or (b)(i), or an official thereof) making a request for access to a record of that public body; or
- (ii) a person acting on behalf of the person referred to in subparagraph (i).

“Third party” means any person (including, but not limited to, the government of a foreign state, an international organisation or an organ of that government or organisation) other than:

- (i) the requester concerned; and
- (ii) a public body.

2. INTRODUCTION

- 2.1 The Promotion of Access to Information Act, 2 of 2000 was enacted to give effect to the right of access to information contained in Section 32 of the Constitution of the Republic of South Africa, 1996, Act 108 of 1996. It was promulgated in order to foster a culture of transparency and accountability in public bodies and private bodies.
- 2.1.1 The proclamation of the Geoscience Act, 100 of 1993 and its Amendment Act, 16 of 2010 states that geoscience data and information records that the Council for Geoscience (CGS) publishes in the form of maps, documents, and databases are to be made available to stakeholders. This manual informs a requester how to obtain access to records held by CGS.
- 2.1.2 Section 14 of the PAIA of 2000 requires both public and private bodies to compile manuals that provide information on the types and categories of records held by such public and private bodies. The CGS is a public body under paragraph (b)(ii) of the definition of “public body” in Section 1 of the Act.
- 2.2 This document serves as the CGS manual with regards to information or records in relation to which the CGS is a public body. It provides reference to the records held and the process that needs to be followed to request access to such records as required by Section 14 of PAIA.
- 2.5 This manual does not replace the Act but must be read in conjunction with the Act. Sections 34 to 46 of PAIA stipulate the grounds for refusing access to information. In considering whether to provide access to information, the CGS must also consider grounds for refusing access to information set out in the PAIA.

Section 9 of PAIA also recognises that such right to access to information is subject to certain justifiable limitations including, but not limited to:

- The reasonable protection of privacy
- Commercial confidentiality
- Effective, efficient, and good governance

It should further be noted that this manual provides guidance on how requests for personal information should be addressed.

This manual also prescribes the following:

- The grounds upon which such requests could be refused; and
- The remedies available to the requester upon the refusal/failure to obtain the requested information.

- 2.6 Should you have any difficulty in using this manual, please contact the Deputy Information Officer, as described in Section 6.
- 2.7 Cognisance of the following applicable legislation should be taken into consideration when executing this manual:
- Constitution of the Republic of South Africa, Act 108 of 1996
 - Basic Conditions of Employment Act, 75 of 1997
 - Geoscience Act, 100 of 1993
 - Geoscience Amendment Act, 16 of 2010
 - Employment Equity Act, 55 of 1998
 - Labour Relations Act, 66 of 1995
 - Promotion of Access to Information Act, 2 of 2000
 - Protection of Personal Information Act, 4 of 2013
 - Public Finance Management Act, 1 of 1999

3. MANDATE AND CORE VALUES OF THE COUNCIL FOR GEOSCIENCE

3.1 MANDATE

The Geoscience Act, 100 of 1993 as amended in 2010 mandates the CGS, which is a 3A Public Entity in terms of the Public Finance Management Act of 1999, to release geoscience data and information records of the CGS published by the CGS. This may be in the form of maps, documents, and databases, and it should be done in line with organisational policies.

The data and information in line with the CGS mandate includes but is not limited to the following:

- The systematic onshore and offshore geoscientific mapping of South Africa.
- Geoscientific research and related technological development.
- The collection and curation of all geoscience data and to act as a national geoscience repository.
- The compilation and development of comprehensive and integrated geoscience knowledge and information, such as geology, geophysics, geochemistry, engineering geology, economic geology, geochronology, palaeontology, geohydrological aquifer systems, geotechnical investigations, marine geology, geomagnetism, seismology, geohazards, environmental geology, and other related disciplines.
- The promotion of the search for and the exploitation of any minerals in the Republic.
- The study of the distribution and nature of mineral resources and geoenvironmental aspects of past, current, and future mineral exploitation.
- The study of the use of the surface and the subsurface of the land and the seabed, and from a geoscientific viewpoint, the provision of advice to government institutions and the general public on the judicious and safe use thereof with a view to facilitate sustainable development.

- The development and maintenance of the National Geoscientific Library, the National Geoscientific Information Centre, the National Borehole Core Depository, the National Geophysical and Geochemical Test Sites, the National Geoscience Museum, the National Seismological Network, and the National Geoscience Analytical Facility.
- The investigation and rendering of prescribed specialised services to public and private institutions.

3.2 Core values of the Council for Geoscience

The core values of the CGS are:

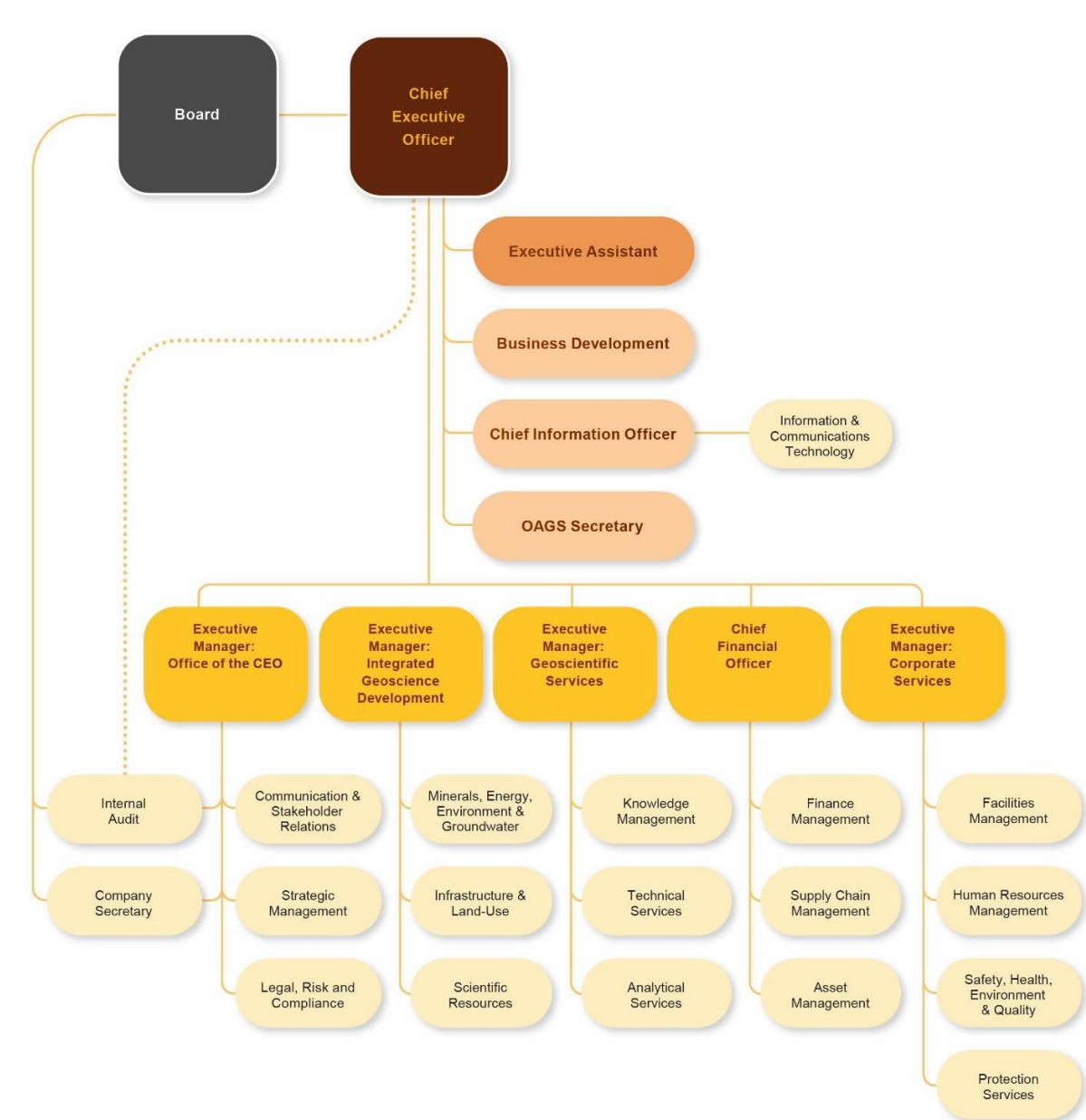
- **Innovation** – Generating and implementing novel ideas and products that create value.
- **Diversity** – Embracing an inclusive culture that upholds transformation and recognises contributions from all stakeholders.
- **Excellence** – Striving to excel in every aspect of its business.
- **Accountability** – Fostering reliability and commitment, taking responsibility and ownership.
- **Learning** – Advancing learning through knowledge creation.
- **Safety, health, and environment** – Prioritising the health and safety of all employees and stakeholders in accordance with environmental stewardship.
- **Transparency** – Providing services impartially, fairly, equitably, and transparently.

4. STRUCTURE OF THE COUNCIL FOR GEOSCIENCE

The organogram of the CGS describes the organisation's reporting structure. The structure was developed to support the efficient, effective, and robust functioning of the organisation and to streamline the composition of its Board of Directors and Executive Management.

The Executive Management team of the CGS is headed by the Chief Executive Officer (Information Officer) who reports to the accounting authority (the CGS Board).

The diagram below demonstrates the structure of the Council for Geoscience:



5. ADMINISTRATION OF THE ACT

In terms of PAIA, the Chief Executive Officer (CEO) is the Information Officer, and has delegated his responsibilities to the Deputy Information Officer to ensure the effective administration of PAIA within the CGS.

6. CONTACT DETAILS

INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

6.1 Below are the contact details of the Chief Executive Officer of the Council for Geoscience, who is the appointed Information Officer.

INFORMATION OFFICER	
Full names	Mr Mosa Mabuza Chief Executive Officer
Email address	info@geoscience.org.za
Telephone number	012 841 1020
Postal address	Private Bag X112 Pretoria 0001
Physical address	280 Pretoria Road Silverton Pretoria 0184

6.2 In accordance with the provisions of the Promotion of Access to Information Act, the Information Officer has duly authorised the following person as Deputy Information Officer. When making a request, please direct it to the following Public Information Officer:

DEPUTY INFORMATION OFFICER	
Full names	Karabo Mphuthi Public Information Officer
Email Address	info@geoscience.org.za data@geoscience.org.za
Telephone number	012 841 1025
Postal Address	Private Bag X112 Pretoria

	0001
Physical Address	280 Pretoria Road Silverton Pretoria 0184

7. REQUEST FOR INFORMATION

- 7.1 The requester must contact the Deputy Information Officer on info@geoscience.org.za to make a request for access to a record.
- 7.2 The requester must print the formal request form A marked “**Annexure 1**” available on the CGS webpage (www.geoscience.org.za) or at the CGS office at the address listed in Section 6 of this PAIA manual.
- 7.3 The requester must provide sufficient information on the request form to enable the Deputy Information Officer to identify the records that are being requested.
- 7.4 The CGS will acknowledge receipt of the request in writing within 14 days of receipt and will advise within 30 days as to whether the information requested is available or accessible, and how and where the requester may collect it.
- 7.6 Should the requester not receive an acknowledgement of receipt in writing within 14 days, the requester should kindly contact the Deputy Information Officer to ensure that the request has been received.
- 7.7 The requester should also indicate if he or she wishes to be informed of the decision about the request in any other manner and state the preferred method of communication, providing the necessary particulars.
- 7.8 If the request is made on behalf of another person, the proxy requester must provide a reason, submit proof of the capacity in which he or she is making the request, and provide CGS with the written consent from the primary requester. This should be done to the reasonable satisfaction of the Deputy Information Officer.
- 7.9 If the requested information is available and accessible, the Deputy Information Officer shall notify the requestor (other than a personal requestor) by email, requiring the requester to pay the prescribed fee (if any) before further processing the request.

- 7.10 The Deputy Information Officer shall, by email, inform third parties within 21 days after the request has been received. The CGS will consider sharing access to the record, then furnish the name of the requestor to the third party and state to the requester that the third party may within 21 days deny the request or give written consent.
- 7.11 A requester whose request for access to a record has been granted must pay an access fee to cover the reproduction, searching, and preparation of the copies or transactions of the content of the record requested as well as for the time required to search for and prepare the record for disclosure.
- 7.12 On receipt of the prescribed fee, the CGS will provide the record to the requester in the format that he/she has requested on the request form, or in the format that the record exists in, if the requested format is not available.
- 7.13 Should the record requested contain information that cannot be shared, the CGS will only share information in the record that can be shared.
- 7.14 The CGS, upon the request for a record that has been made or transferred, may extend the request to 30 days if it takes longer to provide the information because of the volume or difficulty to obtain it.
- 7.15 If a request for access to a record has been refused, delayed, or granted, subject to unreasonable fees or in an unacceptable form by a public body, Section 78(2) of PAIA empowers the requester to apply to a court of law for appropriate relief within 30 days of the decision.
- 7.16 If the court of law orders CGS to grant the requester access to the requested records, the requester must pay the access fee before access to such records can be granted.

8. REQUEST BY PEOPLE WITH DISABILITIES

- 8.1 If a requester is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make a verbal request. The Deputy Information Officer will then complete the form on behalf of the requester and give a copy of the completed form to the requester.
- 8.2 The Deputy Information Officer will assist the requester to comply with the abovementioned requirements for requesting access to information, including referring a requester to another public body if it is apparent that the request for information should have been made to such another body.

9. FEES PAYABLE

It may be necessary to pay fees for access to records in terms of PAIA (Section 22): the request fee and the access fee(s). These must be paid by a requester before the Deputy Information Officer can make any records available to the requestor.

9.1 Request fee: A requester, who seeks access to a record containing personal information about the requester, is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the prescribed request fee. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) of the act is **R100.00**.

9.2 Access fee: If the request is granted, the requester must pay an access fee covering the reproduction of records and any search and preparation time exceeding one hour. Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one third of the anticipated access fee may be required as a deposit.

- The Deputy Information Officer must notify the requester by relevant means, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request fee payable to public bodies is **R100.00**.
- After the Deputy Information Officer has made a decision on the request, the requester must be notified of such decision in the manner requested by the requester.
- If the request is granted, an access fee must be paid for the search, preparation, reproduction, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
- If a fee has been paid in respect of a request for access which is refused, the Deputy Information officer of the CGS will repay the fees to the requester.

10. METHOD OF PAYMENT

Payment details can be obtained below (no credit card payments are accepted). Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record. If the request for access is successful, an access fee may be required for the search, reproduction, and/or preparation of the record(s) and will be calculated based on the Prescribed Fees as set out in Annexure 2, available on the CGS webpage (www.geoscience.org.za) or at the CGS office at the address listed in Section 6 of this PAIA manual.

10.1 The CGS will accept payment by means of the following methods:

- Direct deposits
- Electronic fund transfers
- Non-transferable cheques for which a clearing period of 10 days must be allowed

10.2 CGS banking details

Bank: Nedbank Limited

Account name: Council for Geoscience

Account number: 1644294486

Branch code: 198765

11. GROUNDS FOR REFUSAL OR DEFERRAL OF ACCESS TO RECORDS

11.1 The Deputy Information Officer shall, subject to other provisions of the Act, refuse a request for access to information or a record if that information or record falls within any of the following categories of mandatory protection:

- Privacy of a third party who is a natural person, where disclosure would involve the unreasonable disclosure of personal information about that natural person;
- Commercial information of a third party, where the record contains:
 - financial, commercial, scientific, or technical information the disclosure of which would be likely to cause harm to the financial or commercial interests of that third party; or
 - information supplied in confidence by a third party to CGS, where the disclosure could put that third party at a disadvantage in contractual or other negotiations or even prejudice that third party in contractual negotiations.
- Confidential information of a third party, where the information is protected in terms of any agreement.
- Safety of individuals and the protection of property.

11.2 The Deputy Information Officer may refuse a request for information or record if that information or record relates to commercial activities of the CGS. These may include:

- Trade secrets of the CGS
- Financial, commercial, scientific, or technical information the disclosure of which would be likely to cause harm to the financial and commercial interests of CGS.
- Information that, if disclosed, could put CGS into disrepute.
- A programme that is owned by the CGS and which is protected by copyright.
- Information about research being, or due to be carried out, by or on behalf of CGS, where disclosure would be likely to expose CGS, or the person that is or will be carrying out the research on behalf of CGS, or the subject matter of the research, to serious disadvantage.

- An opinion, advice, report, or recommendation obtained or prepared for / by CGS or an account of a consultation, discussion, or deliberation (including but not limited to minutes of a meeting) held for the purpose of assisting in the formulation of a policy or in the taking of a decision in the exercise of a power or performance of a duty conferred or imposed by law.

11.3 If access to a record is deferred, the Deputy Information Officer must notify the requester within 30 days. The requester must provide reasons why the information should be released before the proposed date.

12. APPEALS

- Should a requester not be satisfied with the decision of the Deputy Information Officer or the deemed refusal of a request, the requester is entitled to lodge an internal appeal in respect of that decision or deemed refusal.
- The internal appeal must be noted in writing using Form B marked "**Annexure 3**" available on the CGS webpage (www.geoscience.org.za) or at the CGS office at the address listed in Section 6 of this PAIA manual.
- The requester must set out the grounds for the appeal in respect of each record sought. The internal appeal must generally be lodged within sixty (60) days of the receipt of the Deputy Information Officer's decision, or the date of the deemed refusal.
- The appeal must be lodged in person, by email, or by post with the Deputy Information Officer, whose particulars are detailed in paragraph 6.1 above. The Deputy Information Officer will then forward the requestor's appeal, together with reasons for her decision to the relevant CGS's authority for a decision.
- If the requester has not received an acknowledgement of receipt of the appeal within fourteen (14) days, the requester should contact the Deputy Information Officer to ensure that the appeal has been received by the CGS.
- Should the requester not be satisfied with the decision of the relevant CGS authority, the requester may apply to the court for relief.

13. CATEGORIES OR RECORDS HELD BY CGS

The CGS holds the following records:

13.1 Scientific Operations

- Minerals & Energy
- Infrastructure & Land Use
- Water and Environment
- Scientific Resources
- Knowledge Management

- Technical Services
- Analytical Services

13.2 Services Rendered by CGS

Geophysics

- Airborne surveys (high density)
- Modelling and interpretation
- Ground surveys (all techniques)
- Determination of physical properties
- Palaeomagnetic measurements
- Reconstruction of old data
- Groundwater exploration (borehole siting)
- Groundwater pollution plume mapping

Seismology

- Seismic-hazard assessment
- Seismic-risk assessment
- Seismological research into safety at mines
- Operation of the South African National Seismograph Network (SANSN)
- Participation in the Comprehensive Nuclear Test-Ban Treaty

Geochemistry

- Regional geochemical mapping on a sampling-density grid of one soil (or stream-sediment) sample per km². Samples are analysed on a Simultaneous X-ray Fluorescence Spectrometer (SXRF) for As, Ba, Co, Cr, Cu, Fe₂O₃T %, MnO %, Nb, Ni, Pb, Rb, Sb, Sc, Sn, Sr, TiO₂ %, Th, U, V, W, Y, Zn and Zr.
- Regional geochemical trends are mapped.
- Small- to medium-sized outcropping ore bodies are identified.

Minerals Development

- Mapping and sampling of ore deposits
- Mineralogical and physical characterisation
- Mineral-commodity reports and maps for specific purposes
- Assistance to small-scale miners
- Industrial minerals
- Maintenance of the COREDATA and COAL databases
- Maintenance of the SAMINDABA mineral-deposits database

Engineering Geosciences

- Engineering-geological and geotechnical expertise
- Engineering-geological site investigations aimed at dams and dam safety, tunnels, pump stations, and reservoirs
- Construction-material investigations
- Slope-stability investigations
- Structure or Urban Development plans
- Engineering-geological database (ENGEODE)
- Regional engineering-geological mapping
- Research focusing on understanding the dolomitic environment and its stability

Water Geoscience

- Planning and assessment of rural water-supply systems
- Groundwater resource assessments (quantification, flow determination, and water quality studies)
- Groundwater sustainability studies for both resources and water supply schemes
- Management of groundwater resources, including exploration
- Groundwater- and contaminant-transport modelling
- Management of groundwater contamination (e.g. impact of mining and of waste and sanitation facilities)
- Hydrogeological mapping
- Environmental Management Programme Reports (EMPRs)
- Specialist environmental drilling services (direct push methods and gas and water sampling)

Environmental Geoscience

- Environmental investigations
- Environmental Impact Assessments (EIAs)
- Mine Environmental Management Plans (EMPs)
- Pollution investigations
- Risk assessments
- Laboratory Services
- Batch and kinetic leach testing

Marine Geoscience

- Marine geophysical surveying
- Near-shore and continental-shelf mapping
- Resource surveys of heavy minerals, marine placer diamonds, potash, and phosphate
- Environmental Impact Assessments (EIAs)

- Wreck surveys
- Marine engineering-site surveys
- Coastal- and estuarine-sediment dynamics
- Scientific diving surveys

14. THE CATEGORIES OF RECORDS LISTED BELOW ARE AUTOMATICALLY AVAILABLE FROM THE CGS WITHOUT THE REQUESTER HAVING TO REQUEST ACCESS IN TERMS OF THE PAIA:

- Information uploaded to the CGS website
- Information booklets
- Pamphlets
- Marketing posters
- Newsletters
- Other marketing and communications materials relating to the functions and services of CGS
- Media releases
- Strategic plans
- Annual reports
- Banking details and bank accounts (Finance and treasury)
- Information about tenders

15. HOW TO GAIN ACCESS TO CGS SERVICES

CGS services are accessed through a formal application form. Further details on how to access CGS services may be found on the CGS website (www.geoscience.org.za). Our data portal is located at maps.geoscience.org.za. The requester may send an email to info@geoscience.org.za or data@geoscience.org.za.

16. THE REMEDIES AVAILABLE IN RESPECT OF FAILURE TO COMPLY WITH THE PROVISIONS OF COUNCIL FOR GEOSCIENCE PAIA MANUAL

Any requester dissatisfied with any decision in respect of a request for access to a record of the CGS can approach the High Court or another Court of similar status to seek relief.

17. SECTION 10 GUIDE ON HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT (PAIA)

Please direct any queries relating to the Act and how to use it to:

THE INFORMATION REGULATOR (SOUTH AFRICA)	
Postal Address P.O. Box 31533 Braamfontein Johannesburg 2017	Physical Address: 54 Maxwell Drive Woodmead Johannesburg 2191
Website: https://www.inforegulator.org.za	
Emails: PAIAComplaints@inforegulator.org.za POPIAComplaints@inforegulator.org.za enquiries@inforegulator.org.za	



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