

Council for Scientific and Industrial Research

Manual in terms of Section 14 of

Promotion of Access to Information Act 2 of 2000

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ABBREVIATIONS

CSIR	Council for Scientific and Industrial Research
EPIC	Excellence, Passion, Integrity, and Collaboration
PAIA	Promotion of Access to Information ACT
PAYE	Pay As You Earn
SITE	Standard Income Tax on Employees
VAT	Value Added Tax

1 Particulars in terms of Section 14

1.1 Mandate of the CSIR¹

The CSIR is a statutory research council, established by Government, and governed by the Scientific Research Council Act, 1988 (Act 46 of 1988), as amended by Act 27 of 2014. The CSIR is listed as a public entity in terms of the Public Finance Management Act (PFMA), 1999 (Act 1 of 1999), as amended by Act 29 of 1999. Its Executive Authority is the Minister of Higher Education, Science and Technology.

The CSIR is the largest scientific and technological research, development and implementation organisation in Africa and operates under the following mandate:

"In the national interest, the CSIR, through directed and multi-disciplinary research and technological innovation, should foster industrial and scientific development, either by itself, or in partnership with public and private sector institutions, to contribute to the improvement of the quality of life of the people of South Africa".

1.2 Function and objectives of the CSIR

The CSIR is a leading scientific and technology research organisation that researches, develops, localises and diffuses technologies to accelerate socioeconomic prosperity in South Africa. The organisation's work contributes to industrial development and supports a capable state.

The CSIR was established through an Act of Parliament in 1945 and the organisation's executive authority is the Minister of Higher Education, Science and Technology.

The organisation plays a key role in supporting public and private sectors through directed research that is aligned with the country's priorities, the organisation's mandate and its science, engineering and technology competences.

Impact is at the core of the organisation's business and the following strategic objectives are crafted to ensure that it achieves its mission:

- Conduct research, development and innovation, localise transformative technologies and accelerate their diffusion;
- Collaboratively improve the competitiveness of high-impact industries to support South Africa's re-industrialisation;
- Drive socio-economic transformation through research, development and innovation (RD&I) that supports the development of a capable state;
- Build and transform human capital and infrastructure; and
- Diversify income, maintain financial sustainability and good governance.

CSIR vision: We are accelerators of socio-economic prosperity in South Africa through leading innovation.

CSIR mission: Collaboratively innovating and localising technologies while providing knowledge solutions for the inclusive and sustainable advancement of industry and society.

CSIR values: The CSIR pursues excellence, celebrates people, personifies integrity, and welcomes collaboration. Our core values are EPIC and they are the driving force behind our ability to conduct cutting-edge research and technological innovation to improve the quality of life of South Africans.

¹ See also <http://www.csir.co.za/aboutus.html>

2 Structure of the CSIR

The CSIR functions as a corporation with a number of semi-autonomous divisions, clusters and various support functions.

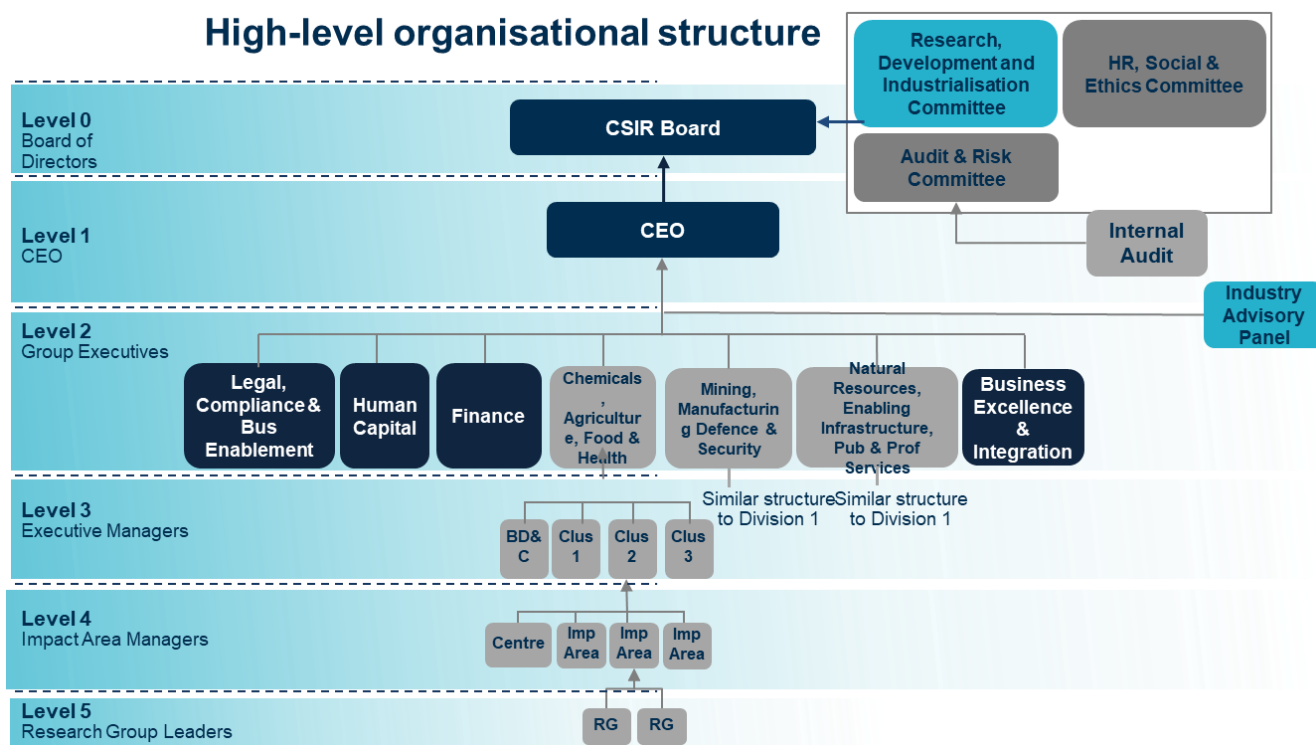


Figure 1: Schematic diagram of the structure of the CSIR

2.1 Divisions and clusters

The divisions with clusters focused on industry sectors are as follows:

- a) CSIR Chemicals, Agriculture, Food and Health
 - i) CSIR NextGen Health
 - ii) CSIR Advanced Agriculture and Food
 - iii) CSIR Future Production: Chemicals
- b) CSIR Mining, Manufacturing, Defence and Security
 - i) CSIR Future Production: Mining
 - ii) CSIR Future Production: Manufacturing
 - iii) CSIR Defence and Security
- c) CSIR Natural Resources, Enabling Infrastructure, Public and Professional Services
 - i) CSIR Smart Places
 - ii) CSIR NextGen Enterprises and Institutions
 - iii) CSIR Smart Mobility

2.2 Support services

- a) Legal, Compliance and Business Enablement
 - i) Legal and Compliance
 - ii) Facilities Management and Security
 - iii) Safety, Health, Environment and Quality

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- iv) Conferencing and Accommodation
 - v) Enterprise Risk Management
 - b) Human Capital
 - c) Finance
 - i) Strategic Procurement
 - ii) Information Communication Technology
 - d) Business Excellence and Integration

3 Contact details - Section 14 (1)(b)

- **Information Office**
Chief Executive Officer
Tel: (012) 841 2911
- **Deputy Information Officer**
Privacy Office
Tel: (012) 842 7235
E-mail: privacy@csir.co.za
Website address: <http://www.csir.co.za>
- **Street Address**
Meiring Naudé Road
Brummeria
Pretoria
South Africa
- **Postal Address**
P O Box 395
Pretoria
0001
South Africa

4 Section 10 guide on how to use the Act - Section 14(1)(c)

The Guide referred to in section 10 of the Act is available from the 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

Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

5 Access to the records held by the CSIR

5.1 Automatic disclosures – Section 14(1)(e)

All information available on the website, www.csir.co.za, is disclosed voluntarily. This information includes the current annual report, annual financial statements, report by the Auditor-General, report on corporate governance, executive report and financial statements.

The following information is also disclosed voluntarily:

1. Documents relating to the policy and governance of the CSIR – in annual report, paper copies or on the CSIR website.

5.2 Records that may be requested – Section 14(1)(d)

- **Operational Information and Agreements** relating to the following categories:
 - Documents relating to the policy, objectives and governance of the CSIR;
 - Directives, resolutions and instructions of the Board of the CSIR;
 - Joint-venture agreements with subsidiaries and/or agreements with any person, government or administration;
 - Rental agreements, title deeds, mortgage bonds and notarial bonds relating to movable and immovable property;
 - Company records relating to companies established by the CSIR or in association with joint-venture partners and/or any person for the purpose of developing or exploiting an invention or technological expertise;
 - Memorandums of Understanding; and
 - Metadata and spatial information.
- **Finances and Accounting** records relating to the following categories:
 - Bank account records;
 - Books of account and financial statements;
 - Auditor's annual report;
 - Audited financial statements;
 - Financial statements of subsidiaries;
 - Annual report, including statement of financial position and statement of income and expenditure certified by the Auditor-General;
 - Annual budget and corporate plan as provided for in the PFMA;
 - Value Added Tax (VAT), Standard Income Tax on Employees (SITE) and Pay As You Earn (PAYE) records; and
 - Additional information required by the Minister.
- **Human Resources** records relating to the following categories:
 - Policies and procedures;
 - Personnel files – subject to the rules governing the Protection of Personal Information Act, 2013 (Act 4 of 2013);
 - Contracts, conditions of service and other agreements;
 - Statutory employee records; and
 - Pension fund records of the pension fund established under the Associated Institutions Pension Fund Act, 1963(Act 41 of 1963).
- **Research, technology solutions and support information** relating to the following categories:
 - Building and Construction Technology;
 - Defence Technology;
 - Food, Biological and Chemical Technologies;
 - Information and Communications Technology;
 - Manufacturing and Materials Technology;
 - Mining Technology;
 - Roads and Transport Technology;
 - Water, Environment and Forestry Technology; and
 - Energy Technology.

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- **Intellectual property** information relating to the following categories:
 - Rights in discoveries and inventions and improvements in respect of processes, apparatus and machines made by employees of the CSIR in the course of their employment as employees of the organisation;
 - Rights in a discovery, invention or improvement made by the CSIR in the course of an investigation for or on behalf of another person, government or administration;
 - Patents and patent applications; and
 - Licence agreements.
 - **Research results:**
 - The CSIR undertakes various research assignments and an overview of these are published on www.csir.co.za; and
 - The CSIR requires that research conducted by all staff members must comply with the highest ethical standards based on principles of integrity, trust, collegiality and justice. As such, all requests for access to research results will be assessed on a case-by-case basis and a decision will be communicated to the requestor, bearing in mind confidentiality obligations to 3rd parties and Intellectual Property that is proprietary.

6 Request procedures – Section 14 (1)(d)

6.1 Disclosure of records

A requester must be given access to a record of a public body if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal provided for in the Act.

6.2 Nature of the request

- A requester must use the prescribed form, Form A, published in Government Notice R187 of 15 February 2002, attached hereto as an annexure.
- The requester must indicate whether the request is to obtain a copy of the record or whether inspection of the record at the offices of the public body is requested. Alternatively, if the record is not a document, it can be viewed in the requested form – Section 29(2).
- Access should be provided in the particular form and manner requested unless such manner would interfere unreasonably with the running of the public body concerned or damages the record, or infringes a copyright owned by the state. If for practical reasons access cannot be given in the required form, but in an alternative manner, the fee must be calculated in accordance with the manner of disclosure first requested by the requester – Section 29(3) and (4).
- If, in addition to a written reply to the request for the record, the requester requires to be advised of the decision in any other manner, e.g. by telephone, this must be indicated – Section 18(2)(e).
- If a requester requests the information on behalf of somebody else, the capacity in which the request is made must be indicated – Section 18(2)(f).
- If the requester is unable to read or write, or has a disability, the request may be made orally. In such an event, the Information Officer must complete the form on behalf of the requester and provide the requester with a copy or copies – Section 18(3).

6.3 Fees payable

- There are two types of fees payable in terms of the Act, namely the request fee and the access fee(s) – Section 22.
- 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.

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- The Information Officer must notify the requester (other than a personal requester) by relevant means, requiring the requester to pay the prescribed fee (if any) before further processing² the request.
 - The request fee payable to public bodies is R35. The requester may lodge an internal appeal, where appropriate, or an application to court against the tender or payment of the request fee.
 - After the 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.

7 Services available – Section 14(1)(f)

In terms of the Scientific Research Council Act, the CSIR may make the technological expertise in its possession available to any person, in order to fulfil its functions or attain any of its objects, enter into agreements with any person and in association with any person, establish a company for the purpose of developing or exploiting any invention or technological expertise and, at the request or with the prior approval of the Minister, undertake research in any territory outside the Republic on behalf of any person in any such territory.

8 Arrangement allowing for public involvement in the formulation of policy and the exercise of power – Section 14(1)(g)

Members of the CSIR Board are appointed from the private sector by the Minister responsible for administering the Scientific Research Council Act. The CSIR is governed by primary legislation, which, depending on the nature and complexity thereof, may be preceded by a discussion paper setting out a proposed approach and calling for public comment. This step may be followed or replaced by the release of draft legislation for public comment.

9 Remedies available if the provisions of the Act are not complied with – Section 14(1)(h)

The CSIR does not have an internal appeal procedure in place to facilitate appeals against decisions of the Information Officer or Deputy Information Officer.

An aggrieved party may apply to a court for appropriate relief. On hearing such application, the court may grant any order that is just and equitable including:

- Confirming, amending or setting aside the decision that is the subject of the application;
- Requiring the Information Officer to take some action or to refrain from taking such action as the court considers necessary within the period mentioned in the order;
- Granting an interdict, interim or specific relief, a declaratory order or compensation; or
- Costs.

10 Processing of personal information

The CSIR may process the personal information of the following categories of data subjects:

- Customers and employees, representatives, agents, contractors and service providers of such customers;
- Suppliers, service providers to and vendors of the CSIR and employees, representatives, agents, contractors and service providers of such suppliers and service providers;
- Directors and officers of the CSIR;

² “processing” means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including — the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; dissemination by means of transmission, distribution or making available in any other form; or merging, linking, as well as restriction, degradation, erasure or destruction of information;

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- Shareholders;
 - Job applicants;
 - Existing and former employees (including contractors, agents, temporary and casual employees);
 - Visitors to the premises of the CSIR; and
 - Complainants, correspondents and enquirers.

All the above categories include current, past or prospective data subjects.

The nature of personal information processed in respect of the above data subjects may include, as may be applicable:

- Name, identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- The biometric information;
- Information relating to the education or the medical, financial, criminal or employment history of the data subject;
- Information relating to the race, gender, marital status, national origin, age, disability, language and birth of the data subject;
- The personal opinions, views or preferences of the data subject;
- Confidential correspondence sent by the data subject; and
- The views or opinions of another individual about the data subject.

The CSIR processes personal information of data subjects for the purposes of:

- Fulfilling its statutory obligations in terms of applicable legislation;
- Verifying information provided to the CSIR;
- Obtaining information necessary to provide contractually agreed services to a customer;
- Monitoring, maintaining and managing the CSIR's contractual obligations to customers, clients, suppliers, service providers, employees, directors and other third parties;
- Marketing and advertising;
- Resolving and tracking complaints;
- Monitoring and securing the assets, employees and visitors to the premises of the CSIR; and
- Historical record keeping, research and recording statistics necessary for fulfilling the CSIR's business objectives.

The CSIR may supply personal information to the following recipients, but will do so in full compliance with relevant legislation, e.g. Protection of Personal Information Act and the Constitution of the Republic of South Africa:

- Regulatory, statutory and government bodies;
- Suppliers, service providers, vendors, agents and representatives of the CSIR;
- Employees of the CSIR;
- Shareholders and other stakeholders;
- Third-party verification agencies and credit bureau;
- Collection agencies; and
- Banks and other financial institutions.

The following applies for planned or prospective trans-border flows of the personal information processed by the CSIR in respect of the above categories of data subjects.

- Personal information of data subjects may be transferred across borders because the CSIR hosts some of its applications in foreign jurisdictions.
- Current employees and consultants' information may also be transferred trans-border to neighbouring countries, where the CSIR has a physical presence or may be providing services or performing in terms of its contractual obligations.

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- Security measures implemented or to be implemented by the CSIR to ensure the confidentiality, integrity and availability of the personal information which may be or is being processed by the CSIR.
 - The CSIR continuously establishes and maintains appropriate, reasonable technical and organisational measures to ensure that the integrity of the personal information in its possession or under its control is secure. It further ensures that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry rules and generally accepted information security practices and procedures which apply to the CSIR.

The CSIR seeks to carry out regular assessments to:

- Identify all reasonably foreseeable internal and external risks to personal information in its possession and control;
- Verify that safeguards are effectively implemented to secure personal information; and
- Where applicable, the CSIR updates its existing safeguards to maintain the security of the personal information in its possession and control.

11 Any other information as may be prescribed – Section 14(1)(i)

There is currently no additional information available from the Minister.

12 FORM A



REPUBLIC OF SOUTH AFRICA

J750

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at.....place).

Request fee (if any): R.....

Deposit (if any): R.....

Access fee: R.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy 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: [grid of 13 boxes]

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:

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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:

.....
.....

Reference number, if available:

.....

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 for in 1 to 4 below, 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) 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 the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	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 of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or 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? 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 year

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