
GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 991

14 October 2005

PROMOTION OF ACCESS TO INFORMATION ACT, 2000
EXEMPTIONS AND DETERMINATIONS FOR PURPOSES OF SECTION 22(8)

I, Brigitte Sylvia Mabandla, Minister for Justice and Constitutional Development, acting under section 22(8) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) hereby –

(a) exempt the following persons from paying the access fee contemplated in section 22(6) of the Act:

- (i) A single person whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R 14 712, 00 per annum; and
- (ii) married persons or a person and his or her life partner whose annual income, after permissible deductions referred to in the Schedule to this notice are made, does not exceed R27 192, 00 per annum, and

(b) determine that –

- (i) where the cost of collecting any fee contemplated in section 22 of the Act, exceeds the amount charged, such fee does not apply;

- (ii) the access fee contemplated in section 22(6) of the Act does not apply to the personal record of a requester; and
- (iii) the request fee contemplated in section 22(1) of the Act and the access fee contemplated in section 22(6) of the Act do not apply to a record requested by a maintenance officer or maintenance investigator for purposes of a maintenance investigation or inquiry in terms of the provisions of the Maintenance Act, 1998 (Act No. 99 of 1998) or the regulations made under section 44 of that Act.

SCHEDULE

1. For purposes of paragraph (a)(i) and (ii) of the notice the following deductions are permissible:
 - (a) Employees' tax in terms of paragraph 2 of Part II of the Fourth Schedule of the Income Tax Act, 1962 (Act No. 58 of 1962);
 - (b) contributions in terms of section 5 of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002);
 - (c) compulsory contributions to a Group Insurance Fund in terms of a court order or in terms of a contract between an employer and his or her employee;
 - (d) contributions to any medical scheme registered under the provisions of the Medical Schemes Act, 1998 (Act No. 131 of 1998), and allowed to be deducted in terms of section 18(1)(a) of the Income Tax Act, 1962 (Act No. 58 of 1962);
 - (e) contributions to pension funds in terms of section 13A of the Pension Funds Act, 1956 (Act No. 24 of 1956);

- (f) rent or mortgage installments to the maximum of R12 000,00 per annum;
- (g) maintenance paid in terms of a court order; and
- (h) school fees, except school fees paid to a private school.

B.S. MABANDLA, MP

Minister for Justice and Constitutional Development