

# FINANCIAL AND FISCAL COMMISSION



FINANCIAL  
AND FISCAL  
COMMISSION

## MANUAL IN TERMS OF SECTION 14 OF THE ACT A PRACTICAL GUIDE

## PROMOTION OF ACCESS TO INFORMATION ACT, ACT NO 2 OF 2000

The Financial and Fiscal Commission  
Private Bag x 69  
Halfway House  
1695  
Tel: 0861 315 710  
Fax: 011 207 2344  
1st Floor, Montrose Place,  
Waterfall Park, Bekker Street,  
Midrand, South Africa

*To obtain copies of this manual please contact the Librarian at 0861 315710 or fax a request for copies to fax number 011 2072344. Copies may also be obtained from our office in Cape Town – please contact Kim Biko at 0861 315710 or fax a request for copies to fax number 021 4264935. A schedule of prescribed fees and forms for making requests can be requested from the offices of the FFC – see address on p7 or downloaded from the FFC website – <http://www.ffc.co.za>*

**PROMOTION OF ACCESS TO INFORMATION ACT,  
ACT NO 2 OF 2000**

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## **2. PARTICULARS IN TERMS OF SECTION 14 OF THE ACT**

### **A. THE FUNCTIONS OF THE FINANCIAL AND FISCAL COMMISSION**

#### **i. THE OBJECTIVES AND FUNCTIONS OF THE FFC**

Section 220 of the Constitution outlines the primary objectives of the FFC.

These objectives are:

- (1) To make recommendations on financial and fiscal matters, as envisaged in the Constitution, and in particular, chapter 13, or in national legislation, to Parliament, provincial legislatures and any other authorities determined by national legislation;
- (2) To maintain the independence and impartiality of the FFC;

In addition, Section 3 of the Financial and Fiscal Commission Act provides for the FFC

- (3) To act as a consultative body and give advice on financial and fiscal matters to organs of state;
- (4) To perform its functions as required by the Constitution or by national legislation;
- (5) To act on its own initiative or on the request of an organ of state;
- (6) To ensure the efficient and effective functioning of the FFC;
- (7) To undertake research and publish reports.

Finally, Section 26 of the Financial and Fiscal Commission Act also provides for the FFC

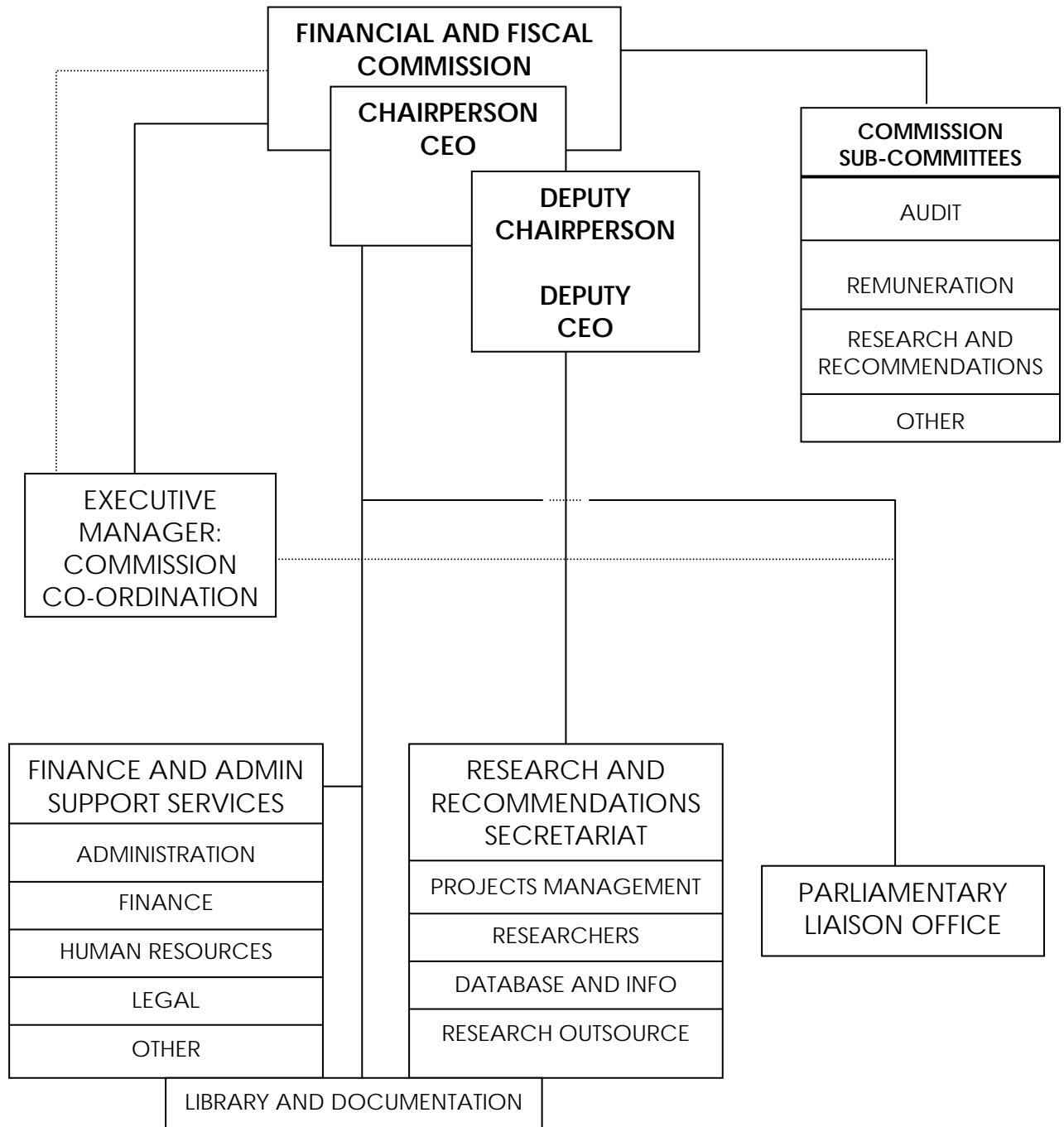
- (8) To report annually to both houses of Parliament, to each provincial legislature and to organized local government, on the activities of the Commission during each financial year.

The core business of the FFC is pre-determined by the legislative provisions of the Constitution, the Financial and Fiscal Commission Act, the Intergovernmental Fiscal Relations Act and the Borrowing Powers of the Provincial Governments Act.

In terms of the legislative provisions, the key annual priorities of the FFC are the following:

- (1) Make and submit recommendations for the equitable division of nationally collected revenue among the three spheres of government;
- (2) Make and submit recommendations in accordance with specific constitutional mandates, the relevant national legislation and the FFC Act regarding any other allocations norms and standards and applicable criteria for various intergovernmental fiscal arrangements;
- (3) Produce and distribute to all legislatures various reports, including audited financial statements on an annual basis;
- (4) Maintain an effective functioning and management of the FFC; and
- (5) Undertake relevant research and appraise itself of relevant information so as to be able to provide advice on financial and fiscal matters.

## ii. DIAGRAM OF THE STRUCTURE OF THE FFC



### **iii. THE STRUCTURE OF THE FFC**

In accordance with the Constitutional requirements, the President appoints 22 Commissioners to the FFC. This status quo remains until the end of 2002 where after, in terms of a new Constitutional amendment, the total number of Commissioners to be appointed by the President will be nine (9) - Constitution of the Republic of South Africa Second Amendment Act, No 34, 2001. During the reporting period the composition of the Commission was constituted in terms of the following:

- A chairperson and a deputy chairperson who may be full time members;
- Nine persons nominated by the executive councils of each of the nine provinces;
- Two persons nominated by the South African Local Government Association (SALGA) as representative of organized local government; and
- Nine other persons.

The recent Constitutional amendments pertaining to the FFC were enacted by the Constitution of the Republic of South Africa Second Amendment Act, No 34, 2001 provides for the reduction of the composition of the Commission from 22 members to nine. In terms of the Second Amendment Act, the new composition profile of the Commission will be as follows:

1. A Chairperson and Deputy Chairperson;
2. Three persons selected, after consulting the Premiers, from a list compiled in accordance with a process prescribed by national legislation;
3. Two persons selected after consulting organized local government, from a list compiled in accordance with a process prescribed by national legislation; and
4. Two other persons.

However, due to legislation not having being enacted yet to deal with the selection procedure to be followed for the nomination of provincial appointees and appointees from organized local government (a provision in the Act), it is anticipated that the Act will only become fully operational in 2003 once this piece of legislation is enacted, hopefully before the end of 2002.

Currently, the Financial and Fiscal Commission is made up of 12 Commissioners (including the Chairperson and Deputy Chairperson) and the Secretariat. The Financial and Fiscal Commission's Secretariat is housed in Midrand, providing research, analytical and administrative support to the Commission. The Commission also has a Parliamentary Liaison Office based in Cape Town and serves to maintain stakeholder relations and interaction with Parliament.

The Chairperson and the Deputy Chairperson of the Commission, currently, Mr. Murphy Morobe and Mr. Jaya Josie respectively, are full time Commissioners. Other persons serving on the Commission are: Tania Ajam, John Douw, Philip Hourquebie, Professor Lieb Loots, Dr. Antony Melck, Gugu Molo, Dr. Renosi Mokate, Dr. Pundy Pillay, Khehla Shubane, Kamalassen Chetty, Duncan Albertyn, Dr. Haroon Bhorat, Thabo Mosololi, Mmathebe Moja, Marcus Lucas Mdhluli, Nosipho Damasane and Marius van Blerck.

The Secretariat performs its functions under the overall management and supervision of the Chairperson and the Deputy Chairperson. The Secretariat comprises of the following key managerial posts: Executive Manager - Commission Co-ordination; Manager – Parliamentary Office; Manager - Budget Analysis; Manager – Fiscal Policy Analysis; Database Co-ordinator; Administration and Network Manager; and Financial Officer. The position of the Chief Financial Officer will be filled shortly.

## B. CONTACT DETAILS

### Information Officer

#### Chairperson

Postal address:  
Private Bag X69  
HALFWAY HOUSE  
1685  
Tel. No: 0861 315 710  
Fax No: (011) 207 2344

Physical address:  
1<sup>st</sup> Floor, Montrose Place,  
Waterfall Park,  
Bekker Street  
Midrand  
South Africa  
**Website: [www.ffc.co.za](http://www.ffc.co.za)**

### Deputy Information Officer

#### Executive Manager

Private Bag X 69  
HALFWAY HOUSE  
1685  
Tel. No: 0861 315 710  
Fax No: (011) 207 2344

#### Contact Official

#### Librarian

Private Bag X 69  
HALFWAY HOUSE  
1685  
Tel. No: 0861 315 710  
Fax No: (011) 207 2344  
**[myronp@ffc.co.za](mailto:myronp@ffc.co.za)**

## **C. GUIDE IN TERMS OF SECTION 10 (HUMAN RIGHTS COMMISSION)**

The Human Rights Commission has indicated that it would make available a guide on how to use the Act by not later than August 2003. All inquiries in this regard must be directed to the South African Human Rights Commission, PAIA Unit, website: [www.sahrc.org.za](http://www.sahrc.org.za) or e-mail [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

## **D. ACCESS TO RECORDS HELD BY THE FFC**

### **i. AUTOMATIC DISCLOSURES**

A notice in terms of section 15 (2) describes the categories of records of the bodies that are available without a person having to request access in terms of the Act. Information for the FFC notice in terms of section 15 (2) is not currently available. However, the following records can be obtained free of charge from the internet website of the FFC at <http://www.ffc.co.za> (updated as at 30 October 2002).

#### **(a) About the Financial and Fiscal Commission**

History, mission and constitutional mandate of the FFC

Key Stakeholders, Organisational structure and Sub-Committees, profile of staff and Commissioners

FFC Core Mandates

FFC Work Cycle

#### **(b) The following items of legislation are those that affect the Financial and Fiscal Commission:**

The Interim Constitution	No 200 of 1993
The Constitution of South Africa	No 108 of 1996
The Constitution of the Republic of South Africa Amendment Act (Section 17)	No 34 of 2001

Promotion of Access to Information Act, 20 of 2000

The Constitution of the Republic of South Africa Amendment Act (Sections 4 &7)	No 61 of 2002
Intergovernmental Fiscal Relations Act	No. 97 of 1997
Financial and Fiscal Commission Act	No. 99 of 1997
Borrowing Powers of Provincial Governments Act	No. 48 of 1996
Public Finance Management Act	No. 1 of 1999
Public Finance Management Amendment Act	No. 29 of 1999
Local Government: Municipal Systems Act	No. 32 of 2000
Provincial Tax Regulation Process Act (Section 4(b))	No. 53 of 2001
Financial and Fiscal Commission 1993 Constitutional Provisions Repeal Act	No 96 of 1997
Remuneration of Public Office Bearers Act	No. 20 of 1998
Promotion of Access to Information Act	No. 2 of 2000

**(c) Corporate Information**

Employment Equity Profile

HR Management

Audit Policy

Strategic Plan 2002/03

Donor Relations

**(d) Submissions:**

**Annual Submissions:**

Allocation of Financial Resources to the National and Provincial  
Governments for the 1996/97 Financial Year. 1995

Allocation of Financial Resources to the National and Provincial Governments for the 1997/98 Financial Year	1996
Comments and Recommendations on Matters relating to the Allocation of Financial Resources to the National, Provincial, and Local Governments	1997
Financial and Fiscal Commission Proposals	1997
Allocation of Financial Resources to National, Provincial, and Local Governments for the 1998/99 Fiscal Year	1998
Part 1: Recommendations for the 2001-2004 MTEF Cycle	2000
Part 2: Principles for Intergovernmental Fiscal Relations	2000
Submission: Division of Revenue 2002-2003	2001
Submission: Division of Revenue 2003-2004	30 April 2002
Submission on the Division of Revenue 2003-2004 (Plain language summary/abridged text – April 2002)	2002
<b>Submissions on the Division of Revenue Bill:</b>	
Submissions on the Division of Revenue 2002-2002 to the Portfolio Committee on Finance	February 2001
Submission to Parliament on the 2002-2003 Division of Revenue Bill	February-March 2002
<b>Other Submissions:</b>	
Remuneration of Municipal Councillors	July 2001
Division of Municipal Powers and Functions between District and Local Municipalities	July 2001
Submission on the Provincial Tax Regulation Process Bill 2001 to the Select Committee on Finance	October 2001
Assessment of the Disaster Management Bill	February 2002
Submission on the Municipal Finance Management Bill	Feb 2002

Restructuring of the Electricity Distribution Industry      March 2002

Submission of Preliminary Comments of the Financial and Fiscal Commission on the Report of the Committee of Inquiry into a Comprehensive System of Social Security for South Africa      June 2002

Submission on the Property Tax Bill      Aug 2002

**Research Projects:**

Research Projects 2002-2003

**(e) Annual Reports:**

1999/2000 Annual Report

2000/2001 Annual Report

2001/2002 Annual Report

**(f) Publications and Reports**

Public Expenditures on Basic Social Services in South Africa. An FFC Report for UNICEF and UNDP. January 1998.

**(g) Recent trends and Data Sets**

List of Datasets

**(h) Presentations**

List of presentations 2001-2002

**(i) Speeches and Presentations:**

**Speeches in Parliament:**

Address to the National Council of Provinces      27 Sept 2001

**(j) Media Index:**

**News Index**

FFC Recommends National Agency for Social Grants      30 April 2002

New Law will not Undermine Municipal Autonomy: Treasury      13 Feb 2002

Proposed Constitutional Amendments Criticized	19 Sept 2001
Provincial Income Tax Surcharge	29 August 2001
Division of Revenue Bill Passed Unopposed	1 March 2001

### **Press Statements Index**

Project 2001 - FFC to launch next phase of recommendations  
March 2001

Financial and Fiscal Commission releases social sector and  
capital expenditure report 2001

### **(k) Links to other relevant websites**

### **(l) Jobs**

Call for Proposals: Request for Expression of Interest from Consultants

## **RECORDS AVAILABLE FREE OF CHARGE FROM THE FFC OFFICES, MIDRAND**

- Financial and Fiscal Commission Financial Report 1996-1997
- Financial and Fiscal Commission Financial Report 1997-1998
- Financial and Fiscal Commission Financial Report 1998-1999

### **ii. RECORDS THAT MAY BE REQUESTED**

A description of subjects and categories held by the FFC (updated  
31 July 2002)

#### **AGENDAS AND MINUTES OF MEETINGS** *(Subject)*

- 1. MINMEC Meeting** *(Category)* 1996 – 2000
- 2. Commission Meetings** *(Category)*
  - Audit Committee Meeting** *(Sub-category)* 1999 - 2000
    - Audit report
    - Strategic audit plan
  - Manco meetings / Management Meeting** *(Sub Category)*

Promotion of Access to Information Act, 20 of 2000

- Feedback reports 1996 - 2000
- Agreements
- Commissioners (*Sub category*) 1997 - 2000
- Provincial Consultations
- Steering Committee Meeting (*Sub category*) 1996 - 2000
- 3. Procurement Meeting (*Category*) 1998
- 4. Staff Meeting (*Category*) 1996 - 1999
- 5. Research Meeting / Programme Meeting (*Category*) 1998
- 6. Transcripts of Meetings (*Category*) 1998

REPORTS (*Subject*)

1. Annual Report (*Category*) 1999 - 2001
  - Quotations regarding the report
  - Commission and Steering Committee meetings discussions
  - Audit reports
2. Financial Report 1996  
• FFC Actual costs vs MTEF budget 2000
3. Procurement Administration and Policy
4. Research Reports (*Category*) 1996 - 2000
  - Vertical Division
  - Costed Norms approach
  - Infrastructure Investment Review
  - Municipal boundaries and structures
  - Social Welfare
  - Grants
  - Project 2001
  - Debt Financing
  - Borrowing issues
  - Capital Expenditure
  - Provincial expenditure
  - Project 2002
  - MTEF Budgets
  - Equalisation
  - AIDS
5. Task Teams and Consultants reports (*Category*) 1998 - 2001
  - Contracts with consultants
  - SA / Canada programme on governance
6. Reports regarding legislation (*Category*)

7. **Legal advice** *(Category)* **1999 - 2000**
8. **HR Reports** *(Category)* **1996 - 2000**
- HR Policies and Procedures Manual
  - FFC Job Remuneration and benefits survey **1999**
9. **HUMAN RESOURCES – OTHER** *(Subject)*
- Personnel files
  - Leave schedules
  - Contracts
  - Commissioner's details
  - FTR tax consultants
  - Payroll
  - UIF
  - Medical Aid
  - Irp5
  - RACI
  - Human resources and performance management issues / skills analysis
  - Salary structuring
  - Cost to company

**STRATEGIC CORPORATE PLAN** *(Subject)*

**PROCUREMENT SERVICE PROVIDERS** *(Subject)*

1. **Suppliers** *(Category)*

**PRESENTATIONS** *(Subject)*

**1998**

**OTHER RESEARCH DOCUMENTS** *(Subject)*

**1996 – 2000**

1. **Research Proposal** *(Category)*
  - Study tour funding
2. **Intergovernmental fiscal relations** *(Category)*
3. **Consultants proposal & presentations** *(Category)*
4. **FFC formula (equitable share)** *(Category)*
6. **FFC protocol** *(Category)*

**CONFERENCE PAPERS / WORKSHOPS** *(Subject)*

**1996 - 2000**

**BOSBERAAD / LEKGOTLA** *(Subject)*

**1996 - 2000**

**HR LEGISLATION** *(Subject)*

- Compensation for Occupational Injuries and Diseases
- Skills Development
- Employment Equity
- Labour Relations

Promotion of Access to Information Act, 20 of 2000

**MEMORANDUMS** *(Subject)* **1996 - 2000**

- Parliamentary Office Activities
- Project 2002 – key Issues
- Filing procedures
- Employment Equity Plan
- Appointment of Deputy Chairperson

**AGREEMENTS** *(Subject)* **1996 – 2000**

- Consultants and technical advisors
- Auditors

**LETTERS** *(Subject)* **1996 - 2000**

- Of appointment
- To The President regarding resignation of Commissioners or Vacancies for Commissioners
- From stakeholders
- To Minister of Finance regarding Division of Revenue Bill
- FFC Legal requirements
- Appointment of technical advisors and consultants

**E-MAILS** *(Subject)* **1997 – 2000**

- Correspondence with consultants
- Terms of reference
- Legal advice

**QUESTIONNAIRES** *(Subject)*

- Exit interview Questionnaire 2000
- Human resources strategy 2000
- Local Government Survey 1997
- Public hospital services 1997

**PARLIAMENTARY LIAISON OFFICE: CAPE TOWN** *(Subject)*

- Reports of Parliamentary Meetings 1999-2002
- FFC Consultation Process 2000-2002
- FFC Hearings(Parliamentary and Provincial) 2001-2002
- Parliamentary minutes 2002
- Parliamentary weekly reports 2000-2002
- Submissions to Parliament 2000-2002
- Parliamentary oversight and accountability
- Portfolio Committee: Finance – Liaison issues
- Portfolio Committee: LG 2001-2002

**FINANCES** *(Subject)*

- Financial Procedures Manual
- FFC MTEF Submissions
- Annual Financial Statements (refer to Annual Reports)
- Auditor-General Audit Planning memorandum
- Auditor-General Management Letters

- Service level agreements
- Monthly statements
- Submissions for Adjustment Budget Estimates
- FFC Budget Submission to Parliament
- Financial Records

**BOOKS, REPORTS AND JOURNAL ARTICLES** *(Subject)*

**COMMUNICATION – PR – MEDIA** *(Subject)*

**IT** *(Subject)*

1. **Internal IT System** *(Category)*
  - Computer system
  - Network upgrade

**iii. THE REQUEST PROCEDURES**

**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 mentioned in the Act.

**Nature of the request:**

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187- 15 February 2002] (Form A).
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the offices of the public body. Alternatively if the record is not a document it can then be viewed in the requested form, where possible [s 29(2)].
- If a person asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it [s 29(3) and (4)].

- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s 18(2)(f)].
- If a requester is unable to read or write, or has a disability, then they can make the request for the record to be made orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

**There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee (s 22):**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request fee payable to public bodies is R35. The requester may lodge an internal appeal, where appropriate, or an application to the 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 a decision in the way in which the requester wanted to be notified in.
- If the request is granted then a further 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.

## **E. THE FFC AND SERVICES AVAILABLE**

### **i. NATURE OF SERVICES**

The FFC, as a constitutional institution and thus independent and impartial, essentially provides a service, as per the prescripts of the Constitution, to Parliament, provincial legislatures and any other authority determined by national legislation. The Constitution (Section 222) also states that the FFC must function in terms of an Act of Parliament. This Act is the Financial and Fiscal Commission Act (FFC Act), 1997. This Act states that the FFC acts as a consultative body for, and makes recommendations and gives advice to, organs of state in the national, provincial and local spheres. It may perform these functions on its own initiative or on the request of an organ of state.

### **ii. HOW TO GAIN ACCESS TO THE SERVICES**

All organs of state, either individually or collectively, in the national, provincial and local spheres of government, and authorities so provided for in national legislation, may, through their executive authority (e.g. Head of the organ of state, Minister of a national department, chairperson of an state institution, commission or body, mayor of a municipal council, the office of a Premier, the appropriate office of Parliament and provincial legislatures, etc) make a request to the FFC for advice, comment, consultation, and recommendations on financial and fiscal matters in terms of the provisions of the Constitution and the relevant national legislation thereof. A written request must be submitted to the Chairperson of the Commission that includes information requested by the FFC in terms of a prescribed form. The request must be sent to

The Chairperson of the Commission  
For Attention: the CEO/Executive Manager

Postal Address: Private Bag X69  
Halfway House  
1685

Physical Address: 1<sup>st</sup> Floor,  
Montrose Place,  
Waterfall Park,  
Midrand  
1685

Tel: 0861 315 710  
Fax: 011 2072324  
Website: [www.ffc.co.za](http://www.ffc.co.za)

In terms of this manual and the procedures therein, a request for information must be sent the Information Officer as indicated in 2 (B) p.7.

## **F. ARRANGEMENTS ALLOWING FOR PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND THE EXERCISING OF THE POWERS OF THE FFC**

Section 220 (2) of the Constitution states that the Financial and Fiscal Commission is independent and subject only to the Constitution and the law, and must be impartial. The obligation to be impartial is further provided for in Section 3 (3) of the FFC Act. The FFC Act (Section 3 (4)) also stipulates that no person or organ of state may interfere with the functioning of the Commission.

However, the FFC Act provides for the Commission to relate to and or engage a person or organ of state, or institution (on its own initiative).

At the FFC arrangements, in terms of the above legal provisions, would include:

**Public Hearings** featuring the consideration of the FFC's Annual Submission on the Division of Revenue, the Division of Revenue Bill, and other submissions – the public may attend and make representations at hearings organised and conducted by Parliament and provincial legislatures. Members of the public who wish to do so should contact Parliament and the provincial legislatures for a schedule of events pertaining to hearings on the FFC submissions.

**Internship Programmes** – there is a recruitment policy in place for the recruitment of students at academic institutions interested in intergovernmental fiscal relations.

**Consultants and contract researchers** – there is a policy in place for the recruitment of contract researchers within the constraint of resources available to the Commission and its human resources plan. The FFC will from time to time call for consultants to submit proposals and their curriculum vitae for inclusion in its consultant database.

**Information required by the FFC-** as and when required, the FFC will approach the relevant organ of state or institution for information to give effect to the performance of its functions.

**Workshops and seminars** – As and when required the FFC invites persons or institutions with expertise in the field of intergovernmental fiscal relations to its workshops and seminars on specific areas in financial and fiscal issues as may be determined and required in terms of its recommendations and research programme.

### **G. THE REMEDIES AVAILABLE IF THE PROVISIONS OF THIS ACT ARE NOT COMPLIED WITH IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE BODY**

The Financial and Fiscal Commission and other Chapter Nine Institutions (in terms of the Constitution of South Africa, Act 108 1996) do not have internal appeal procedures like most other public bodies. The courts will have to be approached in such instances where there is no compliance with the provisions of the Act by these bodies. This would apply to any situation in which the requester wishes to appeal a decision made by the information officer. Although mention is made of internal appeal procedures, this is subject to such a mechanism actually being in place within a public body to facilitate such an internal appeal. (see Form B – Internal Appeal, p. 40)

### **H. OTHER INFORMATION AS PRESCRIBED IN TERMS OF THE ACT**

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

### **I. UPDATING OF THE MANUAL**

The FFC will, if necessary, update and publish its manual referred to in subsection (1) of section 14, at intervals of not more than a year.

### **J. AVAILABILITY OF THE MANUAL**

In terms of Regulation No R.187 of 15 February 2002, Section 4(1), the manual of the FFC is made available in the following manner:

- o A copy in three official languages will be made available to every place of legal deposit as defined in Section 6 of the Legal Deposits Act, 1997; the South African Human Rights Commission; and the offices of the FFC based at Midrand and in Cape Town.
- o The manual will be published in three of the official languages in the *Gazette*.
- o The manual will be made available on the website of the FFC, at the website address – [www.ffc.co.za](http://www.ffc.co.za)

#### **K. REQUEST TO THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT FOR THE COMPILATION OF ONE MANUAL**

In terms of Section 14(4)(a) and Section 14(4)(b) of the Act, if the functions of two or more public bodies are closely connected, the Minister may on request or of his or her own accord determine that the two or more bodies compile one manual only.

The public bodies in question must share the cost of the compilation and making available of such manual as the Minister determines.

At the time of the publication of this manual no such request was made to the Minister by the FFC.

#### **L. EXEMPTION BY THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT FROM ANY PROVISION OF THIS SECTION FOR A DETERMINED PERIOD**

For security, administrative or financial reasons, the Minister may, on request, or of his or her own accord, by notice in the *Gazette*, exempt any public body or category of public bodies from any provision of this section for such period as the Minister thinks fit.