

## Moeti Kanyane

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**From:** Pundit,Ashok <AshokP@agsa.co.za>  
**Sent:** 01 December 2016 14:54  
**To:** 'paia@ssa.gov.za'  
**Cc:** Moeti Kanyane  
**Subject:** SAHAT versus Auditor General of South Africa (PAIA Request)  
**Attachments:** signed trf letter SSA.pdf

'B1'

**Importance:** High

Dear Sir/Madam

Kindly find attached a letter transferring a portion of a request made by SAHAT in terms of S18 of PAIA for your kind attention.

Kindly acknowledge safe receipt of this email.

Warm Regards  
Ashok K. Pundit

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AUDITOR - GENERAL  
SOUTH AFRICA

The Information Officer  
State Security Agency  
Private Bag X87  
Pretoria

By email: [paia@ssa.gov.za](mailto:paia@ssa.gov.za)

30 November 2016

Dear Sir/Madam

**Transfer of Request in terms of the Promotion of Access to Information Act, 2000 (PAIA)**

1. We refer to our initial transfer of request, made under cover of our letter dated 13 September 2016. Kindly take note that we hereby transfer another portion of a request for access to a record received by the Auditor General South Africa (AGSA) from the South African History Archive Trust (SAHAT) in terms of section 18(1) of PAIA.
2. In paragraph 1 of its request for access to records dated 27 August 2015 under reference number SAH-OAG-004 (a copy of which is transmitted herewith, marked "A"), SAHAT requested access to inter alia "[annual reports of the Auditor General of Intelligence to the Parliamentary Joint Standing Committee on Intelligence for each of the financial and/or calendar years from 1 January 2003 to 30 June 2015". Subsequent correspondence has confirmed that what SAHAT seeks access to, are AGSA's audit reports on each of the intelligence services for the relevant years.
3. While the statutory period allowed to the AGSA to make a decision on the request has since elapsed, SAHAT has kindly allowed the AGSA various indulgences to respond fully and properly to its initial requests.
4. **Three of the records that fall within the ambit of paragraph 1 of SAHAT's request in are the reports of the Auditor-General to the Joint Standing Committee on Intelligence for the financial year ending on 31 March 2003 in respect of:**
  - 4.1. **The South African Secret Service (SASS);**
  - 4.2. **South African National Academy of Intelligence (SANAI); and**
  - 4.3. **The National Intelligence Agency (NIA).**
5. Although the AGSA issued these reports, we have not been successful in tracing copies of

the reports despite diligent efforts over the last few months.

6. Our efforts to locate the record referred to above included internal enquiries made:
  - 6.1. To the persons who dealt with or who may have possibly received the record and for them to make physical searches and enquiries with colleagues within their teams if the record was in our possession at any time; and
  - 6.2. To the corporate executives under whose audit portfolios the relevant record relates and for them to conduct physical searches of the records at their disposal and to confirm whether the records may have been in their possession at any time. This involved the recalling of archived files which are in storage outside our head office.
7. We have been unsuccessful in locating these records in issue. It is for this reason that AGSA hereby transfers (in terms of s20 (1) of PAIA) the portion of the request from SAHAT for access to records, set out in 4.1 to 4.3 for the financial year ended 31 March 2003, to the SSA as we believe that the SSA may have or may have had possession of the record in issue in the past.
8. The request for access to this report is duly transferred to the information officer of the State Security Agency who, in our view, would be the person in charge of requests of this nature from the public body for which the record was created.
9. Finally, we draw to your attention that section 20(4) of PAIA requires the information officer of the public body to whom a request is transferred (in this case the SSA) to decide whether to grant the request within the time periods specified section 25(1), which periods must be computed from the date the request is received by the information officer to whom the request is transferred.
10. Kindly acknowledge safe receipt hereof.

Yours sincerely



Alice Muller  
Corporate Executive  
Auditor-General of South Africa

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**Copy to:** The South African History Archive Trust  
c/o Lawyers for Human Rights  
Johannesburg Law Clinic  
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