

SWORN AFFIDAVIT IN TERMS OF SECTION 23(2) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

I, Doctor S.M. Gulube, hereby declare under oath as follows:

1.

I am the Head of the Department of Defence (Secretary for Defence) and as such, the Information Officer of the Department, as defined in Section 1 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)(PAIA). I am therefore duly empowered to depose this sworn affidavit.

2.

On 19 September 2013, my Office received a request for access to records, dated 13 September 2013, from the South African History Archives, Ms K. Johnson. The request was worded as;

- a. "[A]nnual budget and annual budget memorandum for the South African National Defence Force for each financial year for the period 1 July 1987 to 1 July 1994.
- b. Annual budget, and if available the annual budget memorandum, for the South African Defence Force Special Defence Account created under the Defence Special Account Act 6 of 1974 (the special defence account).
- c. All audit reports related to the special defence account for each financial year for the period 1 July 1987 to 1 July 1994.
- d. All financial records related to the special Defence account for each financial year for the period 1 July 1987 to 1 July 1994.

Any policies, directive, guidelines, orders or similar records regarding the use of the special defence account for each financial year for the period 1 July 1987 to 1 July 1994.

3.

My office tasked the Acting Government Information Technology Officer (A/GITO) of my Department to attend to this request. After consideration thereof by the A/GITO, it was decided that in view of the fact that the documents lay in the domain of the Department of Defence's Chief Financial Division, the request should be transferred to the Chief Financial Officer (Deputy Information Officer).

4.

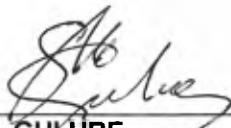
On 20 March 2015, the Director Central Accounts, Mr M.H. Singh, informed my office that all the records requested for the financial years 1 July to 1987 to July 1994, could be found, except for the financial year 1988/1989.

Mr M.H. Singh had tasked the Assistant Director Accounts Control, Ms C. Harvey, to attend to this request. The Assistant Director contacted the former Director Central Accounts now retired, Mr J.H. Fourie, who subsequently referred her to the Defence Headquarters. The Assistant Director went to the office of the Director Budget Control at Defence Headquarters, who has an archive with all the records relating to the period 1987 to 1994. The Assistant Director, with the assistance of the Deputy Director Budget Control, Ms M.M.S. Esterhuizen, paged through all the files available and was able to locate all the records as requested, but for the financial year 1988/1989, no records could be found. The Assistant Director also approached the State Information Technology Agency (SITA), as well as the Auditor General (AG), to determine if they do not have a copy of the records for 1988/1989. Both the institutions confirmed in writing that they do not have such records.

The section currently responsible for the financial statements, which resort under the Director Central Accounts, searched their own archives as well to determine if there weren't relating to 1988/1989. No such records could be found.

5.

In view of the above mentioned, I am of the opinion that there are reasonable grounds for believing that the records requested by the South African History Archives do not exist in the Department of Defence.



DR S.M. GULUBE
SECRETARY FOR DEFENCE
(INFORMATION OFFICER)

I CERTIFY that this affidavit has been sworn to and signed before me at

...PRETORIA.....on this 03 day of November 2015. by the above-mentioned deponent who declared that he is acquainted with the contents of this affidavit and understands same, that he has no objection against taking the prescribed oath and considers the said oath as binding on his conscience, which oath was properly taken by me, as required by law.

MILITARY POLICE
2015-11-03
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COMMISSIONER OF OATHS