

[INSERT THE LOGO AND NAME OF YOUR ORGANISATION]

PAIA MANUAL

**Prepared in terms of section 14 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

**DATE OF COMPILATION: 01/10/2021
DATE OF REVISION: 01/10/2021**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant acronyms and abbreviations

- | | | |
|-----|-------------|---|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “DIO” | Deputy Information Officer; |
| 1.3 | “IO“ | Information Officer; |
| 1.4 | “Minister” | Minister of Justice and Correctional Services; |
| 1.5 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended; |
| 1.6 | “PFMA” | Public Finance Management Act No.1 of 1999 as Amended; |
| 1.7 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.8 | “Regulator” | Information Regulator. |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at (name of the body), without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the (name of the body);
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;

- 2.4 know all the remedies available from the (name of the body) regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 the description of the services available to members of the public from the (name of the body), and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the (name of the body) has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the (name of the body) has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE (INSERT THE NAME OF THE PUBLIC BODY)

NB: Please indicate the section and the legislation under which the public body is established.

3.1. Objectives/Mandate

NB: Specify objectives and/or mandate of the organisation as may be contained in the founding legislation(s)

4. STRUCTURE OF THE (INSERT THE NAME OF THE PUBLIC BODY) AND FUNCTIONS

4.1. Structure

NB: Attach the Organisational Top Structure and specify the names all committees, such as Audit & Risk Committees.

4.2 Functions

NB: Please specify the functions of the public body, as stipulated in the founding legislation

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE (INSERT THE NAME OF THE PUBLIC BODY)

5.1. Chief Information Officer

Name: Full names of the CEO
Tel: His/her landline
Email: His/her email address
Fax number: Direct fax number

5.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA)*

Name: Name of the Deputy Information Officer
Tel: Work telephone numbers
Email: Email address
Fax Number: Direct fax number

5.3 Access to information general contacts

Email: *Provide general email address for access to information*

5.4 National / Head Office

Postal Address: Provide Postal Address

Physical Address: Provide physical address

Telephone: Provide general contact numbers for the organisation

Email: provide general contact email address for the organisation

Website: specify the website of the organisation

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE (INSERT THE NAME OF THE PUBLIC BODY)

NB: Please describe all remedies available in respect of an act or a failure to act by the body. This may include-

- a) *internal appeal,*
- b) *process for complaining to the Information Regulator or any regulatory body; and/or*
- c) *process for approaching the Court with jurisdiction for appropriate relief.*

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of-

- 7.3.1. the objects of PAIA and POPIA;

- 7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 7.3.2.1. the Information Officer of every public body, and
 - 7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 7.3.3. the manner and form of a request for-
 - 7.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 7.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 7.3.6.1. an internal appeal;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 7.3.6.2. a complaint to the Regulator; and
- 7.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 7.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 7.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 7.3.10. the regulations made in terms of section 92¹¹.
- 7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE (INSERT THE NAME OF THE BODY)

NB: Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject. Below is an example of the table that can be used.

Subjects on which the body holds records	Categories of records held on each subject
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures; - Advertised posts; - Employees records; - Learning and development e.g.: skills development and training plans - Employment equity plan and statistics

9. CATEGORIES OF RECORDS OF THE (INSERT THE NAME OF THE BODY) WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

NB: Please specify the categories of records of the body which are available without a person having to request access in terms of this Act, type of document and how the document can be accessed. These are mostly records that maybe available on the website and a person may just download or request telephonically or by sending an email or a letter. Below is the template that can be used.

Category	Document Type	Available on Website	Available upon request
Tender document	<ul style="list-style-type: none"> - Advertised tender - Name of successful bidder 	X	
Legislation /Regulations	-		
Strategic Documents (Plans and Report)	<ul style="list-style-type: none"> - Organisational profile (Overview, Objectives, Functions, Architecture) - Annual Reports; - Strategic Plan; - Annual Performance Plan; - Strategic and Performance Plans; 	X	

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE (INSERT THE NAME OF THE BODY) AND HOW TO GAIN ACCESS TO THOSE SERVICES

10.1 Powers, duties and function

NB: Please specify the powers, duties and functions or services provided by the body to the public, as contained in the founding legislation and regulations. Please also describe how the public can access those services. If there is any guide or booklet that provides sufficient information on the services available to the body, please also provide the link to the said guide or booklet.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY (INSERT THE NAME OF THE BODY)

NB: Please specify how the public can participate in or influence the formulation of policy or the exercise of powers or performance of duties, by the body.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing

NB: Describe the purpose for processing personal information in the organisation

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

NB: Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

Below is the template that can be used to set out the categories of the data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature of the personal information is dependent on the purpose of the body in performing its functions or services.

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality,

Categories of Data Subjects	Personal Information that may be Processed
	ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person

12.3 The recipients or categories of recipients to whom the personal information may be supplied

NB: Specify the person or category of persons to whom the body may disseminate personal information. Below is an example of the category of personal information to be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

12.4 Planned transborder flows of personal information

NB: Indicate if the body has planned transborder flows of personal information and the country in which personal information will be transferred. An example of transborder flow of personal information is the storage of the personal information in the cloud which is situated outside the Republic

12.5 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

NB: Specify the nature of the security safeguards to be implemented to ensure suitable and optimum security, confidentiality, integrity and availability of the personal information under the care of the body. This may, for example, include Data Encryption; Anti-virus and Anti-malware Solutions.

13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following three official languages-

13.1.1 English;

13.1.2

13.1.3

13.2 A copy of this Manual or the updated version thereof, is also available as follows-

13.2.1 on (specify the website), if any, of the public body;

13.2.2 at the head office of the public body for public inspection during normal business hours;

13.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

13.2.4 to the Information Regulator upon request.

13.3 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. UPDATING OF THE MANUAL

The (insert the name of private body) will, if necessary, update and publish this Manual annually.

Issued by

(Insert the Name of the information Officer)

(Title of information Officer. e.g. Chief Executive Officer)