

Manual prepared in terms of Section 51 of the  
Promotion to Access of Information Act 2 of 2000

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## 1. INTRODUCTION

The Promotion of Access to Information Act, No 2 of 2000 ("the Act") was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request. The Act is read in conjunction with the Protection of Personal Information Act 4 of 2013.

## 2. PUPOSE

This manual is intended to foster a culture of transparency and accountability within the organisation, by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of the Act in order for them to exercise their rights in relation to public and private bodies.

Section 9 of the Act however recognises that such right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual aims to deal with the requests in a conforming manner, which will enable the requestors to obtain the records which they are entitled to in a quick, easy and accessible manner.

### 3. INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Physical Address : 1196 Webb Street, Queenswood, Pretoria.

Tel : 012 881 1755

Website: [www.toekomsvonk.co.za](http://www.toekomsvonk.co.za)

Contact Details Information Officer

Name: Helga Swart

Email: [helga@toekomsvonk.co.za](mailto:helga@toekomsvonk.co.za)

### 4. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

4.1. A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC). It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

4.2. The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown, Johannesburg, Gauteng and at [www.sahrc.org.za](http://www.sahrc.org.za).

4.3. For further information please contact the SAHRC:

E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

Postal address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

## 5. RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the organisation to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

## 6. SUBJECTS AND CATEGORIES OF RECORDS HELD BY TOEKOMSVONK

General information about ToekomsVonk can be accessed via the internet on [www.toekomsvonk.co.za](http://www.toekomsvonk.co.za), which is available to all persons who have access to the internet. The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act: 5.1.

### 6.1. Compliance

- Internal auditing and risk
- Legislation compliance
- Regulatory reports
- Policies and procedures

### 6.2. Corporate Governance

- Board and sub-committee administration
- Company directorships
- Company registrations
- Strategic management

### 6.3.Finance

- Audit management
- Budgets
- Creditors control
- Funders and donors
- Insurance
- Management accounts
- Salary administration
- Tax management
- Treasury management

### 6.4.Human Resources

- Disciplinary actions
- Job profiles
- Performance management
- Staff benefits and incentives
- Staff list
- Training and skills development

### 6.5.Community Development

- Community building initiatives and outreach
- Funding proposals
- Educational programs

### 6.6. Information Technology

- Network security
- Software licences

- Technology assets
- Information systems

## 7. PROCESSING OF PERSONAL INFORMATION

The processing of personal information of ToekomsVonk's data subjects shall be done in accordance with its POPI Policies which is available on request by an individual to the above mentioned dedicated information officer.

## 8. DETAILS ON HOW TO MAKE A REQUEST FOR INFORMATION

8.1. The requester must complete Form C and submit this form, to the person delegated to deal with requests. The form must be submitted using any of the methods noted below:

Physical Address : 1196 Webb Street, Queenswood, Pretoria.

Tel : 012 881 1755

Website: [www.toekomsvonk.co.za](http://www.toekomsvonk.co.za)

### Contact Details Information Officer

Name: Helga Swart

Email: [helga@toekomsvonk.co.za](mailto:helga@toekomsvonk.co.za)

8.2. Form of request:

- The requester must use the prescribed form, as attached in terms of Article 8 of this manual, to make the request for access to a record. This must be made to the designated head. This request must be made to the address or electronic mail address of the body concerned.

- The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.
- The requester should indicate which form of access is required.
- The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of the private body [s 53(2)(f)].
- 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 designated head of the private body 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 [s 54(1)].
- The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)].
- After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

### 8.3. Grounds for refusing a request:

ToekomsVonk has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.



## 9. AVAILABILITY OF THE MANUAL

This manual is available for inspection at the office of ToekomsVonk free of charge.

## 10. FEES IN RESPECT OF PRIVATE BODIES

The following is a breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated:

Part III of Regulation 187 published in the Government Gazette:

- 10.1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.
- 10.2. The fees for reproduction referred to in regulation 11(1) are as follows:
  - a) For every photocopy of an A4-size page or part thereof R1,10;
  - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0, 75;
  - c) For a copy in a computer-readable form on - (i) stiffy disc R 7, 50; (ii) compact disc R 70,00;
  - d) For a transcription of visual images, for an A4-size page or part thereof R 40,00, (ii) For a copy of visual images R 60,00; and
  - e) For a transcription of an audio record, for an A4-size page or part thereof R 20,00; (ii) For a copy of an audio record R 30,00.
- 10.3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
- 10.4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:

- a) For every photocopy of an A4-size page or part thereof R 1,10;
- b) For every printed copy of an A4-size page or part; thereof held on a computer or in electronic or machine-readable form R 0,75;
- c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R70,00;
- d) For a transcription of visual images, for an A4-size page or part thereof R 40,00;
- e) For a copy of visual images R 60,00;
- f) For a transcription of an audio record, for an A4-size page or part thereof R 20,00;
- g) For a copy of an audio record R 30,00;
- h) To search for and prepare the record for disclosure, R30,00; for each hour or part of an hour reasonably required for such search and preparation.

10.5. For purposes of section 54(2) of the Act, the following applies:

- a) Six hours as the hours to be exceeded before a deposit is payable; and
- b) One third of the access fee is payable as a deposit by the requester.

10.6. The actual postage is payable when a copy of a record must be posted to a requester.

## 11.FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

### A. Particulars of private body

The Head (name of body): \_\_\_\_\_

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### B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.

(b) The address and/or fax number in the Republic to which the information is to be sent must be given.

(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

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**C. Particulars of person on whose behalf request is made**

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

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**D. Particulars of record**

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.

(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.

*The requester must sign all the additional folios.*

1. Description of record or relevant part of the record: \_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

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**E. Fees**

(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.

(b) You will be notified of the amount required to be paid as the request fee.

(c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: \_\_\_\_\_

Form in which record is required: \_\_\_\_\_

**NOTES:**

(a) Compliance with your request in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in

which access is requested.

**Mark the appropriate choice with an X.**

1. If the record is in written or printed form:
  - copy of record
  - inspection of record
  
2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):
  - view the images copy of the images
  - transcription of the images
  
3. If record consists of recorded words or information which can be reproduced in sound:
  - listen to the soundtrack (audio file)
  - transcription of soundtrack (written or printed document)
  
4. If record is held on computer or in an electronic or machine-readable form:
  - printed copy of record
  - printed copy of information
  - derived from the record
  - copy in computer readable form (stiffy or compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.

YES

NO

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**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this

form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected: \_\_\_\_\_

2. Explain why the record requested is required for the exercise or protection of the  
aforementioned right: \_\_\_\_\_

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**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record? \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

SIGNATURE OF REQUESTER / PERSON ON WHOSE

BEHALF REQUEST IS MADE

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