

PAIA AND POPI ACT MANUAL

SOUTHERN AFRICA PARTNERS SA NPC

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Prepared in terms of the requirements of the:

PROMOTION OF ACCESS TO INFORMATION ACT No. 2 of 2000

And

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

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1. INTRODUCTION AND DEFINITIONS

The Promotion of Access to Information Act 2 of 2000 (“PAIA” or the “the Act”) gives 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. The Protection of Personal Information Act 2013 (“POPI” or “the Act”) has amended the PAIA and requires from private bodies to disclose certain information through the relevant organisations PAIA Manual.

Specifically, section 51 (1) of the Act, read with the Protection of Personal Information Act of 2013, requires a private body to compile a manual that must contain information as specified and required by both PAIA and POPI. In addition, the PAIA manual must set out the formal procedure that person must follow in order request to view, update or delete Personal Information held by the private body.

In this context, a “private body” is defined as any natural person who carries or has carried on any trade, business or profession, but only in such capacity or any partnership which carries or has carried on any trade, business or profession or company, close corporation or business trust that is not a public body.

This organisation falls within the definition of a “private body” and this Manual has been compiled in accordance with the said provisions and to fulfil the requirements of the Act.

In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act expressly provides that the information may not be released. In this context, Chapter 4 Part 3 of the Act recognises that access to information can be limited. In general, the limitations relate to circumstances where such release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

Accordingly, this manual provides a reference to the records held and the process that needs to be adopted to such record.

All requests for access to information (other than information that is available to the public) must be addressed to the Head of the Business named in section 2 of this Manual.

DEFINITIONS USED IN THIS MANUAL

“Data Subject” means the natural or juristic person to whom Personal Information relates, such as an individual client, customer or a company that supplies the organisation with products or other goods.

“Information Officer” means the responsible person in Southern Africa Partners SA NPC for ensuring the organisation’s compliance with POPIA.

“POPIA” or “POPI” means the Protection of Personal Information Act 4 of 2013 as amended.

“Southern Africa Partners SA NPC” means Southern Africa Partners SA NPC and any subsidiaries thereof.

“Child” means any natural person under the age of 18 years

“Personal Information” means any information that can be used to reveal a person’s identity. Personal Information relates to an identifiable, living, natural person, and where applicable, an identifiable, existing juristic person (such as a company) as further set forth in our POPIA policy.

2. BUSINESS AND CONTACT DETAILS

Name of Business: Southern Africa Partners SA NPC

Contact Person: Dr. Anthony Diesel (DBA)

Position: Director on the Board (Secretary)

Postal and Physical Address: 2nd Floor Bergild House
54 Andries Street, Wynberg, Sandton, 2090

Phone Numbers: Office: +27 (0) 68 611 3712

Email Address: ed@southernafricapartners.org

Website: www.southernafricapartners.org

3. SECTIONS 51 (1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT (THE ACT)

- 3.1. The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of the Act must be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in regulations 6 and 7 of the Act.
- 3.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: (011) 877 3600
Fax Number: (011) 403 0625
Website: www.sahrc.org.za
Email: lidlamini@sahrc.org.za

4. RECORDS AVAILABLE IN TERMS OF SECTION 52(2) OF THE ACT

Not applicable.

5. RECORD THAT ARE HELD AT THE OFFICES OF THE BUSINESS

The following is a list of records that are held at the business's office:

5.1. Administration

- 5.1.1. Attendance registers
- 5.1.2. Correspondence
- 5.1.3. Founding documents
- 5.1.4. Software Licences
- 5.1.5. Minutes of meetings of the board

5.2. Human Resources

- 5.2.1. Conditions of Service
- 5.2.2. Employment Contracts
- 5.2.3. Remuneration Record and Policies
- 5.2.4. Skills Requirements

5.3. Operations

- 5.3.1. Contracts
- 5.3.2. General Correspondence

5.4. Finances

- 5.4.1. Annual Financial Statements
- 5.4.2. Asset Register
- 5.4.3. Banking Records
- 5.4.4. Budgets
- 5.4.5. Contracts

- 5.4.6. Financial Transactions
- 5.4.7. General Correspondence
- 5.4.8. Insurance Information
- 5.4.9. Supply purchase and order Information
- 5.4.10. Stock Records
- 5.4.11. Records in relation to the South African Revenue Services

5.5. Information Technology

- 5.5.1. IT Policies and Procedures

5.6. Statutory Records:

At present these include records (if any) held in terms of:

- Basic Conditions of Employment 75 of 1997
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 139 of 1993
- Consumer Protection Act 68 of 2008
- Debtor Collectors Act 114 of 1998
- Finance Act 35 of 2000
- Electronic Communications and Transactions Act 25 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Harmful Business Practice Act 23 of 1999
- Income Tax Act 95 of 1967
- Intellectual Property Laws Amendments Act 38 of 1997
- Labour Relations Act 66 of 1995
- Occupational Health & Safety Act 85 of 1993
- Promotion of Access to Information Act 2 Of 2000
- Skills Development Act 97 Of 1998
- Unemployment Insurance Act 63 of 2001

6. PROCESSING OF PERSONAL INFORMATION

6.1. Purpose of Processing

- 6.1.1. Fulfilling statutory obligations in terms of applicable legislation
- 6.1.2. Historical record keeping, research and recording statistics necessary for fulfilling our business objectives,
- 6.1.3. Keeping of accounts and records
- 6.1.4. Marketing and advertising
- 6.1.5. Monitoring, maintaining and managing our contractual obligations to residents, suppliers, service providers, employees, the board and other third parties

- 6.1.6. Resolving and tracking complaints
- 6.1.7. Staff administration
- 6.1.8. Verifying information provided to us
- 6.1.9. Any similar or compatible reasons as indicated under clauses 6.1.1 to 6.1.8 above.

6.2. Categories of Data Subjects

- The Participants in the programme
- Our stakeholders
- Suppliers and service providers and their respective authorised employees, representatives, agents, contractors and service providers of such suppliers and service providers

6.3. The board members

6.3.1. Categories of Personal Information processed

6.3.1.1. Natural Persons

- Names
- Physical and postal addresses
- Date of birth
- ID number
- Tax related information
- Nationality
- Email address
- Telephone number
- Banking details

6.3.1.2. Juristic Persons

- Names of contact persons
- Name of legal entity
- Registration number
- Physical and Postal address and contact details
- Financial information
- Authorised signatories, beneficiaries, ultimate beneficial owners

6.4. Categories of special information processed

- Racial / ethnic origin
- Offences / alleged offences

6.5. Possible Recipients of Personal Information

6.5.1 Auditors

6.5.2 Banks and other financial institutions

6.5.3 Claims investigators

6.5.4 Credit reference agencies

6.5.5 Employees of the organisation

6.5.6 Police / courts where necessary

6.5.7 Regulatory, statutory and government bodies including the Department of Social Development

6.5.8 Suppliers, service providers, vendors, agents and representatives of such entities

6.6. Trans-border / cross border flows of Personal Information

It may be required from time to time that we need to share Personal Information of Data Subjects with third parties in other countries. Any sharing of Personal Information of Data Subjects with third parties in other countries will be done only if the recipient of the information is subject to a law or binding corporate rules or binding agreement which provide an adequate level of protection which effectively upholds principles for reasonable processing of the information that are substantially similar to the conditions for the lawful processing of Personal Information relating to a Data Subject who is a natural person and, where applicable, a juristic person, as set out in the Protection of Personal Information Act. The above-mentioned law or binding corporate rule or binding agreement must also provide provisions similar to the above provisions stipulated in POPIA, to regulate the sharing of Personal Information to further parties. We will also obtain the Data Subject's consent to the cross-border transfer.

Any such transfer will have to be shown to be necessary for the performance of a contract between the Data Subject and Southern Africa Partners SA NPC, or for the implementation of pre- contractual measures taken in response to the Data Subject's request. Alternatively, the transfer must be necessary for the conclusion or performance of a contract concluded between Southern Africa Partners SA NPC and a third party in the interest of the Data Subject.

6.7. General Description of Information Security Measures

Up to date technology is employed to ensure the confidentiality, integrity and availability of the Personal Information under our care.

6.7.1. Measures include:

6.7.1.1 Acceptable usage of Personal Information policies

6.7.1.2 Access control to Personal Information

6.7.1.3 All third parties with whom any contract exists are required to ensure that appropriate security, privacy and confidentiality obligations are observed

6.7.1.4 Computer and network security including firewalls, virus protection software and update protocols

6.7.1.5 Information security and HR

6.7.1.6 Internal process to report security breach or anticipated security breach

6.7.1.7 Investigating and reacting to security incidents

6.7.1.8 Logistical and physical access control

6.7.1.9 Monitoring access and usage of private information

6.7.1.10 Retention and disposal of information

6.7.1.11 Secure communications

6.7.1.12 Security in the outsourcing of any activities or functions through appropriate contracts

6.7.1.13 Training of staff members

6.7.1.14 Regular audits on compliance on the Protection of Personal Information Act 4 of 2013.

We continuously establish and maintain appropriate, reasonable technical and organisational measures to ensure that the integrity of the Personal Information which may be in our possession or under our control, is secure and that such information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements set forth in law, in industry practice and generally accepted information security practices and procedures applicable.

7. IMPLEMENTATION MEASURES

7.1. Responsibilities of different departments

7.1.1. Human Resources:

7.1.1.1 Training: This manual has been put in place throughout Southern Africa Partners SA NPC, training on the manual and POPI will take place with all affected

employees. All new employees will be made aware at induction, or through training programmes, of their responsibilities under the terms of this manual and POPI. Modifications and updates to data protection and information sharing policies, legislation, or guidelines will be brought to the attention of all staff.

7.1.1.2 Employee Contracts: Each new employee will sign an Employment Contract containing the relevant consent clauses for the use and storage of employee information, and a confidentiality undertaking as part and will be personally responsible for ensuring there are no breaches of confidentiality in relation to any Personal Information, however it is stored. Failure to comply will result in the instigation of a disciplinary procedure.

7.1.2. Administration:

7.1.2.1 All employees have passwords on their computers

7.1.2.2 All Personal Information have been locked away in cabinets

7.1.2.3 Responsible person to be assigned in each department responsible for shredding

7.2. Eight Processing Conditions Regarding Personal Information

POPI is implemented by abiding by eight processing conditions. Southern Africa Partners SA NPC shall abide by these principles in all its possessing activities.

7.2.1 Accountability

Southern Africa Partners SA NPC shall ensure that all processing conditions, as set out in POPI, are complied with when determining the purpose and means of processing Personal Information and during the processing itself. Southern Africa Partners SA NPC shall remain liable for compliance with these conditions, even if it has outsourced its processing activities.

7.2.2 Processing Limitation

7.2.2.1. Lawful grounds

- The processing of Personal Information is only lawful if, given the purpose of processing, the information is adequate, relevant and not excessive.
- Southern Africa Partners SA NPC may only process Personal Information if one of the following grounds of lawful processing exists:
 - The Data Subject consents to the processing;
 - Processing is necessary for the conclusion or performance of a contract with the Data Subject;
 - Processing complies with a legal responsibility imposed on Southern Africa Partners SA NPC;

- Processing protects a legitimate interest of the Data Subject;
- Processing is necessary for pursuance of a legitimate interest of Southern Africa Partners SA NPC, or a third party to whom the information is supplied;

Special Personal Information includes:

- 1 Religious, philosophical, or political beliefs;
- 2 Race or ethnic origin;
- 3 Trade union membership;
- 4 Health or sex life;
- 5 Biometric information (including blood type, fingerprints, DNA, retinal scanning, voice recognition, photographs);
- 6 Criminal behaviour;
- 7 Information concerning a Child.

Southern Africa Partners SA NPC may only process Special Personal Information under the following Circumstances

- 1 The Data Subject has consented to such processing;
- 2 The Special Personal Information was deliberately made public by the Data Subject;
- 3 Processing is necessary for the establishment of a right or defence in law;
- 4 Processing is for historical, statistical, or research reasons
- 5 If processing of race or ethnic origin is in order to comply with affirmative action laws
- 6 Processing is necessary to comply with obligation of international public law.

All Data Subjects have the right to refuse or withdraw their consent to the processing of their Personal Information, and a Data Subject may object, at any time, to the processing of their Personal Information on any of the above grounds, unless legislation provides for such processing. If the Data Subject withdraws consent or objects to processing, then Southern Africa Partners SA NPC shall forthwith refrain from processing the Personal Information.

7.2.2.2 Collection directly from the Data Subject

Personal Information must be collected directly from the Data Subject, unless:

- 1 Personal Information is contained in a public record;
- 2 Personal Information has been deliberately made public by the Data Subject;

- 3 Personal Information is collected from another source with the Data Subject's consent;
- 4 Collection of Personal Information from another source would not prejudice the Data Subject;
- 5 Collection of Personal Information from another source is necessary to maintain, comply with or exercise any law or legal right;
- 6 Collection from the Data Subject would prejudice the lawful purpose of collection;
- 7 Collection from the Data Subject is not reasonably practicable.
- 8 Collection of Personal Information is necessary for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated,
- 9 Collection of Personal Information is necessary to maintain the legitimate interests of Southern Africa Partners SA NPC or third party to whom the information is supplied.

7.2.3 Purpose Specification

Southern Africa Partners SA NPC shall only process Personal Information for the specific purposes as set out and defined above at paragraph 6.1

7.2.4 Further Processing

New processing activity must be compatible with the original purpose of processing. Further processing will be regarded as compatible with the purpose of collection if:

- 1 Data Subject has consented to the further processing;
- 2 Personal Information is contained in a public record;
- 3 Personal Information has been deliberately made public by the Data Subject;
- 4 Further processing is necessary to maintain, comply with or exercise any law or legal right;
- 5 Further processing is necessary for the conduct of proceedings in any court or tribunal that have commenced or are reasonably contemplated,
- 6 Further processing is necessary to prevent or mitigate a threat to public health or safety, or the life or health of the Data Subject or a third party;
- 7 Further processing is solely used for historical, statistical or research purposes.

7.2.5 Information Quality

Southern Africa Partners SA NPC shall take reasonable steps to ensure that Personal Information is complete, accurate, not misleading and updated. Southern Africa Partners SA NPC shall periodically review Data Subject records to ensure that the Personal Information is still valid and correct. Employees should as far as reasonably practicable follow the following guidance when collecting Personal Information:

- 1 Personal Information should be dated when received;
- 2 A record should be kept of where the Personal Information was obtained;
- 3 Changes to information records should be dated;
- 4 Irrelevant or unneeded Personal Information should be deleted or destroyed;
- 5 Personal Information should be stored securely, either on a secure electronic database or in a secure physical filing system.

7.2.6 Openness

Southern Africa Partners SA NPC shall take reasonable steps to ensure that the Data Subject is made aware of:

- 1 What Personal Information is collected, and the source of the information;
- 2 The purpose of collection and processing;
- 3 Where the supply of Personal Information is voluntary or mandatory, and the consequences of a failure to provide such information;
- 4 Whether collection is in terms of any law requiring such collection;
- 5 Whether the Personal Information shall be shared with any third party.

7.2.7 Data Subject Participation

Data Subjects have the right to request access to, amendment, or deletion of their Personal Information. All such requests must be submitted in writing to the Information Officer. Unless there are grounds for refusal as set out under Chapter 4 Part 3 of the Act, Southern Africa Partners SA NPC shall disclose the requested

Personal Information:

- 1 On receipt of adequate proof of identity from the Data Subject, or requester;
- 2 Within a reasonable time;
- 3 On receipt of the prescribed fee, if any;
- 4 In a reasonable format
- 5 In a generally understandable form.

Southern Africa Partners SA NPC shall not disclose any Personal Information to any party unless the identity of the requester has been verified.

7.2.8 Security Safeguards

Southern Africa Partners SA NPC shall ensure the integrity and confidentiality of all Personal Information in its possession, by taking reasonable steps to:

- 1 Identify all reasonably foreseeable risks to information security;
- 2 Establish and maintain appropriate safeguards against such risks.

7.2.8.1 Written records

7.2.8.1.1 Personal Information records should be kept in locked cabinets, or safes;

7.2.8.1.2 When in use Personal Information records should not be left unattended in areas where non-staff members may access them;

7.2.8.1.3 Southern Africa Partners SA NPC shall implement and maintain a “Clean Desk Policy” where all employees shall be required to clear their desks of all Personal Information when leaving their desks for any length of time and at the end of the day;

7.2.8.1.4 Personal Information which is no longer required should be disposed of by shredding.

Any loss or theft of, or unauthorised access to, Personal Information must be immediately reported to the Information Officer.

7.2.8.2 Electronic Records

7.2.8.2.1 All electronically held Personal Information must be saved in a secure database;

7.2.8.2.2 All computers, laptops and hand-held devices should be access protected with a password, fingerprint or retina scan, with the password being of reasonable complexity and changed frequently;

7.2.8.2.3 Southern Africa Partners SA NPC shall implement and maintain a “Clean Screen Policy” where all employees shall be required to lock their computers or laptops when leaving their desks for any length of time and to log off at the end of the day;

7.2.8.2.4 Electronical Personal Information which is no longer required must be deleted from the individual laptop or computer and the relevant database. The employee must ensure that the information has been completely deleted and is not recoverable.

7.2.8.2.5 Any loss or theft of computers, laptops or other devices which may contain Personal Information must be immediately reported to the Information Officer, who shall notify the IT department, who shall take all necessary steps to remotely delete the information, if possible.

8. DIRECT MARKETING

All Direct Marketing communications shall contain details of Southern Africa Partners SA NPC and an address or method for the donor to opt-out of receiving further marketing communication.

8.1.1 Existing Donors

Direct Marketing by electronic means to existing donors is only permitted:

- 1 If the donor's details were obtained in the context of donation made to Southern Africa Partners SA NPC; and
- 2 For the purpose of marketing the same or similar reason to obtain donations as in 1 directly above;

The donor must be given the opportunity to opt-out of receiving direct marketing on each occasion of direct marketing.

8.1.2 Consent

Southern Africa Partners SA NPC may send electronic Direct Marketing communication to Data Subjects who have consented to receiving it. Southern Africa Partners SA NPC may approach a Data Subject for consent only once.

The Data Subject that consented or an existing customer as referred to in 8.1.1 above, must be informed of the identity of Southern Africa Partners SA NPC and contact details where to opt-out of receiving direct marketing communication.

8.1.3 Record Keeping

Southern Africa Partners SA NPC shall keep record of:

- 1 Date of consent
- 2 Wording of the consent
- 3 Who obtained the consent
- 4 Proof of opportunity to opt-out on each marketing contact
- 5 Record of opt-outs

9. DESTRUCTION OF DOCUMENTS AFTER STATUTORY RETENTION PERIODS

- 9.1. Documents may be destroyed after the termination of the retention period specified herein, or as determined by the Southern Africa Partners SA NPC from time to time.
- 9.2. Each department is responsible for attending to the destruction of its documents and electronic records, which must be done on a regular basis. Files must be checked in order to make sure that they may be destroyed and to ascertain if there are important original documents in the file. Original documents must be returned to the holder thereof, failing which, they should be retained by the Company pending such return.
- 9.3. Deletion of electronic records must be done in consultation with the IT Department, to ensure that deleted information is incapable of being reconstructed and/or recovered.

10. STATUTORY RETENTION PERIODS

10.1 Consumer Protection Act

- 10.1.1 Full names, physical address, postal address and contact details;
- 10.1.2 ID number and registration number;
- 10.1.3 Contact details of public officer in case of a juristic person;
- 10.1.4 Service rendered;
- 10.1.5 Cost to be recovered from the consumer;
- 10.1.6 Frequency of accounting to the consumer;
- 10.1.7 Amounts, sums, values, charges, fees,
- 10.1.8 Remuneration specified in monetary terms;
- 10.1.9 Conducting a promotional competition refer to Section 36(11)(b) and Regulation 11 of Promotional Competitions;

Retain for 3 years

10.2 Financial Intelligence Centre Act

- 10.2.1 Whenever a reportable transaction is concluded with a customer, the institution must keep record of the identity of the customer;

- 10.2.2 If the customer is acting on behalf of another person, the identity of the person on whose behalf the customer is acting and the customer's authority to act on behalf of that other person;
- 10.2.3 If another person is acting on behalf of the customer, the identity of that person and that other person's authority to act on behalf of the customer;
- 10.2.4 The manner in which the identity of the persons referred to above was established;
- 10.2.5 The nature of that business relationship or transaction;
- 10.2.6 In the case of a transaction, the amount involved and the parties to that transaction;
- 10.2.7 All accounts that are involved in the transactions concluded by that accountable institution in the course of that business relationship and that single transaction;
- 10.2.8 The name of the person who obtained the identity of the person transacting on behalf of the accountable institution;
- 10.2.9 Any document or copy of a document obtained by the accountable institution

Retain for 5 years

10.3 Basic Conditions of Employment Act Section 29(4):

Written particulars of an employee after termination of employment; Section 31:

- 1 Employee's name and occupation;
- 2 Time worked by each employee;
- 3 Remuneration paid to each employee;
- 4 Date of birth of any employee under the age of 18 years.

Retain for 3 years after completion of employment

10.5 Unemployment Insurance Act

- 1. Employers must retain personal records of each of their current employees in terms of their names, identification number, monthly remuneration and address where the employee is employed

Retain for 5 years from completion of employment

10.5.1 Tax Administration Act

10.5.1.1. Section 29 documents which:

10.5.1.2. Enable a person to observe the requirements of the Act;

10.5.1.3. Are specifically required under a Tax Act by the Commissioner by the public notice;

10.5.1.4. Will enable SARS to be satisfied that the person has observed these requirements

Retain for 5 years

10.5.2 Income Tax Act

10.5.2.1. Amount of remuneration paid or due by him to the employee;

10.5.2.2. The amount of employee's tax deducted or withheld from the remuneration paid or

10.5.2.3. due;

10.5.2.4. The income tax reference number of that employee;

10.5.2.5. Any further prescribed information;

10.5.2.6. Employer Reconciliation return.

Retain for 5 years

11. INFORMATION REQUEST PROCEDURE

11.1. The requester must use the prescribed form to make the request for access to a record. The prescribed form is available from the Director on the Board (Secretary) named in Section 2 above.

The form is also available from the website of the Department of Justice and Constitutional Development at www.doj.gov.za .

11.2. The request must be made to the Director on the Board (Secretary) named in Section 2 above. This request must be made to the address, fax number or electronic mail address of the business

11.3. The requester must provide sufficient detail on the request form to enable the Director on the Board (Secretary) to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner should be used to inform the requester. If this is the case, please furnish the necessary particulars to be so informed.

11.4. The requester must identify the right that is sought to be exercised or to be protected and must provide an explanation of why the requested record is required for the exercise or protection of that right

11.5. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of Director on the Board (Secretary) aforesaid.

11.6. Proof of payment of the prescribed request fee must be attached.

11.7. We will respond to your request within 30 days of receiving the request by indicating whether your request for access has been granted or denied.

11.8. Please note that the successful completion and submission of a request for access form does not automatically allow the requestor access to the requested record.

11.9. Access will be granted to a record only if the following criteria are fulfilled:

- The record is required for the exercise or protection of any right; and
- The requestor complies with the procedural requirements set out in the Act relating to a request; and
- Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

12. DENIAL OF ACCESS

Access to any record may be refused under certain limited circumstances. These include:

1. The protection of Personal Information from unreasonable disclosure concerning any natural person;
2. The protection of commercial information held concerning any third party (for example trade secrets);
3. The protection of financial, commercial, scientific or technical information that may harm the commercial or financial interests of any third party;
4. Disclosures that would result in a breach of a duty of confidence owed to a third party in terms of a contractual agreement;
5. Disclosures that would jeopardize the safety or life of an individual;
6. Disclosures that would prejudice or impair the security of property or means of transport;
7. Disclosures that would prejudice or impair the protection of a person in accordance with a witness protection scheme;
8. Disclosures that would prejudice or impair the protection of the safety of the public;
9. Disclosures that are privileged from production in legal proceedings unless the privilege has been waived;

10. Disclosures of details of any computer programme owned by Southern Africa Partners SA NPC;
11. Disclosures that are reasonably expected to place Southern Africa Partners SA NPC at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
12. Disclosures of any record containing any trade secrets, financial, commercial, scientific, or technical information that would harm the commercial or financial interests of Southern Africa Partners SA NPC;
13. Disclosures of any record containing information about research and development being carried out or about to be carried out by Southern Africa Partners SA NPC
14. Disclosure regarding an individual's health or record of health that could cause serious harm to his/her physical and mental health or well-being as stipulated in section 61 of the Act.

If access to a record or any other relevant information is denied, our response will include:

1. Adequate reasons for the refusal; and
2. Notice that you may lodge an application with the court against the refusal and the procedure including details of the period for lodging the application.

Remedies on denial of access

Southern Africa Partners SA NPC does not have an internal appeal process if access to information is denied.

The requester may approach any court of jurisdiction for relief, within 30 days from receipt of denial, if dissatisfied with the Information Officer's denial of access to information.

13. FEES

The applicable fees are prescribed in terms of the Regulations promulgated under POPIA.

There are two basic types of fees payable in terms of the Act:

13.1 Request Fee

The non-refundable request fee of R 50 (excluding VAT) is payable on submission of any request for access to any record. The amount of R50 (excluding VAT) applicable for a request fee may be amended from time to time by notification. This does not apply if the request is for personal records of the requestor. No fee is payable in such circumstances.

13.2 Access Fee

The access fee is payable prior to being permitted access to the records in the required form. The applicable fees are prescribed in terms of part III of Annexure A as identified in Government Notice Number 187, Regulation 11.

14. MANUAL AVAILABILITY

14.1. A copy of this manual may be obtained from the Director on the Board (Secretary) referred to in Section 2 hereof on request.

14.2. Any photo copy costs or transmission costs or postage required in respect of hard copies of the manual, will be for the account of the requester.