



PAIA MANUAL

Prepared in terms of Section 51 of The Promotion of
Access to Information Act (Act 2 of 2000)

This manual is based on "EXAMPLE OF A MANUAL FOR A PRIVATE BODY" issued by the South African Human Rights Commission, amended to meet the needs of [NASHO], with further additions to enhance its usefulness and comply with the Protection of Personal Information Act, No. 4 of 2013.

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

Designated Head of **NASHO**: Karabelo Collen Poee

Postal Address of **NASHO**: 3rd Floor Nzunza House, 28 Melle Street, Braamfontein

Street Address of **NASHO**: 3rd Floor Nzunza House, 28 Melle Street, Braamfontein

Tel. No of **NASHO**: 011 492 1237

Fax. No of **NASHO**:

E- Mail address of **NASHO**: info@nasho.org.za

Person delegated to deal with requests (for “the designated head”): Karabelo Poee

E-mail address of the delegated designated head: karabelo@nasho.org.za

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the offices of the Information Regulator

Information Regulator South Africa
JD House, 27 Stiemens Street
Braamfontein, Johannesburg, 2001

P.O Box 31533
Braamfontein, Johannesburg, 2017
General enquiries email: infoereg@justice.gov.za.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation are as follows:

Basic Conditions of Employment Act No. 75 of 1997
Broad-based Black Economic Empowerment Act 53 of 2003
Companies Act No 71 of 2008 and Applicable Regulations
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Consumer Protection Act 68 of 2008
Electronic Communications Act, No. 36 of 2005;
Electronic Communications and Transactions Act No 25 of 2002
Employment Equity Act. No. 55 of 1998
Income Tax Act No 58 of 1962
Labour Relations Act No 66 of 1995

Nonprofit Organisations Act No. 71 of 1997
Occupational Health and Safety Act No. 85 of 1993
Promotion of Access to Information Act No.2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
Protected Disclosures Act No. 26 of 2000
Protection of Personal Information Act 4 of 2013
Skills Development Act 97 of 1998
Skills Development Levies Act No 9 of 1999
Unemployment Insurance Act No. 63 of 2001
Unemployment Insurance Contributions Act No 4 of 2002
Value Added Tax Act No 89 of 1991

3 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the company 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.

4 SUBJECTS AND CATEGORIES OF RECORDS HELD BY NASHO

General information about **NASHO** can be accessed via the internet on www.nasho.org.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:

1. COMPANIES ACT RECORDS

- Documents of Incorporation;
- Memorandum of Incorporation;
- Minutes of meeting of the Board of Directors;
- Proxy forms
- Register of directors' shareholdings if applicable;
- Research and development;
- Other statutory registers and/or records and/or documents;
- Special resolutions/Resolutions passed at General and Executive meetings.

Records relating to the appointment of:

- Auditors;
- Directors;

2. FINANCIAL RECORDS

- Accounting Records
- Annual Financial Statements
- Asset Registers;
- Bank Statements
- Banking details and bank accounts;
- Banking Records
- Invoices;
- Policies and procedures;
- Rental Agreements; and
- Tax Returns.

3. INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
 - Skills Development Levies
 - UIF
 - Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Disciplinary Code and Records;
- Employment Contracts;
- Grievance Procedures;
- Leave Records;
- Medical Aid Records;
- Salary Records;
- Training Manuals;
- Training Records;

5. SALE, PROCUREMENT OR SUPPLY CHAIN DEPARTMENT

- Customer Details
- Standard Terms and Conditions for supply of services and products;
- Contractor, client and supplier agreements;
- Lists of suppliers, products, services and distribution; and
- Policies and Procedures.

6. MARKETING DEPARTMENT

- Advertising and promotional material

7. RISK MANAGEMENT AND AUDIT

- Audit reports;
- Risk management frameworks; and
- Risk management plans.

8. IT DEPARTMENT

- Hardware asset registers;
- Information security policies/standards/procedures;
- Information technology systems and user manuals

5 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

To support sales and marketing activities

To support recruitment and management of staff

To support engagement with suppliers

To support engagement with the general public

To support engagement with investors and the media

6 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

Customer: record of customer/member life cycle

Employees: record of employee life cycle

Suppliers: record of supplier life cycle

General public: tracking general enquiries and web site visits via cookies

Investors: records as maintained by the Company Secretary

Media: records of media interactions

7 PLANNED RECIPIENTS OF PERSONAL INFORMATION

Statutory authorities

Law enforcement

Tax authorities

Financial institutions

Medical schemes

Employee pension and provident funds

Industry bodies

8 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Physical security measures

Cyber security measures

Training in information security

Policies in information security

Audits of information security

9 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

The requester must complete Form C and submit this form together with a request fee, to the General Manager of **NASHO**. The form must be submitted to the General Manager of **NASHO** at his 3rd Floor, Nzunza House, 28 Melle Street, Braamfontein.

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, fax number or electronic mail address of the body concerned [s 53(1)].
- 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)].

Grounds for refusing a request

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

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 on the 15 February 2002:

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.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - a. (a) For every photocopy of an A4-size page or part thereof R1,10
 - b. (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. (c) For a copy in a computer-readable form on - (i) stiffy disc R 7,50; (ii) compact disc R 70,00
 - d. (d) (i) 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
 - e. (e) (i) 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
3. The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in Regulation 11(3) are as follows:
 1.
 - 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 R 70,00
 - d) (i) 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
 - e) (i) 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
 - f) 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.
 2. 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.
 3. The actual postage is payable when a copy of a record must be posted to a requester.