



This manual has been prepared in terms of the section 51 of the Promotion of Access to Information Act 2 of 2000 and to address the requirements of the Protection of Personal Information Act 4 of 2014.

**HLANGANISA COMMUNITY FUND FOR SOCIAL AND GENDER JUSTICE
(Hlanganisa Community Fund)**

**MANUAL PREPARED IN TERMS OF SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**

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

Purpose of the PAIA Manual

The aim of this PAIA Manual is to facilitate public understanding of how to request access to records held by the organization. It accomplishes this by providing clear descriptions of the subjects for which records are held, along with the categories of records pertaining to each subject. Additionally, it outlines whether the organization processes personal information, the nature of such processing, and details regarding the categories of individuals whose data may be processed, as well as the types of information involved. This ensures transparency regarding the handling of personal information and enables individuals to make informed decisions when accessing records.

Key Contact Details for Access to Information

Designated Head of Hlanganisa Community Fund

Ms Bongwiwe Ndondo - Chief Executive Officer

Postal Address of Hlanganisa Community Fund:

1st Floor, South
Tower, 1 Sixty Jan
Smuts
160 Jan Smuts
Avenue, Rosebank,
2196

Street Address of Hlanganisa Community Fund:

1st Floor, South Tower
1 Sixty Jan Smuts
160 Jan Smuts
Avenue, Rosebank,
2196

Tel. No of the Hlanganisa Community Fund:

+ 27 (0)11 726 1090

E- Mail address of the Hlanganisa Community Fund:

info@hlanhanisa.org.za

Website:

www.hlanganisa.org.za

Person delegated to deal with requests
(for "Information Officer"):

Tshenolo Ramokgopa
+27 (0)11 726 1090
info@hlanganisa.org.za

Deputy Information Officer:

Odwa Dotwana
+27 11 726 1090
info@hlanganisa.org.za

2 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

A Guide has been compiled in terms of Section 10 of PAIA by the South African Human Rights Commission (SAHRC) and amended by the Information Regulator in October 2021. 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 (South Africa) at:

JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017
Tel Number: 010 023 5200
Email: PAIACompliance@inforegulator.org.za

3 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
Children's Act 38 of 2005
Companies Act No 71 of 2008 and Applicable Regulations
Consumer Protection Act 68 of 2008
Copyright Act No. 98 of 1978
Currency and Exchanges Act No .9 of 1933
Electronic Communications Act, No. 36 of 2005
Electronic Communications and Transactions Act No 25 of 2002
Employment Equity Act. No. 55 of 1998
Financial Intelligence Centre Act No. 38 of 2001
Immigration Act 13 of 2002
Income Tax Act No 58 of 1962
Intellectual Property Laws Amendment Act No. 38 of 1997
Labour Relations Act No 66 of 1995
Long -Term Insurance Act No. 52 of 1998
National Credit Act No. 34 of 2005
Nonprofit Organisations Act No. 71 of 1997
Occupational Health and Safety Act No. 85 of 1993
Pension Funds Act No 24 of 1956
Prevention of Organised Crime Act No. 121 of 1998
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
Regulation of Interception of Communication and Provision of Communications Act, No.2 of 2000

Regulation of Interception of Communications and Provisions of Communication Related
Road Accident Fund Act 56 of 1996
Information Act No. 70 of 2002
Skills Development Act 97 of 1998
Skills Development Levies Act No 9 of 1999
South African Reserve Bank Act No. 90 of 1989
Tobacco Products Control Act No 83 of 1993
Unemployment Insurance Act No. 63 of 2001
Unemployment Insurance Contributions Act No 4 of 2002
Value Added Tax Act No 89 of 1991

4 RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by the 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 DHA is automatically available without having to request access in terms of PAIA.

5 SUBJECTS AND CATEGORIES OF RECORDS HELD BY HLANGANISA COMMUNITY FUND

General information about Hlanganisa Community Fund can be accessed via the internet on <https://hlanganisa.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

- Certificate of Incorporation
- Index of names of board members of the Hlanganisa Community Fund
- Minutes of meetings of the Board of Directors
- Minutes of meetings of Members
- Proxy forms
- Resolutions passed by Members at General Meetings
- Resolutions passed by the Board of Directors, and
- Annual Returns

Records relating to the appointment of:

- Auditors
- Directors

2. FINANCIAL RECORDS

- Accounting Records
- Annual Financial Reports
- Annual Financial Statements
- Asset Registers
- Bank Statements
- Banking details and bank accounts
- Banking Records
- Debtors / Creditors statements and invoices
- General ledgers and subsidiary ledgers
- General reconciliation
- 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:
 - VAT
 - PAYE
 - UIF
 - Workmen's Compensation

4. PERSONNEL DOCUMENTS AND RECORDS

- Disciplinary Code and Records
- Employee benefits arrangements rules and records
- Employment Contracts
- Employment Equity Plan
- Forms and Applications
- Grievance Procedures
- Leave Records
- Medical Aid Records
- Payroll reports/ Wage register

- Safety, Health, and Environmental records
- Salary Records
- Standard letters and notices
- Training Manuals
- Training Records
- Human Resources Policy Manual

5. PROCUREMENT DEPARTMENT

- Procurement framework to regulate appointment of service providers, and suppliers of goods, and
- Service provider, and supplier agreements

6. MARKETING DEPARTMENT

- Advertising and promotional material

7. SAFETY, HEALTH, AND ENVIRONMENT

- Safety, Health, and Environment Risk Assessment
- Monthly Occupational Health and Safety ("OHS") Legal Compliance Risk Assessment Reports
- Minutes of quarterly OHS meetings.
- Meetings' attendance records
- Records of training received

8. IT DEPARTMENT

- Computer / mobile device usage policy documentation
- Disaster recovery plans
- Hardware asset registers
- Information security policies/standards/procedures
- Information technology systems and user manuals
- Information usage policy documentation
- Software licensing, and
- System documentation and manuals

6 PURPOSE OF PROCESSING OF PERSONAL INFORMATION

- To support security functions and activities,
- To support resident/ member administration functions,
- To support management of staff,
- To support engagement with service providers and suppliers,

7 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

- Grantees
- Donors
- Employees: record of employee life cycle
- Service Providers and Suppliers: record of supplier life cycle
- Visitors

8 PLANNED RECIPIENTS OF PERSONAL INFORMATION

- Statutory authorities
- Law enforcement

- Tax authorities
- Financial institutions
- Medical schemes
- Employee pension and provident funds
- Industry bodies
- Service providers

9 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

- Physical security measures
- Cyber security measures
- Training in information security
- Policies in information security
- Audits of information security

10 DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS

10.1 PAIA FORM 02: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

In terms of Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) [Regulation (7)], Form 02 should be used to request access to a record held by a Public or Private body in terms of PAIA. Form 02 can be downloaded from the Information Regulator website under Documents/Forms. It can also be downloaded using the link below.

Form 02: Request for Access to Record:

<https://inforegulator.org.za/paia-forms/>

Please note: Do not use Form 02 for personal information requests (Data Subject Requests). The appropriate form for these requests is described in point 10.2 below.

10.1.1. Completion if Request for Access

All requesters should take note of the following guidelines when completing the attached; Request for Access to Record of private body (refer to Annexure: Form C):

- a) The form must be completed by filling in all lines and spaces;
- b) Proof of the identity, in the form of a copy of the requester's identity document, is required to be submitted with the application;
- c) If the requester is a body corporate, the authority of the person submitting the application on behalf of such body

- corporate must be proven on the basis of a written authority to be attached;
- d) Type or print in a clear eligible manner, if a question does not apply indicate so by inserting "N/A" in response to that question, and if there is nothing to disclose in response to a particular question write "NIL" in response thereto;
 - e) If there is insufficient space in the form, add additional folios on which the additional information is provided, clearly indicating to which question this relates.

10.2 POPIA FORM 2: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24 (1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

In terms of the Protection of Personal Information Act of 2013, Section 24 and the Regulations relating to the Protection of Personal information, 2017, [Regulation 3(2)] Form 2 should be used to raise requests for the correction or deletion of personal information or destroying or deletion of record of personal information. Form 2 is available on the Information Regulator website under Documents/Forms. It can be downloaded using the link below:

Form 2: Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information

<https://inforegulator.org.za/popia-forms/>

11 GROUNDS FOR REFUSING A REQUEST

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

The requester will be informed whether or not the application for access has been denied or granted. In the event that the application is refused, the requester will be given adequate reasons for the refusal and will be informed that the requester may lodge an application with a Court (if a PAIA request) or the Information Regulator (if a POPIA) against the refusal of the application.

- 11.1.1 The following are grounds upon which Hlanganisa Community Fund may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:
- 11.1.2 Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable
- 11.1.3 Mandatory protection of the commercial information of a third party, if the Records contain:
- a) Trade secrets of that third party;
 - b) Financial, commercial, scientific, or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - c) Information disclosed in confidence by a third party to The Company, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
- 11.1.4 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 11.1.5 Mandatory protection of the safety of individuals and the protection of property;
- 11.1.6 Mandatory protection of Records that would be regarded as privileged in legal proceedings;
- 11.1.7 Protection of the commercial information of the Company, which may include:
- a) Trade secrets;
 - b) Financial/commercial, scientific, or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of Hlanganisa Community Fund or the third party;
 - c) Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or
 - d) Computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;
- 11.1.8 Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- 11.1.9 Requests for records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

- 11.1.10 Disclosure of the record would put Hlanganisa Community Fund at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- 11.1.11 The record is a computer program which is owned by Hlanganisa Community Fund and protected by Copyright;
- 11.1.12 Requests for records that contains information about research being carried out or about to be carried out on behalf of a third party of Hlanganisa Community Fund and/or information that is not yet in public domain.

12 AVAILABILITY OF THE MANUAL

This guide is available on Hlanganisa Community Fund website at www.hlanganisa.org.za and at the offices of the Hlanganisa Community Fund during normal business hours by completing Form 1 to Request for a Copy of the Guide. A fee for a copy of the manual, as contemplated in Annexure B of the regulation, shall be payable per each A4 size photocopy made.

Form 1 to request for a copy of the manual can be downloaded using the link below:

<https://inforegulator.org.za/popia-forms/>

13 UPDATING OF THE MANUAL

The manual will be updated on a regular basis.

Issued by



Bongiwe Ndondo
Chief Executive Officer

14 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 email R60,00
 - 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:
 - 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 email R60,00;
 - 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.
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.
6. The actual postage is payable when a copy of a record must be posted to a requester.