

## **PROMOTION OF ACCESS TO INFORMATION ACT MANUAL**

### **Promotion of Access to Information Act, 2000 (PAIA) Manual**

The Click Foundation Trust is a charitable trust registered in South Africa (master's reference number IT 400/12) having its registered address at 9<sup>th</sup> Floor, 90 Grayston Drive, Sandton, Johannesburg, (**Click Foundation**).

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#### **1. CONTACT DETAILS**

<b>Information Officer: Nicola Harris</b> <b>E-mail:</b> <b>nicola@clickfoundation.co.za</b>	<b>Deputy Information Officer: James McCarthy</b> <b>E-mail:</b> <b>james@clickfoundation.co.za</b>
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#### **2. SECTION 10 GUIDE ON PAIA**

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights.

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

The Guide is available from the Information Regulator. The contact details of the SAHRC are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

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

### **3. APPLICABLE LEGISLATION**

Certain records held by Click Foundation are available in terms of legislation other than PAIA. The specific records which are available in terms of such legislation are set out therein and these records may in certain instances only be accessed by the persons specified in the relevant legislation. Such legislation includes:

- Basic Conditions of Employment Act, No. 75 of 1997
- Companies Act, No. 71 of 2008
- Employment Equity Act, No 55 of 1998
- Income Tax Act, No. 58 of 1962
- Pension Funds Act, No. 24 of 1956
- Electronic Communications and Transactions Act, No. 25 of 2002
- Unemployment Insurance Act, No. 63 of 2001
- Labour Relations Act, No. 66 of 1995
- Medical Schemes Act, No. 131 of 1998
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Protection of Personal Information Act, No. 4 of 2013
- Constitution of the Republic of South Africa Act, No 108 of 2008
- Electronic Communications Act, No.36 of 2005

#### **4. SCHEDULE OF RECORDS**

General information about Click Foundation can be accessed via the internet on our website at <http://clickfoundation.co.za/> and social media pages.

The subjects on which Click Foundation holds records and the categories on each subject in terms of Section 51(1)(e) of PAIA 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 PAIA and the Protection of Personal Information Act, 4 of 2013:

##### **A. Human Resources:**

- Employee records
- Contracts
- Guidelines, policies and procedure

##### **B. Corporate:**

- Shareholder records
- Records relating to the incorporation of Click Foundation
- Statutory records
- Board minutes and resolutions

##### **C. Financial:**

- Tax records (Click Foundation and Staff)
- Annual financial statements
- Bank statements
- Purchase Orders/Invoices
- Asset Register
- Insurance information

##### **D. Operational:**

- Operational reviews
- Vendor records
- Guidelines, policies and procedure
- Contracts

- Internal and external correspondence
- Records provided by a third party
- Databases
- Information technology

For further information, please see our privacy notice attached as Annexure B to this Manual and available on our website at <http://clickfoundation.co.za/>.

## **5. FORM OF REQUEST**

A requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.

A request for access to records held by Click Foundation in terms of section 50 of PAIA must be made on the form contained in the Regulations Regarding the Promotion of Access to Information (Form C). A copy of the form is attached as Appendix A. The request must be made to Click Foundation at the address or email address, specified in Section 1 above.

A requester must provide sufficient detail on the prescribed form to allow Click Foundation to identify the record or records which have been requested and the identity of the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to Click Foundation. The requester is also required to indicate the form of access to the relevant records that is required, and to provide his, her or its contact details in the Republic of South Africa.

The requester must identify the right that he, she or it is seeking to exercise by accessing records held by Click Foundation and must explain why the particular record or records requested is or are required for the exercise or protection of that right.

**6. PRESCRIBED FEES**

Depending on your request, we may be entitled to charge you certain fees. The fees which may be payable are on the SAHRC website [www.sahrc.org.za](http://www.sahrc.org.za). Before attending to your request we will advise you of the total fees you will need to pay.

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Information Officer of The Click Foundation Trust

Date:

Version 1

**APPENDIX A TO PAIA MANUAL**

**FORM C**

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)

[Regulation 10]

**A. Particulars of private body**

The Head:

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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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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:

**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:

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2 Reference number, if available:

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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:

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**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: _____	Form in which record is required
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Mark the appropriate box with an X.

**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 for the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form:**

	<input type="checkbox"/> copy of record*		<input type="checkbox"/> inspection of record
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**2. If record consists of visual images**

this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

	<input type="checkbox"/> view the images		<input type="checkbox"/> copy of the images"		<input type="checkbox"/> transcription of the
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					images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
	listen to the soundtrack audio cassette		transcription of soundtrack* written or printed document		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	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

**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:

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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?

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Signed at..... This..... day of .....20

WHOSE BEHALF REQUEST IS MADE

SIGNATURE OF REQUESTER / PERSON ON