

Rise Against Domestic Violence SA (NPC)

**Promotion of Access to Information Act
Section 51 Manual
For Private Bodies**

**Prepared by: Rise Against Domestic Violence SA (NPC)
June 2021**

Rise Against Domestic Violence SA (NPC)

Contents	Page
1. Introduction	3
2. Contact & Information Officer Details	4
3. Section 10 Guide to how to use the Act	5
4. Records available in terms of any other legislation	6 - 7
5. Access to the records held by the Entity	
i Information & records available without request	8
ii Records that may be requested	8 - 10
6. Request Procedures & Fees	11
7. Other information as may be prescribed	12
8. Availability of the manual	12

Rise Against Domestic Violence SA (NPC)

1. Introduction

Rise Against Domestic Violence SA (NPC) is a Not for Profit Company (hereafter called the NPC). The Chief Executive Officer is Mr Ryan Williams (hereafter called the Information Officer).

We specialise in Assisting Victims of domestic violence as well as rehabilitation of abusers using counselling and legal services.

Our Services include: Facilitating Counselling and Legal Services via service providers

Company Registration Number: 2020/930270/08

Income Tax Registration No.: 9584476197

Bankers: Standard Bank

Rise Against Domestic Violence SA (NPC)

3. Section 10 Guide on how to use the Act

The guide on how to use the act is available from the South African Human Rights Commission.

Please direct any queries to :

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Postal address : Private Bag 2700
Houghton
2041

Telephone : +27 11 877 3600

Fax : +27 11 403 0625

Website : www.sahrc.org.za

E-mail : info@sahrc.org.za

Rise Against Domestic Violence SA (NPC)

4. Records available in terms of any other legislation

The following records are available in terms of the relevant legislation pertaining to the business of the entity (please note that this is not an exhaustive list):

- Basic Conditions of Employment No.75 of 1997 (including Sectoral Determination 9: Wholesale and Retail Sector)
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Close Corporation Act No. 69 of 1984
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Health Diseases Act No.130 of 1993
- Consumer Affairs (Unfair Business Practices) Act No. 21 of 2001
- Consumer Protection Act No. 68 of 2008
- Copyright Act No. 98 of 1978 including the Copyright Amendment Act No. 9 of 2002
- Debtor Collectors Act No. 114 of 1998
- Designs Act 195 of 1993
- Employment Equity Act No. 55 of 1998
- Electronic Communications and Transmissions Act No. 25 of 2002
- Financial Intelligence Centre Act No. 38 of 2001
- Harmful Business Practices Act No. 23 of 1999
- Income Tax Act No. 95 of 1967
- Labour Relations Act No. 66 of 1995
- National Environmental management: Waste Act No. 59 of 2008
- Occupational Health & Safety Act No. 85 of 1993
- Prescribed rate of Interest Act No. 55 of 1975
- Prevention and Combating of Corrupt Activities Act No. 12 of 2004
- Promotion of Access to Information Act No. 2 of 2000
- Protected Disclosures Act No. 26 of 2000
- Protection of Businesses Act No. 99 of 1978
- Regulation of Interception of Communications and Provision of Communication Related Information Act No 70 of 2002
- Sale and Services Matters Act No. 25 of 1964
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Standards Act No. 29 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.

Rise Against Domestic Violence SA (NPC)

5. Access to the records held by the Entity

- i. Records which are available without a person having to request access in terms of this Act in terms of section 52(2) (Section 51(1)(c)).

This information can be defined as operational information needed in the day to day running of the business and is generally of little to no use to persons outside the business.

- ii. Rise Against Domestic Violence SA (NPC) takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy laws. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by Rise Against Domestic Violence SA (NPC).

- iii. Records that are processed by the business.

- a. **Financial documents and records**

- Tax records
- Inventory records
- Asset Register
- Order Forms
- Invoices
- Monthly statements
- Delivery notes
- Debit notes
- Credit notes
- Company bank accounts
- Cash records
- Annual Financial Statements
- Any other financial documents and records

- b. **Operational documents and records**

- Promotional material
- Written policies regarding your business plan
- Registered designs, patents and trademark records
- Product manuals
- Any licences or permits
- Work instruction manuals
- Customer database
- Correspondence with customers
- Sales records
- Production records
- Price lists
- Customer Complaint records
- Quotations

Rise Against Domestic Violence SA (NPC)

- Contracts
 - Leases
 - Close Corporation/Company registers
 - Any documents in respect of research and development
 - Any other operational documents and records
- c. **Personal documents and records**
- Employment contracts and employee details
 - Application forms
 - Qualifications
 - Salary records
 - Leave records
 - Educational History of employees
 - Conditions of employment
 - Records relating to increases
 - Disciplinary records
 - Performance management records
 - Medical history of employees
 - Training records
 - Company policies
 - Employment Equity plan
 - Workplace Skills plan
 - SETA records
 - Attendance registers
 - Provident Fund/Pension Fund (please specify)
 - Unemployment Insurance
 - Medical Aid
 - Workman's Compensation records
 - Records of deductions
 - Union records
 - Any other personnel documents and records
- d. **Safety records**
- Safety manual
 - Record of incidents
 - Record of corrective action taken
- e. **Information technology records**
- Licences
 - Software programs
 - Software applications
 - Computer generated databases
 - Any other information technology records and documents

Rise Against Domestic Violence SA (NPC)

6. The Request Procedures & Fees

i. Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the entity. This request must be made to the address, fax number or electronic mail address of the body concerned. (Section 53(1)).
- The requester must provide sufficient detail on the request form to enable the head of the entity 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 is to be used to inform the requester and state the necessary particulars to be so informed. (Section 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 (Section 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 head of the entity. (Section 53(2)(f)).

ii. Fees :

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 head of the entity 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 (Section 54(1)).
- The fee that the requester must pay to the entity is R50. The requester may lodge an application to the court against the tender or payment of the request fee (Section 54(3)(b)).

Rise Against Domestic Violence SA (NPC)

- After the head of the entity 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. (Section 54(6)).
- The SAHRC's website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under "regulations") contain the forms to furnish a request and the fee structure.

7. Other information may be prescribed

The Minister of Justice and the Constitutional Development has not made any regulations in this regard.

8. Availability of the Manual

The manual is available for inspection at the following locations:

- At the business premises of the entity as detailed in section 2 above;
- From the South African Human Rights Commission (SAHRC) (See Section 3 above)
- On the SAHRC website: www.sahrc.org.za