



**MANUAL ON ACCESS TO INFORMATION HELD BY SAAI**

COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION  
ACT, NO 2 OF 2000 (AS AMENDED)



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## Section 51 Manual for SAAI

### INTRODUCTION

This manual is compiled in terms of the Promotion of Access to Information Act, No 2 of 2000 (“the Act”). The Act gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa.

In terms of the Act, private bodies are required to compile a manual as a guide to requesters of information. This manual further serves to indicate the kind of records held by SAAI and the availability of such records from SAAI, as a private body.

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

Business name: **SAAI**

Business registration number: **2019/140429/08**

Postal Address: **P O Box 17216, Lyttleton, 0140**

Street Address: **SAAI, Shop 21, Greenlyn Village Center, Thomas Edison Street, 0081**

Tel. No of head office: **012 881 0012**

Initials and surname of the Information Officer: **Francois Rossouw**

e-Mail address: **navrae@saai.org**

Website address: **www.saai.org**

Requests for information and access to records not readily available may be made by contacting the Information Officers.

### DESCRIPTION OF THE ACTIVITIES OF SAAI

SAAI is a non-governmental organisation – registered as a non-profit company – with the aim of protecting the rights of minorities. While the organisation functions on the internationally recognised principle of the protection of minorities, SAAI specifically focuses on the rights of Afrikaners as a community living on the southern tip of the continent.

Membership is not exclusive, however, and any person may join who can associate themselves with the contents of the Civil Rights Manifest of the organisation.

Since SAAI is a non-profit organisation that places great emphasis on its independence, the organisation receives no financing from the South African government. Income is derived from members who are requested to contribute a monthly members' fee of their own choice.

#### MANAGEMENT STRUCTURE

SAAI is managed by a dynamic team:

- Hoofuitvoerendebeampte – Francois Rossouw

#### DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(b)

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

The Guide is available for inspection at the offices of the Human Rights Commission.

#### **The South African Human Rights Commission**

The Research and Document Department

PAIA Unit

Private Bag 2700

Houghton 2041

**Telephone:** +27 11 877 3600

**Fax:** +27 11 403 0625

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

**Email:** [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

At this stage, no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

#### RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

Records available in terms of other legislation are as follows:

- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 61 of 1973
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 9 of 1999

## SUBJECTS AND CATEGORIES OF RECORDS HELD BY SAAI:

### **SECTION 51(1)(e)**

Records held by SAAI are generated through the administration of its core functions and processes. These records include strategic records and those of various support functions within SAAI.

The functions and categories of records held by SAAI are listed and classified below according to the respective SAAI divisions.

### COMPANIES STRATEGIC RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share register and other statutory registers

### FINANCIAL RECORDS

- Annual financial statements
- Accounting records
- Banking records
- Bank statements
- Electronic banking records
- Asset register
- Rental agreements

## 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

## PERSONNEL DOCUMENTS AND RECORDS

- Employment contracts containing all Personal Information of employees
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records

## MEMBERS PERSONAL INFORMATION - ELECTRONIC RECORDS

- Title
- Full names
- Surname
- Nickname
- ID number
- Cell Phone number
- Work number
- Home number
- Alternative number
- E-Mail Address
- Marriage Status
- Gender
- Date of birth
- Language
- Membership number
- Membership type
- Physical address
- Postal address
- Bank details

- Monthly/ yearly contribution amounts
- Active branch name
- Neighbourhood watch member status
- Citizenship
- Disability

#### COMPANY INFORMATION - MEMBERS

- Documents of incorporation
- Contact person name
- Contact person surname
- Physical address
- Postal address
- email address of company contact person
- cell phone number
- Landline number
- Fax number
- Bank Details
- Language
- Membership type
- Membership number
- Monthly/ yearly contribution amount
- Active branch

#### INFORMATION READILY AVAILABLE

- Financial service providers
- Insurance service providers
- Retirement fund providers
- Medical aid providers
- Code of conduct
- List of company directors and leadership
- Media statements
- Blogs

#### DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS – SECTION 51(e)

Requests for access to records of SAAI may be made to the relevant person listed in paragraph 2 above:

The requester must apply in writing and pay the required fees as per section 54 of the act to the information officer of the private body. On receiving the request, the information officer of the private body will determine as per section 54 of the act, the cost for the preparation of the record for disclosure (including any arrangements contemplated in section 29 (2) (a) and (b) (i) and (ii) (aa)), would, in the opinion of the Information Officer of the private body concerned, require more than the hours prescribed for this purpose for requesters, the Information Officer must by notice require the requester, other than a personal requester, to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable if the request is granted.

- The request must be submitted to the head of the private body at his electronic mail address.
  - The request must:
    - provide sufficient particulars to enable the Information Officer of the private body to identify the record/s requested and to identify the requester
    - indicate which form of access is required, specify a postal address or an email address of the requester in the Republic of South Africa
    - identify the right that the requester is seeking to exercise or protect, and explain why the requested record is required for the exercise or protection of that right
  - if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
  - if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of SAAI.

## PAYMENT OF FEES

A request fee is payable for PAIA requests and proof of such payment must be sent to the information Officer together with the request. Once SAAI has decided to grant the requested access to information, access fees may be imposed by SAAI to the requester.

- The request fee is aligned to the Regulations published in terms of the PAIA Act for private bodies.
- Bank deposit is the only accepted payment method for PAIA requests using the following SAAI banking details:



<b>First National Bank</b>
Account No: 62809459309
Branch Name: LYNNWOOD
Branch Code: 261550
Ref: PAIA request- <b>NAME OF REQUESTER</b>

- A request is only received once a written request and the prescribed request fee have been received by the Information Officer.
- Upon receipt of the PAIA request, SAAI shall endeavour to consider and provide a response to each request within the prescribed thirty (30) days. When necessary, SAAI may extend the period of thirty (30) days for a further period of thirty (30) days in order to finalise request.

### CONSIDERING THE REQUEST

Requests for records for the purpose of criminal or civil proceedings are dealt with in terms of Chapter 2 Section 7 of the Act. Section 7(1) provides as follows:

*“the Act does not apply to a record of a private body if*

- that record is requested for the purpose of criminal or civil proceedings;
- so requested after the commencement of such criminal or civil proceedings, as the case may be;
- the production of or access to that record for the purpose referred to in the first bullet above is provided in law.”
- If section 7(1) applies to a request, then the requester must use the rules and procedures for the discovery of information related to the legal proceedings.
- SAAI may refuse access where requests are frivolous and/or vexatious.

### DECISION OF SAAI

As prescribed in section 25 of the Act, the Information Officer shall decide whether to grant the requested access to information and inform the requester accordingly. The requester shall be notified of the decision in the most expedient manner possible.

If the request for access to information is refused by the Information Officer, the requester shall be provided with written reasons for such refusal.

## RIGHT TO CHALLENGE DECISION

- If a requester does not agree with the decision, the requester may apply, within 180 days of being advised of the Information Officer's decision, to the High Court having jurisdiction,
- for an appropriate order.
- A requester may also seek relief from any court with appropriate jurisdiction in respect of the following decisions of the Information Officer:
  - The fees required to be paid; and/or
  - The extension of the period within which the information will be provided.

## AVAILABILITY OF THE MANUAL

This manual has been drafted to show SAAI's commitment to leading by example in compliance with, the Constitution, laws and regulations of the Republic of South Africa. The availability of this manual is not only in compliance with the requirements of PAIA, but also is an effort to truly run a transparent institution that is compliant and promotes the constitutional right of access to information.

## UPDATING OF THE MANUAL

This manual will be updated periodically but no less than once each year.